

provided in section 354.42 shall be paid by the state in the manner provided in section 354.43.

Sec. 8. *This act becomes effective July 1, 1967.*

Approved May 24, 1967

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CHAPTER 835—H. F. No. 266

*An act relating to the exemption of property from attachment, garnishment, or sale on final process; amending Minnesota Statutes 1965, Section 550.37.*

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

Section 1. Minnesota Statutes 1965, Section 550.37, is amended to read:

**550.37 Attachment, garnishment; property exempt.** Subdivision 1. The property mentioned in this ~~subdivision~~ *section* is not liable to attachment, garnishment, or sale on any final process, issued from any court: .

~~(1)~~ *Subd. 2.* The family Bible; , *library, and musical instruments.*

~~(2)~~ *Family pictures, school books or library, and musical instruments for the use of the family;*

~~(3)~~ *Subd. 3.* A seat or pew in any house or place of public worship; *and a lot in any burial ground.*

~~(4)~~ *A lot in any burial ground.*

*Subd. 4.* All wearing apparel, one watch, household furniture, utensils, household appliances, phonographs, radio and television receivers, and foodstuffs of the debtor and his family, not exceeding \$3,000 in value.

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

~~(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 house-*

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hold furniture not 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:

(1)—Three cows, ten swine, a span of horses or mules or in lieu of such span of horse 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 year's 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. 5. Farm machines and implements used in farming operations by a debtor engaged principally in farming, livestock, farm produce, and standing crops, not exceeding \$5,000 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:

(1)—Provisions for the debtor and his family necessary for one year's 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:

(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.

*Subd. 6. The tools, implements, machines, instruments, office furniture, stock in trade, and library reasonably necessary in the trade, business, or profession of the debtor, not exceeding \$5,000 in value.*

*Subd. 7. The total value of property selected by a debtor pursuant to subdivisions 5 and 6 shall not exceed \$5,000.*

Subd. 6.—The property mentioned in this subdivision is not

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liable to attachment, garnishment, or sale on any final process issued from any court:

(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:

(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:

(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:

(1) *Subd. 8.* 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:

(1) *Subd. 9.* All money arising from fire or other insurance upon any property exempt from sale on execution any claim on account of the destruction of, or damage to, exempt property.

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

(1) *Subd. 10.* All money received by, or payable to, a sur-

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viving 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:~~

(1) *Subd. 11.* 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. 12.* *A mobile home, as defined in Minnesota Statutes, Section 168.011, Subdivision 8, which is actually inhabited as a home by the debtor.*

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

(1) *Subd. 13.* Fifty percent of the net wages of any person earned and unpaid at the time of any attachment, garnishment or the levy of any execution for any services rendered by him 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. 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 nonexempt 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. 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) *Subd. 14.* 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. He may take advantage of such exemption provisions only once in every three years. Agencies distributing relief shall, at the request of creditors,

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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:~~

(+) *Subd. 15.* 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:~~

(+) *Subd. 16.* 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 17.~~ All articles exempted by this section shall be selected by the debtor, his agent, or legal representative.

~~Subd. 17 18.~~ The exemptions provided for in subdivisions 3 to 15 extend only to debtors *who are natural persons* having an actual residence in the state.

~~Subd. 18 19.~~ The property exempted by subdivisions ~~4 2~~ *15 11* is not exempt from attachment, garnishment, or execution in an action for the recovery of the purchase money of the same property.

Approved May 24, 1967.

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## CHAPTER 836—H. F. No. 295

[Not Coded]

*An act authorizing the village of Belgrade to lease its nursing home.*

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

Section 1. **Belgrade, village of; nursing home.** Any nursing home facility now or hereafter owned by the village of Belgrade, including buildings and equipment, may be leased to a nonprofit

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