

either of the villages of Oakdale or Lake Elmo or the county board of Washington county, the judge of the district court of the tenth judicial district with chambers in Washington county shall assume jurisdiction over the dispute which has arisen over the location of the boundary between the villages of Oakdale and Lake Elmo as established by Order No. 1-21 of the Minnesota municipal commission dated March 11, 1968.

Sec. 2. Upon receipt of the petition the district court shall fix a time for hearing of the matter and cause reasonable notice to be given as to the time and place of hearing to the governing body of the villages, the county board, the Minnesota municipal commission and all property owners within the disputed area. After a hearing of the matter, the district court shall enter its order fixing the boundary between the villages of Oakdale and Lake Elmo on the north and south half section line or within the east half of sections 5 and 8, township 29, range 21, Washington county, Minnesota.

Sec. 3. The governing bodies of the villages of Oakdale and Lake Elmo are specifically authorized to meet and confer at such times and places as they may agree and enter into a stipulation for settlement of the said dispute on such terms and conditions as they agree and upon the execution and filing of a written stipulation of settlement with the Minnesota municipal commission on or before October 1, 1971 this act shall be of no effect. The Minnesota municipal commission shall then enter its order establishing the boundary between the villages of Oakdale and Lake Elmo which shall incorporate the terms and provisions of said stipulation and which order shall be binding on both municipalities.

Approved July 8, 1971.

EXTRA SESSION
CHAPTER 16—S.F.No.39

[Coded in Part]

An act relating to welfare; payment of funeral expenses; amending Minnesota Statutes 1969, Sections 245.27, Subdivision 3; 256.18; and 256B.07; repealing Minnesota Statutes 1969, Sections 256.24; 256.37; 256.53, Subdivision 2; 256.74, Subdivision 3; and 256.74, Subdivision 4.

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

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Section 1. Minnesota Statutes 1969, Section 245.27, Subdivision 3, is amended to read:

Subd. 3. **PUBLIC WELFARE; FUNERAL EXPENSES; PROPERTY OWNERSHIP; EXCEPTIONS.** (1) Household goods and furniture used in the home, wearing apparel, insurance policies the cash surrender value of which does not exceed \$500 per person, ~~moneys prepaid for funerals not to exceed \$500 per person,~~ and a lot in a burial ground shall not be considered in determining the property limitation set forth in subdivision 2.

(2) If the liquidation of the personal property convertible into cash referred to in subdivision 2 would cause undue loss or hardship, the county agency, in its discretion, may nevertheless grant assistance.

(3) If there is no available market for the sale of the real estate specified in subdivision 2, clause (3), as a bar to the granting of assistance, or if the price which can be obtained on the prevailing market for that real estate is not fair and reasonable, considering the interest of the disabled person, spouse, or both, therein and the possibility of a sale of said property for a greater amount within a reasonable length of time after the application for assistance is made, the county agency may nevertheless, in its discretion, grant assistance.

Sec. 2. Minnesota Statutes 1969, Section 256.18, is amended to read:

256.18 PENSIONERS, DISQUALIFICATION. No old age assistance shall be paid a person:

(1) While or during the time he is an inmate of, and received gratuitously all the necessities of life from any public institution maintained by the United States, or any state or any of the political subdivisions of a state; provided, however, that part or all of any old age assistance may be paid to patients of public or private medical institutions subject to rules and regulations made by the state agency;

(2) If the net value of his property or the net value of the combined property of husband and wife exceeds \$10,000; or if the net value of his assets convertible into cash exceeds \$300 or the combined convertible assets of husband and wife exceed \$450. The county agency in its discretion may permit eligibility of an applicant having liquid assets in excess of this amount when the liquidation of the assets would cause undue loss. Household goods and furniture in use in the home, wearing apparel, insurance policies the cash surrender value of which does not exceed \$1,000 per person, personal property used as a regular abode by the applicant or recipient, ~~moneys for~~

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~~prepaid funerals not to exceed \$500 per person, and a lot in the burial ground may be owned in addition to the property limitation;~~

(3) Who has, within five years prior to the date of his application for assistance, deprived himself directly or indirectly of any property for the purpose of qualifying for old age assistance;

(4) Whose spouse, living with the person, has made an assignment or transfer directly or indirectly of any property for the purpose of qualifying either person for old age assistance under sections 256.11 to 256.43;

(5) Who is receiving aid to the blind, aid to dependent children or aid to the permanently and totally disabled.

