

CHAPTER 198

MINNESOTA SOLDIERS HOME

| Sec. | | Sec. | |
|---------|--|--------|--|
| 198.001 | Definition | 198.12 | Relief fund, how used |
| 198.01 | Soldiers home; admission | 198.13 | County agents |
| 198.021 | Persons admitted | 198.14 | Transportation |
| 198.03 | When compensation must be paid | 198.15 | Moneys, how disbursed |
| 198.04 | Admission of women nurses | 198.16 | Donations; reports |
| 198.05 | New buildings | 198.17 | Residents to retain pension |
| 198.06 | Trustees; compensation, bond | 198.18 | Employees not to receive any part of pension |
| 198.061 | Board of trustees, vacancies | 198.19 | Wife or dependent children |
| 198.07 | President; secretary; treasurer; duties | 198.20 | Violation a misdemeanor |
| 198.08 | Meetings; executive committee | 198.21 | Wife or dependent children; disposal of pensions; relief |
| 198.09 | Officers, employees | 198.22 | Soldiers home relief extended |
| 198.10 | Soldiers home fund; standing appropriation | 198.23 | Personal property of residents; wills |
| 198.11 | Relief fund; transfers | | |

NOTE: See sections 137.20 and 137.21.

198.001 DEFINITION. For the purposes of Minnesota Statutes, Chapter 198, the term "resident of the home" means a person admitted to the Minnesota soldiers home.

[1965 c 643 s 1]

198.01 SOLDIERS HOME, ADMISSION. The Minnesota Soldiers Home shall be maintained at Minneapolis, under the management of nine trustees, one of whom shall be a woman, to be known as the soldiers home board, as a home for all honorably discharged persons who served in the Mexican War, the War of the Rebellion, the Spanish-American War, the Philippine Insurrection, the Boxer Rebellion, the War of 1917 and 1918, commonly called the World War, or the War between the United States of America and its allies, and Germany, Japan, Italy, and their allies, persons who actually served in any campaign against the Indians in this state in the year 1862, whether as soldiers of the United States or not, for honorably discharged members of the Minnesota National Guard mustered into federal service in 1916 who served on the Mexican border, and for all honorably discharged persons who served between September 16, 1940, and December 7, 1941, and in World War II between December 7, 1941, and December 31, 1946, and in the campaign against the North Koreans between June 25, 1950, and the date such campaign may be declared ended by competent federal authority. No person shall be admitted to the home who has not been a resident of the state for three years next preceding the date of his application, unless he served in a Minnesota regiment, or was credited to the state, or served in the Indian campaign as aforesaid; nor shall any person be admitted unless he is without adequate means of support, and is unable by reason of wounds, disease, old age, or infirmity to properly maintain himself.

[R L s 1835; 1931 c 176 s 1; 1943 c 54 s 1; 1951 c 71 s 1; 1957 c 150 s 1] (4344)

198.02 [Repealed, 1953 c 117 s 2]

198.021 PERSONS ADMITTED. The object of the soldiers home shall be to provide a home for all honorably discharged veterans who served in the armed forces of the United States during a period provided under Minnesota Statutes 1949, Section 198.01, as amended. The board of trustees is hereby authorized to admit wives with their husbands, widows, and the mothers of those who are, or if living would be, eligible to admission under Minnesota Statutes 1949, Chapter 198, as amended, but no wife or widow of a veteran of the war of the rebellion, or of a veteran who actually served in any campaign against the Indians within the United States, shall be admitted unless she shall have been married to the veteran prior to the year 1905, and no wife or widow of an honorably discharged veteran of the war begun in the year 1898 between the Kingdom of Spain and the United States, or the Philippine insurrection, or the Boxer rebellion, or member of the Minnesota national guard who was mustered into federal service in 1916 and served on the Mexican border, shall be admitted unless she shall have been married to the veteran prior to December 31, 1937, and is unable to support herself and has no other adequate means of support; and no wife, widow, or mother shall be

admitted unless she shall have been a resident of the State of Minnesota no less than five years next preceding the date of her application and shall have attained the age of 55 years. A widow, eligible for admission except that the veteran did not serve in a Minnesota regiment or was not a resident of Minnesota at the time of his death, may be admitted provided she has resided in this state not less than 15 years next preceding the date of her application for admission.

A wife, widow, or mother of a veteran who is, or if living would be, eligible to admission under Minnesota Statutes 1949, Chapter 198, as amended, who has previously been a resident of Minnesota for not less than ten years and who has lost her residence in this state by removal therefrom for the benefit of her health or the health of her husband or son, and who has returned to this state for the purpose of making it her home, may be admitted to the soldiers home after having been a resident of this state for not less than one year next preceding the date of her application, provided such applicant is otherwise eligible to admission under the provisions of this section.

