

Sec. 19. [269.89] **Military service credit.** After any agreement or modification is made, any hospital employee member given a leave of absence to enter military service and who returns to public service upon discharge from military service as provided in Minnesota Statutes, Section 192.262, may obtain credit for his period of military service but he shall not receive credit for any voluntary extension of military service at the instance of the member beyond the initial period of enlistment, induction or call to active duty. Such member may obtain such credit by paying into the fund an employee contribution based upon his salary at the date of return from military service. The amount of this contribution shall be three percent of his salary not to exceed \$4,800 in any fiscal year. In such cases the matching employer contribution and additional contribution shall be paid by the political subdivision employing such member upon his return to public service and the political subdivision involved is hereby authorized to appropriate money therefor.

Sec. 20. This act takes effect July 1, 1963.

Approved May 22, 1963.

CHAPTER 794—S. F. No. 237

An act relating to aid to dependent children; amending Minnesota Statutes 1961, Section 256.01, Subdivision 4; Section 256.12, Subdivision 14; Section 256.72; Section 256.73, Subdivision 2; Section 256.74, Subdivision 1; Section 256.81.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 256.01, Subdivision 4, is amended to read:

Subd. 4. **Aid to dependent children; duties as state agency.** The state agency shall:

(1) Supervise the administration of assistance to dependent children under Laws 1937, Chapter 438, by the county agencies in an integrated program with other service for dependent children maintained under the direction of the state agency;

(2) May subpoena witnesses and administer oaths, make rules and regulations, and take such action as may be necessary, or desirable for carrying out the provisions of Laws 1937, Chapter 438. All rules and regulations made by the state agency shall be

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binding on the counties and shall be complied with by the respective county agencies;

(3) Establish adequate standards for personnel employed by the counties and the state agency in the administration of Laws 1937, Chapter 438, and make the necessary rules and regulations to maintain such standards;

(4) Prescribe the form of and print and supply to the county agencies blanks for applications, reports, affidavits, and such other forms as it may deem necessary and advisable;

(5) Cooperate with the federal government and its public welfare agencies in any reasonable manner as may be necessary to qualify for federal aid for aid to dependent children and in conformity with the provisions of Laws 1937, Chapter 438, including the making of such reports and such forms and containing such information as the Federal Social Security Board may from time to time require, and comply with such provisions as such board may from time to time find necessary to assure the correctness and verification of such reports; and

(6) May cooperate with other state agencies in establishing reciprocal agreements in instances where a child receiving aid to dependent children moves or contemplates moving into or out of the state, in order that such child may continue to receive supervised aid from the state from which he has moved until he shall have resided for one year in the state to which he has moved; and

(7) On or before October 1 in each even-numbered year make a biennial report to the governor concerning the activities of the agency; and

(8) *Enter into agreements with other departments of the state as necessary to meet all requirements of the federal government.*

Sec. 2. Minnesota Statutes 1961, Section 256.12, Subdivision 14, is amended to read:

Subd. 14. **Dependent child.** "Dependent child," as used in sections 256.72 to 256.87, means a child under the age of 18 years who is found to be deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent, and whose relatives, liable under the law for his support are not able to provide adequate care and support of such child, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew,

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or niece in a place of residence maintained by one or more of such relatives as his or their home.

The term "dependent child" shall also mean a child who has been removed from the home of a relative after a judicial determination that continuance in the home would be contrary to the welfare and best interests of the child and whose further placement and care is the responsibility of the state or county agency and who has been placed in a foster home or a private licensed child care institution and who has received aid under this act during the month in which the judicial proceedings for removal were initiated.

Sec. 3. Minnesota Statutes 1961, Section 256.72, is amended to read:

256.72 Duties of county agencies. The county agencies shall:

(1) Administer the provisions of sections 256.72 to 256.87 in the respective counties subject to the rules and regulations prescribed by the state agency pursuant to the provisions of those sections;

(2) Report to the state agency at such times and in such manner and form as the state agency may from time to time direct; and

(3) Submit quarterly and annually to the county board of commissioners a budget containing an estimate and supporting data setting forth the amount of money needed to carry out the provisions of those sections.

