

**CHAPTER 489—H.F.No. 2317**

*An act relating to education; providing for use of certain revenues in the independent school district No. 710 bond redemption fund; amending Laws 1982, chapter 523, article 30, section 4, subdivision 3.*

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

Section 1. Laws 1982, chapter 523, article 30, section 4, subdivision 3, is amended to read:

Subd. 3. The revenue received pursuant to this section by Independent School District 710 shall be deposited in the bond redemption fund of the district and shall be used only to retire the bonds issued on May 1, 1981, or subsequent refunding issues in the amount of \$6,000,000.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective without local approval the day after final enactment.

Approved April 12, 1988

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**CHAPTER 490—H.F.No. 2422**

*An act relating to agriculture; clarifying certain exemptions; specifying property exempt from final process issued by a court; modifying the exemption for employee benefits; amending Minnesota Statutes 1986, sections 323.24; and 550.37, subdivisions 5, 18, and 24.*

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

Section 1. Minnesota Statutes 1986, section 323.24, is amended to read:

**323.24 NATURE OF A PARTNER'S RIGHT IN SPECIFIC PARTNERSHIP PROPERTY.**

A partner is coowner with the other partners of specific partnership property holding as a tenant in partnership.

The incidents of this tenancy are such that:

(1) A partner, subject to the provisions of this chapter and to any agreement between the partners, has an equal right with the other partners to possess specific partnership property for partnership purposes; but has no right to possess such property for any other purpose without the consent of the other partners;

(2) A partner's right in specific partnership property is not assignable except

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in connection with the assignment of the rights of all the partners in the same property;

(3) A partner's right in specific partnership property is not subject to attachment, garnishment or execution, except on a claim against the partnership; when partnership property is attached for a partnership debt the partners, or any of them, or the representatives of a deceased partner, cannot claim any right under the homestead or exemption laws, except as specifically authorized under exemption laws;

(4) On the death of a partner that partner's right in specific partnership property vests in the surviving partner or partners, except where the deceased was the last surviving partner, when the deceased's right in such property vests in the deceased's legal representative; such surviving partner or partners, or the legal representative of the last surviving partner, has no right to possess the partnership property for any but a partnership purpose; and

(5) A partner's right in specific partnership property is not subject to dower, curtesy, the statutory interest of a surviving spouse, or allowances to a surviving spouse, heirs or next of kin.

Sec. 2. Minnesota Statutes 1986, section 550.37, subdivision 5, is amended to read:

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 \$10,000 in value. When a debtor is a partnership of spouses or a partnership of natural persons related to each other within the third degree of kindred according to the rules of the civil law, for the purposes of the exemption in this subdivision, the partners may elect to treat the assets of the partnership as assets of the individual partners.

Sec. 3. Minnesota Statutes 1986, section 550.37, subdivision 18, is amended to read:

Subd. 18. The exemptions provided for in subdivisions 3 to 15 extend only to debtors who are natural persons except as provided in subdivision 5 for partnerships.

Sec. 4. Minnesota Statutes 1986, section 550.37, subdivision 24, is amended to read:

Subd. 24. **EMPLOYEE BENEFITS.** The debtor's right to receive present or future payments, or payments received by the debtor, under a stock bonus, pension, profit sharing, annuity, individual retirement account, individual retirement annuity, simplified employee pension, or similar plan or contract on account of illness, disability, death, age, or length of service; ~~to the extent reasonably necessary for the support of the debtor and any dependent of the debtor.~~

Sec. 5. **EFFECTIVE DATE.**

New language is indicated by underline, deletions by ~~strikeout~~.

This act is effective the day following final enactment.

Approved April 12, 1988

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**CHAPTER 491—H.F.No. 2446**

*An act relating to St. Louis county; providing duties of the county board and the county administrator; regulating finances; providing for property assessments; repealing obsolete laws; amending Minnesota Statutes 1986, sections 383C.031; 383C.034; 383C.091; 383C.094, subdivision 1; 383C.131; 383C.133, subdivision 1; 383C.135; 383C.16; 383C.161; 383C.162; 383C.17; 383C.231, subdivision 1; 383C.232; 383C.26; 383C.261; 383C.36; 383C.422; 383C.482, subdivision 1; 383C.74, subdivision 1; 383C.75; and 383C.78, subdivision 2; Minnesota Statutes 1987 Supplement, section 383C.035; proposing coding for new law in Minnesota Statutes, chapter 383C; repealing Minnesota Statutes 1986, section 383C.075; 383C.076; 383C.095; 383C.132; 383C.13; 383C.133; 383C.171; 383C.174; 383C.175; 383C.20; 383C.202; 383C.203; 383C.291; 383C.292; 383C.339; 383C.361; 383C.362; 383C.363; 383C.392, subdivision 2; 383C.423; 383C.424; 383C.45; 383C.481; 383C.52; 383C.521; 383C.523; 383C.55; 383C.551; 383C.552; 383C.553; 383C.554; 383C.555, subdivision 2; 383C.556; 383C.557; 383C.61; 383C.611; 383C.612; 383C.613; 383C.64; 383C.641; 383C.642; 383C.643; 383C.644; 383C.645; 383C.646; 383C.647; 383C.648; 383C.649; 383C.65; 383C.651; 383C.66; 383C.67; 383C.671; 383C.672; 383C.673; 383C.674; 383C.675; 383C.676; 383C.677; 383C.77; 383C.80; 383C.801; 383C.802; 383C.803; 383C.804; and 383C.805; Minnesota Statutes 1987 Supplement, section 383C.76.*

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

Section 1. Minnesota Statutes 1986, section 383C.031, is amended to read:

**383C.031 CIVIL SERVICE COMMISSIONERS; APPOINTMENT; QUALIFICATIONS; COMPENSATION.**

Within 30 days after a majority of the voters of the county voting upon said question elect to come within the provisions of sections 383C.03 to 383C.059, the board of county commissioners shall by majority vote, appoint three persons as county civil service commissioners to serve for designated terms of one for two years, one for four years, and one for six years. Each alternate year thereafter the board of county commissioners shall appoint one person as successor for the county civil service commissioner whose term shall expire, to serve six years. Any vacancies shall be filled by the board of county commissioners for the unexpired term. No person shall be appointed or shall act as a member of the county civil service commission at any time while holding any public office or while standing as a candidate for any public office, notary public excepted, or any public employment or position in a political party within the two years immediately preceding appointment. Each member of said commission shall be a resident in the county and on becoming a nonresident, thereby forfeits the office. Within 15 days after appointment, each commissioner shall qualify by

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