

MINNESOTA STATUTES 1977 SUPPLEMENT

256C.02 BLIND PERSONS

CHAPTER 256C. BLIND PERSONS

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256C.02 Public accommodations.

The blind, the visually handicapped, and the otherwise physically disabled have the same right as the able-bodied to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places; and are entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, boats, or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement, or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

Every totally or partially blind or deaf person shall have the right to be accompanied by a guide dog in any of the places listed in section 327.095; provided that he shall be liable for any damage done to the premises or facilities by such dog.

[1977 c 247 s 1]

256C.025 Housing accommodations.

[For text of subds 1 to 3, see M.S.1976]

Subd. 4. Every totally or partially blind or deaf person who has a guide dog, or who obtains a guide dog, shall be entitled to full and equal access to all housing accommodations provided for in this section, and he shall not be required to pay extra compensation for such guide dog but shall be liable for any damage done to the premises by such guide dog.

[1977 c 247 s 2]

256C.03 Blind or deaf pedestrians; civil liability.

The driver of a vehicle approaching a totally or partially blind pedestrian who is carrying a cane predominantly white or metallic in color, with or without a red tip, or using a guide dog, or totally or partially deaf person with a guide dog identified with a burnt orange collar or leash, shall bring such vehicle to a stop and give the right of way at any intersection of any street, avenue, alley or other public highway to such blind or deaf pedestrian.

[1977 c 247 s 3]

CHAPTER 256D. GENERAL ASSISTANCE ACT

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256D.02 Definitions.

[For text of subds 1 to 12, see M.S.1976]

Subd. 13. "Suitable employment" means an appropriate income producing job including, but not limited to, all public subsidized jobs procured through the work equity program.

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Subd. 14. "Work equity program" means the demonstrational training and employment project administered by the governor's manpower office.

[1977 c 301 s 1,2]

256D.04 Duties of the commissioner.

In addition to any other duties imposed by law, the commissioner shall:

(1) Supervise the administration of general assistance by local agencies as provided in Laws 1973, Chapter 650, Article 21;

(2) Promulgate uniform rules and regulations consistent with law for carrying out and enforcing the provisions of Laws 1973, Chapter 650, Article 21 to the end that general assistance may be administered as uniformly as possible throughout the state; rules and regulations shall be furnished immediately to all local agencies and other interested persons; in promulgating rules and regulations, the provisions of chapter 15, shall apply;

(3) Allocate moneys appropriated for general assistance to local agencies as provided in Laws 1973, Chapter 650, Article 21;

(4) Accept and supervise the disbursement of any funds that may be provided by the federal government or from other sources for use in this state for general assistance;

(5) Cooperate with other agencies including any agency of the United States or of another state in all matters concerning the powers and duties of the commissioner under Laws 1973, Chapter 650, Article 21;

(6) Cooperate to the fullest extent with other public agencies empowered by law to provide vocational training, rehabilitation, or similar services;

(7) Gather and study current information and report at least annually to the governor and legislature on the nature and need for general assistance, the amounts expended under the supervision of each local agency, and the activities of each local agency and publish such reports for the information of the public;

(8) Report at least annually to the governor and legislature the cost of living in the various counties and metropolitan areas as related to the standards of assistance and the amounts expended for assistance, and make this information available to the public; and

(9) Issue emergency rules necessary to implement the work equity program and promulgate all rules pursuant to chapter 15 necessary to carry out the program so that its demonstrational project may be administered uniformly throughout participating counties. Rules shall be furnished immediately to all local agencies and other interested persons.

[1977 c 301 s 3]

256D.05 Eligibility for general assistance.

[For text of subds 1 and 2, see M.S.1976]

Subd. 3. **Residents of shelter facilities.** Notwithstanding the provisions of subdivisions 1 and 2, general assistance payments may be made to individuals receiving aid to families with dependent children who are residing in a secure crisis shelter, a housing network, or other shelter facility which provides shelter services to women who are being or have been assaulted by their spouses, other male relatives, or other males with whom they are residing or have resided in the past.