(4) In addition to providing financial assistance, provide such services as will help to maintain and strengthen family life and promote the support and personal independence of parents and relatives insofar as such help is consistent with continuing parental care and protection.

Sec. 4. Minnesota Statutes 1961, Section 256.73, Subdivision 2, is amended to read:

Subd. 2. Allowance barred by ownership of property. The ownership by father, mother, child, children, or any combination thereof, of property as follows shall be a bar to any allowance under sections 256.72 to 256.87:

(1) Real estate used as a home the market value of which less encumbrances exceeds \$7,500; provided that real estate used as a home in excess of this amount will not be a bar to eligibility

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where the county welfare board determines that such real estate is not available for support of the family.

(2) Personal property of a reasonable market value in excess of \$300 for a one child recipient or \$500 for more than one child recipient, exclusive of personal property used as the home, insurance carried by a parent which does not exceed a cash surrender value of \$500, appropriate clothing and necessary household furniture and equipment, and of such tools, implements, and domestic animals as in the opinion of the county agency it is expedient to retain for the purpose of reducing the expense or increasing the income of the family; *or, and the earnings of a dependent child which are placed in a savings account to be used for a future purpose approved by the county agency in accordance with the rules and regulations of the commissioner of public welfare; or*

(3) Real estate not used as a home, provided that if such real estate does not produce net income sufficient to meet the family budget and there is no available market for the sale of such property, or if the price which can be obtained on the prevailing market is not fair and reasonable considering the applicant's interest therein and the possibilities of sale of said property for a greater amount within a reasonable length of time thereafter then in that event, in the discretion of the county agency, ownership of the same shall not be a bar to an allowance under sections 256.72 to 256.87. Net income shall be the residue after payment from gross income of taxes, insurance, maintenance, and interest on encumbrances, if any, on the property, provided that in computing net income the gross income shall not be charged with any expenses toward betterment of the property as improvements or by payment on the principal of a mortgage; provided, that the net income thus derived shall be applied on the family budget.

Sec. 5. Minnesota Statutes 1961, Section 256.74, Subdivision 1, is amended to read:

256.74 Assistance. Subdivision 1. **Amount.** The amount of assistance which shall be granted to or on behalf of any dependent child and mother or other needy eligible relative caring for such dependent child shall be determined by the county agency with due regard to the resources and necessary expenditures of the family and the conditions existing in each case and in accordance with the rules and regulations made by the state agency and shall be sufficient, when added to all other income and support available to the child, to provide such child with a reasonable subsistence compatible with decency and health.

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Sec. 6. Minnesota Statutes 1961, Section 256.81, is amended to read:

256.81 County agency, duties. (1) The county agency shall keep such records, accounts, and statistics in relation to aid to dependent children as the state agency shall prescribe.

(2) Each grant of aid to dependent children shall be paid to the recipient by the county agency in the first instance, except in those instances in which the county agency, subject to rules and regulations of the state agency, determines that payments for medical care shall be made directly to the vendor of such care, *and except in those instances in which the county agency subject to the rules and regulations of the state agency determines that payments for care shall be made to an individual other than the parent or relative with whom the dependent child is living because such parent or relative is unable to properly manage the funds in the best interests and welfare of the child.*

(3) The county shall be paid from state and federal funds available therefor the amount provided for in section 256.82.

(4) Not exceeding two-thirds of any federal funds for administration shall be used to repay the counties necessary administrative expenses pro rata in the proportion the total number of recipients in each county bears to the total number of recipients in the state for the period for which such funds were received and are available, and the balance of any such sum shall be available to the state agency to defray the necessary expenses of the state agency.

Approved May 22, 1963.

CHAPTER 795—S. F. No. 279

An act relating to marriage; providing higher minimum ages for marriage; amending Minnesota Statutes 1961, Sections 517.02; 517.03; 517.08; and 518.01.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 517.02 is amended to read:

517.02 Marriage; minimum age; persons capable of contracting. Every male person who has attained the full age of ~~18~~ *21*

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