All soldiers of the Minnesota national guard who heretofore have lost or hereafter may lose an arm or leg or their sight or may become permanently disabled from any cause while in the line and discharge of duty and are not able to support themselves may be admitted to the home under such rules and regulations as the board of trustees may adopt, and any soldier of the Minnesota national guard suffering from illness or injury sustained from any cause in the line and discharge of military duty shall be admitted to the soldiers home hospital for medical treatment and hospital service until recovery from such illness or injury under such rules and regulations as the board of trustees may adopt.

[1953 c 117 s 1]

198.03 WHEN COMPENSATION MUST BE PAID. Any person possessing all the qualifications required under now or hereafter existing laws to render him eligible to admission to the Minnesota soldiers' home, except that he has means of support, may, nevertheless, in the discretion of the soldiers' home board, be admitted to the Minnesota soldiers' home upon entering into and complying with the terms of a contract made by him with such board, providing for reasonable compensation to be paid by such person to the state of Minnesota for his care, support, and maintenance in the home.

[1923 c. 13] (4346)

198.04 ADMISSION OF WOMEN NURSES. In addition to the persons eligible to admission to the Minnesota soldiers' home under existing laws, the trustees of the soldiers' home are hereby authorized to admit to the home any woman who is more than 65 years of age and who was regularly employed under the jurisdiction of the authorities of the Union army in charge of the hospital services thereof as a nurse for the soldiers of the Union army for a period of one year during the war of the rebellion, and who has been a resident of the state for a period of five years next preceding her application to such home.

[1913 c. 286 s. 1] (4347)

198.05 NEW BUILDINGS. The department of administration shall have and exercise full authority in the erection and construction of new buildings at the soldiers' home. When new buildings are to be erected and constructed by authority of the state or old buildings to be remodeled it shall be the duty of the department of administration to cause to be prepared plans and specifications for the same, but in so doing it shall consult with the trustees of the soldiers' home in respect to these plans and specifications and shall adopt and carry out, so far as it deems practicable, their requests and desires in the matter.

[1913 c. 88 s. 1] (4348)

198.06 TRUSTEES; COMPENSATION, BOND. The nine trustees of the soldiers home board shall be appointed by the governor with the consent of the senate, each for a term of six years, and until his successor qualifies. No two members of the board of trustees, except one member appointed at large, shall reside, at the time of their appointment, in the same congressional district. Vacancies shall be filled by like appointment for unexpired terms. They shall receive as compensation for their services in attending meetings of the board and meetings of any committee thereof, the sum of \$25 per day for each such meeting day so attended, and in addition thereto actual expenses incurred in attending such meet-

ing. Claims for such compensation shall be paid by the state treasurer from the money provided for the support of the soldiers home upon itemized and verified vouchers approved by the president and secretary, after audit by the state auditor. Not more than five of the trustees shall be members of the same political party, and in the selection of trustees, officers of the home, and employees of the board, preference shall be given to honorably discharged soldiers, sailors and marines. Each trustee shall give a bond to the state in the penal sum of \$5,000, conditioned for the faithful discharge of his duties and economical expenditure of the funds provided for hereunder. The trustee who shall be selected by the board as treasurer of the home shall give an additional bond to the state in such sum as may be designated by the board of trustees, conditional that such treasurer shall account for and pay over, according to the directions of the board, all moneys or other property which may come into his possession with the consent of the residents of the home from residents of such home as such treasurer. The surety on such treasurer's bond may be any surety company that is authorized to contract as such by the laws of this state, and the cost thereof shall be paid out of the home support fund.

[*R L s 1836; 1907 c 326 s 1; 1917 c 188 s 1; 1919 c 131 s 1; 1951 c 265 s 1; 1957 c 150 s 3; 1963 c 495 s 1; 1965 c 643 s 2*] (4349)

198.061 BOARD OF TRUSTEES, VACANCIES. Vacancies created by Laws 1957, Chapter 150 and vacancies occurring after the passage of Laws 1957, Chapter 150 shall be filled by the governor according to Minnesota Statutes, Sections 198.01 and 198.06.

[*1957 c 150 s 2; 1963 c 495 s 2*]

198.07 PRESIDENT; SECRETARY; TREASURER; DUTIES. The soldiers' home board shall appoint a secretary, and elect from its members a president, a treasurer of the home, and an executive committee of three. The same person may hold the positions of treasurer and president. The secretary shall record its transactions and keep books, records and accounts, showing the administration of the soldiers home and relief funds, and all facts of public interest relating to the home. He shall receive such salary as the board shall designate. The state treasurer shall be ex officio the treasurer of the board. The board shall adopt and enforce rules for the government of the home and proper bylaws for the conduct of its business, and, with the approval of the governor, may also make rules not inconsistent with this chapter, respecting the admission, maintenance, and discharge of residents of the home, and the disbursements of the funds under its control.

