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 couny 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 ad-ministration shall be used to repay the counties necessary adminis-trative 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   **Marirage; minimum age; persons capable of con-tracting.**   Every male *person who has attained the full age of* 18 *21*

Changes or additions indicated by *italics,* **deletions by** strikeout.

years, and every female person who has attained the full age of ~~16~~ *18* years, is capable in law of contracting marriage, if otherwise competent. A male person of the full age of ~~16~~ *18* years may, with the consent of his parents, ~~and his~~ guardian, ~~if there be one,~~ *or the court, as provided in Minnesota Statutes, Section 517.08, receive a license to marry.* ~~and~~ A female person of the full age of ~~15~~ *16* years may, with the consent of her parents, ~~and her~~ guardian, ~~if there be one,~~ *or the court, as provided in Minnesota Statutes, Section 517.08,* receive a license to marry, when, after a careful inquiry into the facts and the surrounding circumstances, ~~his or~~ her application for a license is approved by the judge of the jvenile court of the county in which ~~he or~~ she resides.

Sec. 2. Minnesota Statutes 1961, Section 517.03, is amended to read:

517.03 **Marriages prohibited.** No marriage shall be contracted while either of the parties has a husband or wife living; nor within six months after either has been divorced from a former spouse; excepting re-intermarriage between such parties; nor within six months after either was a party to a marriage which has been adjudged a nullity, excepting intermarriage between such parties; nor between parties who are nearer than second cousins; whether of the half or whole blood, computed by the rules of the civil law; nor between persons either one of whom is imbecile, feeble-minded, or insane; nor between persons one ~~or both~~ of whom ~~are under 15 years of age~~ *is a male person under 18 years of age or one of whom is a female person under the age of 16 years*; provided, however, that mentally deficient persons committed to the guardianship of the commissioner of public welfare may marry on receipt of written consent of the commissioner. The commissioner may grant such consent if it appears from his investigation that such marriage is for the best interest of the ward and the public. The clerk of the district court in the county where the application for a license is made by such ward shall not issue the license unless and until he has received a signed copy of the consent of the commissioner of public welfare.

Sec. 3. Minnesota Statutes 1961, Section 517.08, Subdivision 1, is amended to read:

517.08 **Application for license.** Subdivision 1. Application for a marriage license shall be made at least five days before a license shall be issued. Such application shall be made upon a form contained in a book provided for the purpose and shall contain the full names of the parties, their post office addresses and county and state of residence, and their full ages. The clerk shall

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examine upon oath the party applying for license relative to the legality of such contemplated marriage and, if at the expiration of this five-day period, he is satisfied that there is no legal impediment thereto, he shall issue such license, containing the full names of the parties and county and state of residence, with the district court seal attached, and make a record of the date of issuance thereof, which license shall be valid for a period of six months. In case of emergency or extraordinary circumstances, the judge of the probate court, the court commissioner, or any judge of the district court, of the county in which the application is made, may authorize the license to be issued at any time before the expiration of the five days. If ~~any~~ *a male* person intending to marry shall be under the age of 21, ~~if a male, and under the age of 18, if a female,~~ and shall not have had a former ~~husband or~~ wife, such license shall not be issued unless the consent of the parents or guardians or the parent having the actual care, custody and control of said party ~~or parties,~~ shall be given under the hand of such parent, ~~parents~~ or guardian and duly verified by an officer duly authorized to take oaths and duly attested by a seal, where such officer has a seal. Provided, that if there be no parent or guardian having the actual care, custody and control of said party ~~or parties,~~ then the judge of the ~~probate~~ *juvenile* court, the court commissioner, or any judge of the district court in the county where the application is pending may, after hearing, upon proper cause shown, make an order allowing the marriage of said party. ~~or parties.~~ The clerk shall collect from the applicant a fee of $5 for administering the oath, issuing, recording, and filing all papers required, and preparing and transmitting to the state registrar of vital statistics a certified summary of the identifying information and statistical data contained in such application. If the license should not be used within the period of six months due to illness or other extenuating circumstances, it may be surrendered to the clerk for cancellation, and in such case a new license shall issue upon request of the parties of the original license without fee therefor. Any clerk who shall knowingly issue or sign a marriage license in any other manner than in this section provided shall forfeit and pay for the use of the parties aggrieved not to exceed, $1,000.

Sec. 4.   Minnesota   Statutes   1961,   Section   518.01,   is amended to read:

518.01   **Void or voidable marriages.**   All marriages which are prohibited by law on account of constanguinity, or an account of either or both parties being under the age ~~of 15 years~~ *established for marriage by Minnesota Statutes, Section 517.03,* or on account of either party having a former husband or wife then living, if solemnized within this state, shall be absolutely void, without any

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decree of divorce or other legal proceedings; provided, that if any person whose husband or wife has been absent for five successive years, without being known to such person to be living during that time, marries during the lifetime of such absent husband or wife, the marriage shall be void only from the time that its nullity is duly adjudged.

Sec. 5.   *This act takes effect on January 1, 1964.*

Approved May 22, 1963.

CHAPTER 796—S. F. No. 364

An act relating to the establishment of community mental health services programs, providing for state grants-in-aid to assist local communities and non-profit corporations in establishing and operating such programs; amending Minnesota Statutes 1961, Section 245.65, Subdivision 1; Section 245.66; Section 245.67.

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

Section 1.   Minnesota Statutes 1961, Section 245.65, Subdivision 1, is amended to read:

245.65   **Community mental health; limitation on grants.** Subdivision 1.   Except as hereinafter provided, grants for any program shall not exceed 50 percent of the total expenditures for (a) salaries, (b) contract facilities and services, (c) operation, maintenance and service costs, (d) per diem and travel expense of members of community mental health boards, and (e) other expenditures specifically approved and authorized by the commissioner of public welfare, nor shall they exceed in any fiscal year 50 cents per capita of the area served by the program. Where any county served by a program hereunder has an assessed valuation of real and personal property of less than $7,000,000 *$13,000,000* and the required total mill levy for all costs, including administrative costs, for all forms of public assistance exceeds by 50 percent or more the average required mill levy for such costs in all counties of the state, and the levy is insufficient to pay the county's share of such costs, *said county may levy annually, for the purposes of this act, a special tax in excess of any statutory limitation of not to exceed two mills and* grants hereunder, attributable to such county's proportionate share of the total expenditures based on the ratio of such county's population to the total population of the area served by the program, may exceed 50 percent of the total expenditures but shall

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