

"2554-20. The commissioner of Highways is authorized to cooperate with the United States government or any duly constituted agency, bureau or department thereof in supervising construction, maintenance and/or improvements of public highways within the state of Minnesota.

"The commissioner of highways is authorized when requested by the United States Government, or any agency, bureau or department thereof, to act in disbursing and accounting of federal and other funds for such public highways or projects, provided, the total cost of such projects has been made available by the United States Government, or any duly constituted agency or bureau thereof or obligated by any other agency, either public or private in whose behalf the work is undertaken."

Approved April 20, 1939.

CHAPTER 314—S. F. No. 1390

An act to amend Mason's 1927 Minnesota Statutes, Section 2545, relating to the width of bridges and culverts.

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

Section 1. Width of bridges and culverts.—That Mason's 1927 Minnesota Statutes, Section 2545 is hereby amended to read as follows:

"2545. All bridges and culverts, and approaches thereto, on any road hereafter established or improved, except cartways, shall be at least *twenty (20)* feet wide; and when such bridge in its construction or repair shall be raised three feet or more above the level of the bank on either side of any river, stream, gully or ravine, then such bridge and approaches shall be at least *twenty-four (24)* feet wide and provided with substantial railings."

Approved April 20, 1939.

CHAPTER 315—S. F. No. 1393

An act relating to old age assistance, amending the 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 3199-18 and 3199-26, and adding new provisions.

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

Section 1. Old age assistance—liens.—That Extra Session Laws 1936, Chapter 95, Section 16 being the 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 3199-26, is hereby amended to read as follows :

“3199-26. If at any time during the continuance of any assistance granted under this act the state agency or the county agency finds that any child or the spouse of any recipient is reasonably able to contribute to the necessary care and support of such recipient without undue hardship to himself or his immediate family, and such person so able to contribute to the care and support of such recipient fails or refuses to contribute according to his ability to the care and support of such recipient, then, after notice to such person or persons, there shall exist a cause of action against said person or persons for such amount of assistance furnished under this act subsequent to such notice, or such part thereof as such person or persons are reasonably able to pay. Said action may be ordered by the state agency, or county agency, and shall be brought in the name of the county by the county attorney of the county in which such assistance was granted and shall be brought against said person or persons for the recovery of such amount of assistance granted after such notice, as hereinbefore provided, together with a cost and disbursements of such action.

(1) *The county agency shall require a recipient, as a prerequisite to receiving old age assistance, to sell all his real property situate without the state, having due regard to the nature and marketability of the property, and to use the proceeds for his support.*

(2) *No person shall be paid old age assistance without first giving the state a lien on all his property situate within the state as hereinafter provided.*

(3) *The total amount of old age assistance paid a recipient, including burial expenses, but without interest, shall be a lien in favor of the state upon all real property belonging to such recipient.*

(4) *No old age assistance shall be given under this act until a certificate stating the name and residence of the recipient, the amount of assistance granted, the date when such assistance became effective, the name of the county granting the assistance and such other information as the state agency shall*

require shall have been prepared by the county agency granting assistance on a form provided therefor by the state agency. Such certificate, or a copy thereof, shall be filed by the county agency of the county granting assistance with the register of deeds of each county in this state where there is real property belonging to the recipient.

(5) Thereupon the lien hereby imposed shall arise. It shall attach to all real property then owned by the recipient or thereafter acquired, including joint tenancy interests, and shall have effect in all counties in which such certificate shall have been filed, and shall be for such amount as may be paid the recipient as old age assistance, and shall continue until the liability for such amount is satisfied. Such lien shall take priority over all other liens subsequently acquired, except that such lien shall not take priority over the claims of children of the recipient for money actually expended by them in permanently improving the homestead of the recipient or in payment of the taxes or encumbrances thereon.

In case of the death of the recipient the debt secured by such lien shall be a claim against his estate and after expenses of administration, funeral expenses, expenses of last illness, and debts having preference by the laws of the United States, and taxes shall have priority over all other debts.

(6) The several registers of deeds shall keep a record of every certificate so filed, showing its date, the time of filing, the name and residence of the recipient, the name of the county granting assistance to him and any releases or satisfaction of the lien. No fee shall be charged for the filing of such certificate, or the entry of the abstract thereof, except in counties where the register of deeds is compensated otherwise than by salary, and in such counties a fee of 25c shall be paid to the register of deeds by the county filing the certificate.

(7) The county agency shall file a copy of the certificate provided for in section 4 hereof with the probate court of the county of the recipient's residence, and the probate court shall keep the same among its permanent records.

(8) Such liens, after filing, shall be enforced in the manner provided by law for the enforcement of mechanic's liens upon real property, provided, no such lien, and no claim under Section 3199-25, the 1938 Supplement to Mason's Minnesota Statutes of 1927, shall be enforced against the homestead of the lienor while occupied by his surviving spouse, or minor children.

(9) *Whenever the county agency of the county granting assistance to a recipient is satisfied that the collection of the amount paid him as old age assistance will not be jeopardized or that the release of the lien against his property in whole, or in part, is necessary for the maintenance or support of the recipient, his spouse, minor or incapacitated children, it may, with the approval of the state agency, release such lien with respect to all or part of the real property of the recipient, and such release, or a certified copy thereof, shall be filed with the register of deeds of each county where the lien certificate is filed.*

(10) *The recipient, his heirs, personal representatives, or assigns, may discharge such lien at any time by paying the amount thereof to the treasurer of the proper county who, with the approval of the county agency, shall execute a satisfaction thereof and file the same with the register of deeds of each county where the lien certificate is filed.*

(11) *Any recipient who has heretofore transferred or who hereafter transfers, or disposes of his property in order to avoid the application of this section shall be disqualified from receiving old age assistance."*

Sec. 2. Limit of property to be held.—That Extra Session Laws 1936, Chapter 95, Section 8, subdivision b, being the 1938 Supplement to Mason's Minnesota Statutes of 1927, section 3199-18, subdivision b, is hereby amended to read as follows:

"(b) If the net value of his property or the net value of the combined property of husband and wife exceeds \$5,000; provided however that household goods and furniture in use in the home, wearing apparel and a lot in the burial ground may be owned in addition to the property limitation provided in the subsection."

Sec. 3. Effective January 1, 1940.—This act shall take effect January 1, 1940.

Approved April 20, 1939.

CHAPTER 316—S. F. No. 1415

An act authorizing cities, however organized, situate within three miles of established toll bridges over interstate or international rivers or waters, or within whose corporate limits