[*R L s 1837; 1907 c 326 s 2; 1919 c 83 s 1; 1925 c 128; 1965 c 643 s 3*] (4350)

198.08 MEETINGS; EXECUTIVE COMMITTEE. The annual meeting of the soldiers home board shall be held on the second Tuesday of August, and a semi-annual meeting on the second Tuesday of February, at which times the trustees shall examine into the condition of the residents of the home, and of all others under their care. A special meeting for a designated purpose may be called at any time by the president or by any two of the trustees. The executive committee shall meet at least once each month, and, when assembled, may exercise such powers of the board as the bylaws shall permit. The principal office of the board, and the place of its meetings, shall be at the home.

[*R L s 1838; 1965 c 643 s 4*] (4351)

198.09 OFFICERS, EMPLOYEES. The soldiers home board shall appoint a commandant for such term as it may deem proper, who, under its direction, shall have immediate charge of the home. He shall nominate for approval by the board all necessary subordinate officials and employees, and may suspend any of them for inefficiency or misconduct. The grounds for such suspension shall be reported to the board, whose decision, after a hearing thereon, shall be final. The pay of each of the commandant's subordinates shall be prescribed by the board, not exceeding the reasonable amounts paid for similar services in other institutions of the state.

[*R L s 1839; 1951 c 713 s 19*] (4352)

198.10 SOLDIERS HOME FUND; STANDING APPROPRIATION. The sum of \$20,000 is hereby appropriated annually for the support of the home and residents of the home, which sum, together with all other moneys provided for the

MINNESOTA STATUTES 1965

2131

MINNESOTA SOLDIERS HOME 198.16

same purposes from time to time, shall be kept separate from the relief fund established by sections 198.11 and 198.12, and be known as the "soldiers home fund."

[R. L. s. 1840; 1965 c. 643 s. 5] (4353)

198.11 RELIEF FUND; TRANSFERS. The state auditor shall add to the state tax levy, annually, one-tenth of a mill on each dollar of the assessed value of taxable property, the proceeds whereof shall constitute a soldiers relief fund, to be administered by the soldiers home board as hereinafter provided. When all of the members of such board shall unite in a written request so to do, the auditor and treasurer shall transfer from the soldiers home fund to the soldiers relief fund, or from the latter to the former, any sum specified in such request.

[R. L. s. 1841] (4354)

198.12 RELIEF FUND, HOW USED. Such relief fund shall be expended, under the direction of the soldiers home board, for the relief outside of the home of persons entitled to be admitted; the deserted wives of such persons if worthy; the widows and dependent parents of such as have died; and the deserted or orphaned children of such wives or widows, under the age of 16 years. The granting of such relief, and the extent and character thereof, shall in all cases be in the discretion of the board, and subject to such terms as it may prescribe.

[R. L. s. 1842] (4355)

198.13 COUNTY AGENTS. The soldiers home board may designate one person in each county, or part of a county, to whom applications for relief shall be made, and through whom the applicant shall communicate with it concerning the same; and each auditor, when necessary, shall assist in obtaining and applying such relief within his county. No compensation shall be paid to any person for the services mentioned in this section.

[R. L. s. 1843] (4356)

198.14 TRANSPORTATION. When it is made to appear that any person entitled to admission to the home is without means to pay the expenses of travel thereto, the president of the soldiers home board shall furnish transportation to such person without unnecessary delay, and the cost thereof shall be paid out of the soldiers home fund. A joint request for such transportation from a county agent of the board and commander or adjutant of a post of the grand army of the republic situated in the county shall be sufficient, in the absence of reasons to the contrary, to warrant such expenditure.

[R. L. s. 1844] (4357)

198.15 MONEYS, HOW DISBURSED. All disbursements from the funds herein provided for shall be made by the state treasurer upon auditor's warrants, payable to the persons entitled thereto. Such warrants shall be issued only upon itemized vouchers furnished by the board, signed by its president and secretary, and designating the purpose of the expenditure, and the fund from which each is payable.

[R. L. s. 1845] (4358)

198.16 DONATIONS; REPORTS. The soldiers home board is hereby authorized to accept in behalf of the state any gift, grant, bequest, or devise made for the purposes of this chapter, and administer the same as directed by the donor. All proceeds therefrom including moneys derived from the sale of any real or personal property shall be deposited in the state treasury and credited to the Soldiers Home Endowment, Bequest, and Devises Fund which is hereby created. Said fund shall consist of two accounts, one of which shall include any trusts prescribed by the donor, the other shall include any currently expendable proceeds. Disbursements from this fund shall be made by the state treasurer upon warrants of the state auditor in the manner provided for the issuance of other state warrants.