[1977 c 428 s 7]

256D.06 Amount of assistance.

[For text of subd 1, see M.S.1976]

Subd. 1a. The amount of general assistance established by the commissioner

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pursuant to subdivision 1 shall be granted for all persons participating under the work equity program. Income attributable to participation under this program shall not be used to terminate a recipient's general assistance status or the incidental benefits that flow therefrom. The grant of general assistance will be issued according to the terms of the contract agreed upon by the department of public welfare, the governor's manpower office and the United States department of labor.

[For text of subd 2, see M.S.1976]

[1977 c 301 s 4]

256D.11 Work incentive and registration.

Subdivision 1. Every person who is a recipient of general assistance, not employed, and not described in subdivision 1a, shall be required, unless exempt by subdivision 6, to register for employment services with the commissioner of economic security and the local agency and accept any suitable employment that is offered him.

Subd. 1a. Every person who is a recipient of general assistance in a county designated by the commissioner for participation in the work equity program and who is not employed shall be required, unless exempt by subdivision 6, to register for and participate in the work equity program.

Subd. 2. The local agency shall provide a general assistance work program for persons who qualify for assistance but who are unable to gain employment through the state employment service of the commissioner. Local agencies shall adopt a list of work priorities to be met through the employment of eligible recipients when such recipients are unable to gain employment through the state employment service or through their own initiative. The local agency may assign the recipient such work as he is able to perform but which is not that ordinarily performed and which would supplement but not replace projects which are ordinarily performed by regular employees of the county.

Subd. 2a. The governor's manpower office shall provide a work equity program for all persons who qualify for general assistance and are within the counties described in subdivision 1a. The governor's manpower office shall adopt a list of program priorities to be met through this program. The office may assign an eligible recipient such community project work as he is able to perform but which would not be otherwise performed and which would supplement but not replace projects which are ordinarily performed by regular employees of the county.

[For text of subd 3, see M.S.1976]

Subd. 3a. Participants in the work equity program shall be paid at the same wage rates as public employees doing similar work or at the prevailing minimum wage, whichever is greater, however, the number of hours a participant works in the work equity program shall not be limited by the grant standards of the general assistance program.

Subd. 4. The commissioner or a local agency may contract with the federal government, or with any department, agency, subdivision or instrumentality of the state, or with any nonprofit organization approved by the commissioner of public welfare for the services of general assistance work program recipients on such terms and conditions as may be agreed upon, with or without consideration paid to the local agency. In a county where the work equity program is in operation, the commissioner shall have the sole authority to contract with the federal government and with any other state department, and no consideration shall be paid to the local agency, except for consideration attributable to additional administration expenses. The contract agreed upon by the commissioner shall provide for the necessary methods of funding work equity program jobs, which methods may include a transfer of state and local agency general assistance grant moneys directly to the governor's manpower office. The contract may provide that an intended recipient

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may receive a pay check equal to or greater than his designated amount of assistance instead of receiving his grant.

[For text of subd 5, see M.S.1976]

Subd. 6. No person shall be required to register with the commissioner of economic security if he is:

- (1) A person with illness, incapacity, or advanced age;
- (2) A child attending a school or college full time;
- (3) A person whose presence in the home on a substantially continuous basis is required because of the illness or incapacity of another member of the household;
- (4) A person who has been referred to or applied for a work training, work experience, vocational rehabilitation or other such similar program; provided that the period of time such person is exempted from the registration requirements of subdivision 1, while awaiting acceptance into such program, does not exceed 30 days; or
- (5) An adult member of a household with children in which another adult is employed full time or has registered with the state employment service or been accepted in a work training program.

Subd. 7. Any person who objects to being required to register with the commissioner of economic security shall be entitled to a prior hearing in accord with the provisions of section 256D.10 on the issue of whether such person comes within the exemptions contained in subdivision 6, clause (1), (2), (3), or (4).

