

levy that can be imposed as expressed in dollars per resident pupil unit as used in Minnesota Statutes, Section 128.081. This limitation shall take effect 60 days after the date of said resolution unless the people take action to reject the limitation in the manner provided in Section 4.

Sec. 4. If within 60 days after the adoption of a resolution setting a new limitation, a petition is filed with the school board or board of education signed by 1,000 registered voters of the city stating that they oppose the limitation established by the board and requesting that the proposed new limitation be submitted to the people for their approval or rejection, the board shall have the question submitted at the next annual election or at a special election called for that purpose. The signatures on the petition need not be notarized. The board of education shall be authorized to determine whether such signatures are valid. The board shall have a notice of election published once each week for three consecutive weeks in a legal newspaper within the county of Dakota, state of Minnesota; announcing the forthcoming election and its purpose. The first notice shall appear not more than 30 days before the election. The ballots used at the election shall have printed thereon the following: Shall the maximum tax levy for school purposes proposed by the board of education of \$. . . . . per resident pupil unit in accordance with a resolution of the board dated. . . . . be approved.

Yes. . . . .

No. . . . .

Sec. 5. If a majority of those voting on the question as provided in Section 4, vote in the affirmative, the proposed new limitation shall take effect. Otherwise the same shall be rejected.

Sec. 6. This act shall become effective only after its approval by a majority vote of the members of said school board and upon compliance with Laws 1959, Chapter 368.

Approved April 20, 1961.

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#### CHAPTER 445—S. F. No. 78

*An act relating to old age assistance, amending Minnesota Statutes 1957, Section 256.18, as amended and Section 256.24, as amended.*

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

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

Section 1. Minnesota Statutes 1957, Section 256.18, as amended by Laws 1959, Chapter 622, Section 1, is amended to read:

**256.18 Disqualifications.** No old age assistance shall be paid a person:

(1) While or during the time he is an inmate of, and receive 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; while he is a patient in a tuberculosis or mental institution; or while he is a patient in a medical institution as a result of diagnosis of tuberculosis or psychosis; provided, however, that part or all of any old age assistance may be paid to patients of public or private medical institutions other than those herein excluded, 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 \$500 per person, *or moneys prepaid for funerals not to exceed \$500 per person*, personal property used as a regular abode by the applicant or recipient, and a lot in the burial ground may be owned *with prepaid opening and closing costs* in addition to the property limitation; *provided however moneys received and reserved for prepaid funerals shall be deposited in the county welfare board social welfare fund pursuant to sections 256.88 and 256.89;*

(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 within five years prior to the date of application, made an assignment or transfer directly or indirectly of any property for

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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. 2. Minnesota Statutes, 1957, Section 256.24, as amended by Laws 1959, Chapter 622, Section 2, is amended to read:

**256.24 Funeral expenses; claim against estate.** On the death of a recipient, the county agency shall pay an amount for reasonable funeral expenses not exceeding ~~\$150-~~ *\$200 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 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 by the county as funeral expenses shall be a prior claim against the estate, as provided in section 525.44, and any amount recovered shall be paid to the treasury of the county which paid the expenses and deposited in the county old age assistance fund and 50 percent thereof shall be paid to the state agency.

Approved April 20, 1961.

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CHAPTER 446—S. F. No. 83

[Coded]

*An act providing for scholarships for students in accredited schools of nursing and repealing Extra Session Laws 1959, Chapter 71, Article V, Section 37, and Extra Session Laws 1959, Chapter 80, Sections 1 and 2.*

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