Whenever the soldiers home board shall deem it advisable, in accordance with law, to sell or otherwise dispose of any real or personal property thus acquired, the commissioner upon the request of the board shall sell or otherwise dispose of said property in the manner provided by law for the sale or disposition of other state property by the commissioner of administration.

At each biennial meeting the board shall report to the governor all its proceedings during the preceding two years, which report, with such information and recommendations concerning its work as the board may deem proper, shall be submitted to the legislature in print at its next regular session.

[R. L. s. 1846; 1913 c. 170 s. 1; 1945 c. 444 s. 1] (4359)

198.17 RESIDENTS TO RETAIN PENSION. The soldiers home board shall not make or enforce any rule, regulation, or bylaw, requiring any applicant for admission to, or any resident of, the Minnesota soldiers home to pay or to promise or agree to pay, his United States pension, or any part thereof, or to pay any sum in any manner, to the soldiers home or to any board or officer or employee thereof, or to any department or fund thereof or appertaining thereto, or to part with or to promise to part with such pension, or any part thereof, or of any sum of money, as a condition of admission to such soldiers home, or as a condition to remaining a resident thereof, or as a condition of or as payment for granting or according to such resident, or to such applicant, if admitted, any ordinary or special attention or service in or in connection with such home.

[1911 c 150 s 1; 1965 c 643 s 6] (4360)

198.18 EMPLOYEES NOT TO RECEIVE ANY PART OF PENSION. No servant, agent, or employee of the Minnesota soldiers home shall accept or receive from any applicant for membership in, or from any resident of, such soldiers home any part of the United States pension of such applicant or resident, or any sum of money in any manner in any case mentioned in section 198.17 wherein the soldiers home board is prohibited from requiring payment or promise of payment thereof from such applicant or resident.

[1911 c 150 s 2; 1965 c 643 s 7] (4361)

198.19 WIFE OR DEPENDENT CHILDREN. Sections 198.17 to 198.21 shall not be construed in such a manner as to prevent or prohibit the soldiers home board from making and enforcing a regulation requiring residents of such soldiers home to pay to such board of managers for the support of the wife or dependent children of such resident all or any part of the United States pension received by such resident in excess of the sum of \$4 per month.

[1911 c 150 s 3; 1965 c 643 s 8] (4362)

198.20 VIOLATION A MISDEMEANOR. Any agent, officer, employee, or servant of such soldiers home or soldiers home board violating any provision of sections 198.17 to 198.21 shall be guilty of a misdemeanor and shall be forthwith discharged from any position in connection with such soldiers' home.

[1911 c. 150 s. 4] (4363)

198.21 WIFE OR DEPENDENT CHILDREN; DISPOSAL OF PENSIONS; RELIEF. If such applicant or if any resident of such home has a wife or children dependent upon him for support, the soldiers home board may, in its discretion, require that any such applicant or resident, who receives a United States pension exceeding \$4 per month, shall pay not to exceed one half thereof, to be determined by such board of managers, for the support and maintenance of such wife or dependent children. Such board may, in addition, grant to such dependents a monthly allowance from the relief fund in such sum as shall be determined by such board.

[R L s 1847; 1911 c 150 s 5; 1965 c 643 s 9] (4364)

198.22 SOLDIERS HOME RELIEF EXTENDED. In addition to the persons to whom the soldiers home board is now authorized to extend relief outside the Minnesota soldiers home from the soldiers relief fund, the board is hereby authorized to extend relief, outside the home, to the widow, deserted wife, or any minor child under 14 years of age, of any honorably discharged ex-soldier, ex-sailor, or ex-marine who served in the army or navy of the United States during the war of the rebellion, war with Spain, Philippine insurrection, China relief expedition, or world war; provided, any such widow or deserted wife is more than 55 years of age and shall have married her soldier husband prior to the year 1903; provided, that no such relief shall be granted under the provisions of this section to any person unless he shall have been a resident of the state for at least five years next preceding his application for such relief. The granting of such relief and the extent and character thereof shall in all cases be in the discretion of the board and subject to such terms as it may prescribe.

[1913 c 186 s 1; 1927 c 285; 1929 c 79 s 1] (4365)

198.23 PERSONAL PROPERTY OF RESIDENTS; WILLS. As a condition of his admission to the home, every person shall execute his will, and deposit the same with the secretary, disposing of any personal property of which he may die possessed. Upon the decease of any such testator, the board shall cause

MINNESOTA STATUTES 1965

2133

MINNESOTA SOLDIERS HOME 198.23

such of his personal estate as may be left in his possession to be disposed of pursuant to the will, without probate thereof or other proceedings thereon. All property of the deceased resident of the home not so bequeathed by will, and remaining at home, unclaimed, for one year after his death, shall be inventoried, appraised, and sold, and the proceeds thereof paid into the state treasury to the credit of the soldiers home fund.

[R L s 1848; 1965 c 64 s 10] (4366)