[For text of subd 8, see M.S.1976]

Subd. 9. The commissioner shall establish procedures to insure that any recipient of general assistance desiring to improve his ability to support himself and his family shall be promptly referred to the department of economic security or any other agency, public or private, operating a work training, work experience, vocational rehabilitation or other similar program.

[1977 c 301 s 5-9; 1977 c 430 s 19-23; 1977 c 448 s 8]

NOTE: For the effective dates of subdivisions 1, 2, 6, 7, and 9, as amended by Laws 1977, Chapter 430, Sections 19-23, see Laws 1977, Chapter 430, Section 28, Subdivision 2.

256D.37 New applicants and recipients; provisions for supplemental aid.

[For text of subd 1, see M.S.1976]

Subd. 2. The eligibility criteria for supplemental aid under this section shall be those in effect December 31, 1973 for the categorical aid programs of old age assistance, aid to the blind, and aid to the disabled except that net equity of \$25,000 in one home used as a residence, one automobile the market value of which does not exceed \$1,650, and real estate not used as a home which produces net income applicable to the family's needs or which the family is making a continuing effort to sell at a fair and reasonable price, are to be disregarded in determining eligibility. The commissioner of public welfare shall annually adjust the limitation on net equity in real property used as a home by the same percentage as the homestead base value index provided in section 273.122, subdivision 2. The local agency shall apply the relevant criteria to each application. The local agency in its

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discretion may permit eligibility of an applicant having assets in excess of the amount prescribed in this section if liquidation of the assets would cause undue loss or hardship.

[1977 c 448 s 9]

CHAPTER 257. CHILDREN; CUSTODY OF, ILLEGITIMATE

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257.022	Rights of visitation to unmarried persons.	257.257	Remedies.
257.253	Initiation of proceeding.	257.259	Closed trial.
257.254	County attorney; duties.	257.261	Judgment.
		257.29	Clerk to report name of adjudged father.

257.022 Rights of visitation to unmarried persons.

[For text of subd 1, see M.S.1976]

Subd. 2. When parents' marriage is dissolved. In all proceedings for dissolution, subsequent to the commencement of the proceeding and continuing thereafter during the minority of the child, the court may, upon the request of the parent or grandparent of a party, grant reasonable visitation rights to the unmarried minor child, after dissolution of marriage, during his minority if it finds that visitation rights would be in the best interests of the child and would not interfere with the parent child relationship. The court shall consider the amount of personal contact between the parents or grandparents of the party and the child prior to the application.

Subd. 2a. When child has resided with grandparents. If an unmarried minor has resided with his grandparents or great-grandparents for a period of 12 months or more, and is subsequently removed from the home by his parents, the grandparents or great-grandparents may petition the district or county court for an order granting them reasonable visitation rights to the child during his minority. The court shall grant the petition if it finds that visitation rights would be in the best interests of the child and would not interfere with the parent and child relationship.

[For text of subd 3, see M.S.1976]

[1977 c 238 s 1,2]

257.253 Initiation of proceeding.

A proceeding for the determination of paternity is initiated by filing a verified complaint of the mother, child, or the public authority chargeable by law with the support of the child, in the district or county court of this state, and by personal service upon the defendant of a civil summons together with a copy of the verified complaint. An order, returnable not sooner than five days following expiration of the period to answer, to show cause why he should not be adjudicated to be the father of the child may also be served with the summons and complaint.

[1977 c 282 s 4]

257.254 County attorney; duties.

When requested to do so by a district or county court judge, public welfare or other social service agency, the county attorney may appear on behalf of and represent the complainant in all proceedings under sections 257.251 to 257.259, 257.261 to 257.264 and 257.27 to 257.33 and shall obtain and present such evidence as may be necessary. In those cases initiated in which the county attorney, acting in his official capacity, represents the complainant, no filing fee shall be required by the clerk of court.

[1977 c 282 s 5]