

*Subd. 2. Extra Session Laws 1959, Chapter 71, Article V, Section 37, and Extra Session Laws 1959, Chapter 80, are hereby repealed.*

Sec. 3. Subdivision 1. Laws 1959, Chapter 500, Article II, Section 44, Subdivision 6, is amended to read:

[161.44] Subd. 6. In lieu of the advertisement for sale and conveyance to the highest responsible bidder, the lands may be conveyed for public purposes to any political subdivision or agency of the state upon such terms and conditions as may be agreed upon between the commissioner and the political subdivision or agency, *or such lands may be offered for sale and sold at public auction to the highest responsible bidder. Such sale shall be made after publication of notice thereof in a newspaper of general circulation in the area where the property is located for at least two successive weeks and such other advertising as the commissioner of highways may direct. If the sale is made at public auction a duly licensed auctioneer may be retained to conduct such sale, his fees for such service to be paid from the proceeds, and there is appropriated from such proceeds an amount sufficient to pay such fees.*

*Subd. 2. Laws 1959, Chapter 350, is hereby repealed.*

Approved April 20, 1961.

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#### CHAPTER 568—H. F. No. 154

*An act relating to property exempt from attachment, garnishment, or sale on final process issued from any court; amending Minnesota Statutes 1957, Section 550.37.*

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

Section 1. Minnesota Statutes 1957, Section 550.37, is amended to read:

**550.37 Property exempt.** *Subdivision 1. No* ~~The~~ *property hereinafter mentioned, shall be in this subdivision is* not liable to attachment, garnishment, or sale on any final process, issued from any court:

- (1) The family Bible;
- (2) Family pictures, school books or library, and musical instruments for the use of the family;

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

(3) A seat or pew in any house or place of public worship;

(4) A lot in any burial ground;

*Subd. 2. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(5)~~ (1) All wearing apparel of the debtor and his family; all beds, bedsteads, and bedding kept and used by the debtor and his family; all stoves and appendages put up or kept for the use of the debtor and his family; all cooking utensils; and all other household furniture not herein enumerated *in this subdivision*, not exceeding \$500 in value;

*Subd. 3. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(6)~~ (1) Three cows, ten swine, a span of horses or mules or in lieu of such span of horses or mules, one farm tractor, 100 chickens, 50 turkeys, 20 sheep, and the wool from the same, either in raw material or manufactured into yarn or cloth; food for all the stock above mentioned necessary for one years support, either provided or growing, or both, as the debtor may choose; one wagon, cart, or dray, one sleigh, two plows, one drag; and other farming utensils, including tackle for teams, not exceeding \$300 in value;

*Subd. 4. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(7)~~ (1) Provisions for the debtor and his family necessary for one years support, either provided or growing, or both, and fuel necessary for one year;

*Subd. 5. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(8)~~ (1) The tools, implements, and instruments of a mechanic, miner, or other person, to the exercise of whose trade or business tools, implements, or instruments are necessary, used and kept for the purpose of carrying on his trade; and, in addition thereto, stock in trade, including goods manufactured in whole or in part by him, not exceeding \$400 in value; and the library and implements of a professional man;

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

*Subd. 6. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(9)~~ (1) The presses, stones, type, cases, and other tools and implements used by any person or copartnership in printing or publishing a newspaper, or by any person hired by him to use them, not exceeding \$2,000 in value, together with stock in trade not exceeding \$400 in value;

*Subd. 7. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(10)~~ (1) One watch, one sewing machine, one typewriting machine, and one bicycle;

*Subd. 8. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(11)~~ (1) Necessary seed for the actual personal use of the debtor for one season, not to exceed in any case the following amounts: 100 bushels of wheat, 100 bushels of rye, 100 bushels of barley, 100 bushels of potatoes, 100 bushels of oats, 100 bushels of flax, 100 bushels of corn; and binding material sufficient for use in harvesting the crop raised from such seed;

*Subd. 9. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(12)~~ (1) The library and philosophical and chemical or other apparatus belonging to, and used for the instruction of youth in, any university, college, seminary of learning, or school which is indiscriminately open to the public;

*Subd. 10. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(13)~~ (1) All money arising from fire or other insurance upon any property exempt from sale on execution;

*Subd. 11. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(14)~~ (1) All money received by, or payable to, a sur-

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living wife or child from insurance upon the life of a deceased husband or father, not exceeding \$10,000;

