

CHAPTER 7 — S.F.No. 144

An act relating to creditors' remedies; property exempt from attachment, garnishment or sale on any final process issued from any court; providing for an increase in the amount of the life insurance exemption and extending the class of those eligible to benefit; amending Minnesota Statutes 1980, Section 550.37, Subdivision 10.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1980, Section 550.37, Subdivision 10, is amended to read:

Subd. 10. All money received by, or payable to, a surviving wife spouse or child from insurance ~~upon the life~~ payable at the death of a deceased husband spouse, or father parent, not exceeding ~~\$10,000~~ \$20,000. The \$20,000 exemption provided by this subdivision shall be increased by \$5,000 for each dependent of the surviving spouse or child.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Approved March 20, 1981

CHAPTER 8 — S.F.No. 12

An act relating to eminent domain; providing for the taking of possession and title by the petitioner under certain circumstances; providing that certain payments deposited with the court shall be paid out under direction of the court; amending Minnesota Statutes 1980, Section 117.042.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1980, Section 117.042, is amended to read:

117.042 POSSESSION.

Whenever the petitioner shall require title and possession of all or part of the owner's property prior to the filing of an award by the court appointed commissioners, the petitioner shall, at least 90 days prior to the date on which possession is to be taken, notify the owner of the intent to possess by notice served by certified mail and before taking title and possession shall pay to the owner or deposit with the court an amount equal to petitioner's approved appraisal of value. Amounts deposited with the court shall be paid out under the direction of the court. If it is deemed necessary to deposit the above

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

amount with the court the petitioner may apply to the court for an order transferring title and possession of the property or properties involved from the owner to the petitioner. In all other cases, petitioner has the right to the title and possession after the filing of the award by the court appointed commissioners as follows:

(a) if appeal is waived by the parties upon payment of the award;

(b) if appeal is not waived by the parties upon payment or deposit of three-fourths of the award. The amount deposited shall be deposited by the clerk of court in an interest bearing account no later than the business day next following the day on which the amount was deposited with the court. All interest credited to the amount deposited from the date of deposit shall be paid to the ultimate recipient of the amount deposited.

Nothing in this section shall limit rights granted in section 117.155.

Sec. 2. **EFFECTIVE DATE.**

This act is effective the day following its final enactment.

Approved March 25, 1981

CHAPTER 9 — S.F.No. 13

An act relating to crimes; eliminating the power of a sentencing court to stay the revocation of the driver's license of a person convicted of driving, operating or being in physical control of a motor vehicle while under the influence of alcohol or controlled substances or a combination thereof; amending Minnesota Statutes 1980, Sections 169.121, Subdivision 5; and 609.135, Subdivision 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1980, Section 169.121, Subdivision 5, is amended to read:

Subd. 5. The court may stay imposition or execution of any sentence authorized by subdivision 3 or 4, except the revocation of the driver's license, on the condition that the convicted person submit to treatment by a public or private institution or a facility providing rehabilitation for chemical dependency licensed by the department of public welfare. A stay of imposition or execution shall be in the manner provided in section 609.135. The court shall report to the commissioner of public safety any stay of imposition or execution of sentence granted under the provisions of this section.

Sec. 2. Minnesota Statutes 1980, Section 609.135, Subdivision 1, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.