Sec. 3. Minnesota Statutes 1969, Section 256B.07, is amended to read:

256B.07 EXCEPTIONS IN DETERMINING RESOURCES. A county agency may waive the requirement of liquidation of excess assets when the liquidation would cause undue hardship. Household goods and furniture in use in the home, wearing apparel, insurance policies with cash surrender value not in excess of \$1,000 per insured person, ~~a prepaid funeral contract not in excess of \$600~~, and a lot in a burial plot shall not be considered as resources available to meet medical needs.

Sec. 4. **[256.935] FUNERAL EXPENSES, PAYMENT BY COUNTY AGENCY; PREPAID FUNERAL CONTRACTS, EFFECT UPON ELIGIBILITY FOR PUBLIC ASSISTANCE.** Subdivision 1. On the death of any person receiving public assistance through old age assistance, aid to the blind, aid to the disabled, or aid to dependent children, the county agency shall pay an amount for funeral expenses not exceeding \$370 and actual cemetery charges. No funeral expenses shall be paid if the estate of the deceased is sufficient to pay such expenses or if the children, or spouse, who were legally responsible for the support of the deceased during his lifetime, are able to pay such expenses; provided, that the additional payment or donation of the cost of cemetery lot, interment, religious service, or for the transportation of the body into or out of the community in which the deceased resided, shall not limit payment by the county agency as herein authorized. Freedom of choice in the selection of a funeral director shall be granted to persons lawfully authorized to make arrangements for the burial of any such deceased recipient. In determining the sufficiency of such estate, due regard shall be had for the nature and marketability of the assets of the estate. The county agency may grant funeral expenses where the sale would cause undue loss to the estate. Any amount paid for funeral expenses shall be a prior claim against the estate, as provided in section 524.44, and any amount recovered shall be reimbursed to the

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agency which paid the expenses. The state shall reimburse the county for 50 percent of any payments made for funeral expenses.

Sec. 5. [256.935] Subd. 2. In determining eligibility for public assistance through old age assistance, aid to the blind, aid to the disabled, aid to dependent children, or medical assistance, a prepaid funeral contract not in excess of \$750 per person, plus accrued interest of not more than \$200, shall not be considered as resources or assets and may be owned in addition to other property.

Sec. 6. Minnesota Statutes 1969, Sections 256.24; 256.37; 256.53, Subdivision 2; 256.74, Subdivision 3; and 256.74, Subdivision 4, are repealed.

Sec. 7. This act is effective July 1, 1971.

Approved July 15, 1971.

EXTRA SESSION
CHAPTER 17—S.F.No.94

An act relating to waters and watercraft safety; regulating the use of marine toilets; amending Minnesota Statutes 1969, Section 361.29, Subdivision 1, as amended.

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

Section 1. Minnesota Statutes 1969, Section 361.29, Subdivision 1, as amended by Laws 1971, is amended to read:

361.29 WATERS AND WATERCRAFT; MARINE TOILETS.
Subdivision 1. (a) For the purposes of this section the term "watercraft" has the meaning given to it by section 361.02, subdivision 7, and acts amendatory thereof. (b) No person owning or operating a watercraft or other marine conveyance upon the waters of the state of Minnesota ~~as designated by the pollution control agency~~ shall use, operate or permit the use or operation of any marine toilet or similar device for the disposition of sewage or other wastes, unless the toilet wastes are retained for disposition on land by means of facilities constructed and operated in accordance with rules and regulations adopted by the state board of health and approved by the pollution control agency of the state of Minnesota. No person shall discharge into the waters of this state, directly or indirectly from a watercraft

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