*Subd. 12. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(15)~~ (1) All money, relief, or other benefits payable or to be rendered by any police department association, fire department association, beneficiary association, or fraternal benefit association to any person entitled to assistance therefrom, or to any certificate holder thereof or beneficiary under any such certificate;

*Subd. 13. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(16)~~ (1) Fifty percent of the net wages of any person earned and unpaid due at the time of any attachment, garnishment or the levy of any execution for any services rendered by him within the preceding 30 days for another. Net wages means the amount of wages earned and unpaid, less the amounts the employer is required by law to withhold or deduct from such wages at the end of the regular pay period. Garnishments shall not impound more than fifty percent of the net wages which in the absence of all garnishments would be paid at the end of the regular pay period during which the garnishments are served and all other wages earned within the preceding 30 days shall be exempt. Said exemption shall be computed and allowed at the end of the pay period, and the time allowed by law for the disclosure shall not commence to run until the end of the pay period during which the garnishment is served. A subsequent attachment, garnishment or levy of execution shall impound such part of earned and unpaid wages not exempt under a prior attachment, garnishment or levy of execution, but in no instance shall more than 50 percent of net wages earned and unpaid be subject to attachment, garnishment or levy of execution. Garnishments shall impound the non-exempt wages in the order of their service upon the employer. The wages exempt from garnishment are exempt as a matter of right, whether claimed or not by the person to whom due. Such exemptions may not be waived. Such exempt wages are payable by the employer when due. In no event shall the amount of exempt wages exceed the sum of \$75 for every seven calendar day period or portion thereof in which the wages due have been earned. The exemption

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shall be allowed out of the wages of any such person as a right whether claimed or not, may not be waived, and the exempt wages shall be paid by the employer when due. *Nothing in this paragraph shall be construed to void or supersede any valid assignment of wages made prior to the attachment, garnishment, or levy of execution.*

(2) The salary or wages of any debtor who is or has been a recipient of relief based on need shall, upon his return to private employment after having been a recipient of public relief, be exempt from attachment, garnishment, or levy of execution for a period of six months after his return to employment; ~~provided, that~~ He may take advantage of such exemption provisions only once in every three years; ~~provided, that~~ Agencies distributing relief shall, at the request of creditors, ~~or their agents or attorneys,~~ inform them whether or not any debtor has been a recipient of relief based on need within such period of six months.

*Subd. 14. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(17)~~ (1) The earnings of the minor child of any debtor or the proceeds thereof, by reason of any liability of such debtor not contracted for the special benefit of such minor child.

*Subd. 15. The property mentioned in this subdivision is not liable to attachment, garnishment, or sale on any final process issued from any court:*

~~(18)~~ (1) The claim for damages recoverable by any person by reason of a levy upon or sale under execution of his exempt personal property, or by reason of the wrongful taking or detention of such property by any person, and any judgment recovered for such damages.

*Subd. 16. All articles exempted by this section shall be selected by the debtor, his agent, or legal representative.*

*Subd. 17. The exemptions provided for in clauses ~~(6)~~ to ~~(18)~~ shall subdivisions 3 to 15 extend only to debtors having an actual residence in the state.*

*Subd. 18. ~~No~~ The property exempted hereby shall be by subdivisions 1 to 15 is not exempt from attachment,*

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*garnishment*, or execution in an action for the recovery of the purchase money of the same property.

Approved April 20, 1961.

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CHAPTER 569—H. F. No. 197

[Coded]

*An act relating to highway patrolmen, retirement thereof including war veterans, amending Minnesota Statutes 1957, Chapter 172, by adding a section thereto.*

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

Section 1. Minnesota Statutes 1957, Chapter 172, is amended by adding a section thereto to read:

**[172.14] Highway patrolmen; retirement.** *Anything in Minnesota Statutes 1957, Section 197.48, to the contrary notwithstanding, the provisions of Minnesota Statutes 1957, Sections 197.45 to 197.48 are not applicable to the provision of Minnesota Statutes 1957, Section 172.08, Subdivision 1, as amended by Laws 1959, Chapter 642, Section 2, that "no patrolman shall continue as such after he has completed the year in employ of the state during which he attains the age of 60 years."*

Approved April 20, 1961.

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CHAPTER 570—H. F. No. 279

[Coded]

*An act to establish a Fort Snelling State Historical Park.*

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

Section 1. **[85.184] Fort Snelling state historical park.** The commissioner of conservation is hereby authorized to acquire by gift, purchase or condemnation the following described lands:

Dakota county: All of section 5, township 27 north, range 23 west of the 4th principal meridian lying east of the Dakota county boundary along the Minnesota river.

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