

(d) The seller or holder of the contract or obligation, or a person acting on his behalf, is given authority to enter upon the consumer's premises unlawfully or to commit any breach of the peace in the repossession of the goods;

(e) The consumer waives any right of action against the seller or holder of the contract or obligation, or any other person acting on his behalf, for any illegal act committed in the collection of payments under the contract or obligation or in the repossession of goods;

(f) The consumer relieves the seller from any liability for any legal remedy which the consumer may have against the seller under the contract or obligation or any separate instrument executed in connection therewith.

Subd. 3. **CLAIMS AND DEFENSES.** Any assignee of the contract or obligation relating to the consumer credit sale shall be subject to all claims and defenses of the consumer against the seller arising from the sale, notwithstanding any agreement to the contrary. Provided, however, that the assignee's liability under this subdivision shall not exceed the amount owing to the assignee at the time the claim or defense is asserted against the assignee. The rights of the consumer under this subdivision can only be asserted as a matter of defense to or set off against a claim by the assignee.

Sec. 3. This act shall be effective as to any consumer credit sale entered into on or after July 1, 1971.

Approved May 14, 1971.

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## CHAPTER 276—S.F.No.1593

*An act relating to the powers of the commissioner of highways; the relinquishment of highway easements; amending Minnesota Statutes 1969, Section 161.43.*

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

Section 1. Minnesota Statutes 1969, Section 161.43, is amended to read:

**161.43 HIGHWAYS; RELINQUISHMENT OF HIGHWAY EASEMENTS.** The governor, in behalf of the state and upon recommendation of the commissioner of highways, may relinquish

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

and quitclaim to the fee owner or, if the fee owner refuses or cannot be located, to another agency or political subdivision of the state any easement or portion thereof owned but no longer needed by the state highway department for trunk highway purposes, upon repayment payment to the state highway department of at least the amount of money paid for the acquisition thereof. Whenever less than the easement as originally acquired is to be relinquished and quitclaimed, the amount of moneys so to be repaid paid to the state highway department shall not be a less proportion of the consideration paid therefor by the state highway department than the proportion of the part so portion to be relinquished and quitclaimed bears to the easement as originally acquired. In determining the amount to be repaid paid upon reconveyance to the fee holder, the estimated amount of money paid by the state highway department for any improvement acquired in the original easement and not included in the reconveyance, and the estimated amount of money paid by reason of damages to remaining portions of the tract, if any, not mitigated by the reconveyance, shall first be subtracted from the total consideration paid by the state highway department for the original easement. Before any such easement may be relinquished and quitclaimed to another governmental agency or political subdivision of the state, the governor must first publish for three successive weeks in a newspaper of general circulation in the county in which the easement is located notice of his intent to so relinquish and quitclaim such easement to another governmental agency or political subdivision of the state.

Approved May 14, 1971.

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#### CHAPTER 277—S.F.No.1704

*An act relating to state parks, monuments, recreation areas, and waysides; authorizing the commissioner of natural resources to designate one day as state park open house day; amending Minnesota Statutes 1969, Section 85.05, Subdivision 2.*

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

Section 1. Minnesota Statutes 1969, Section 85.05, Subdivision 2, is amended to read:

Subd. 2. **STATE PARKS; OPEN HOUSE DAY; PERMITS FOR MOTOR VEHICLES.** (a) Except as provided in clause ~~clauses~~ (b) and c of this subdivision, no motor vehicle shall enter or be permitted to enter any state park, state monument, state recreation

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