

(b) Class B; valid for all vehicles in class C and all other single unit vehicles including buses.

(c) Class A; valid for any vehicle or combination thereof.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Approved April 25, 1984

CHAPTER 547 — S.F.No. 1492

An act relating to marriage dissolution; providing for determination and modification of child support; changing laws relating to docketing of judgments for support and maintenance; providing for withholding of support and maintenance from retirement and annuity benefits; providing for the vacating of liens of certain judgments; amending Minnesota Statutes 1982, sections 69.62; 257.66, by adding a subdivision; 353.15; 354.10; 422A.24; 423.39; 423.61; 423.813; 424.27; 518.55; 548.13; and 548.17; and Minnesota Statutes 1983 Supplement, sections 256.87, by adding a subdivision; 352.15, subdivision 1; 352B.071; 354A.11; 424A.02, subdivision 6; 518.17, subdivision 5; 518.551, subdivisions 5 and 9; 518.611, subdivision 3; 518C.17, subdivision 1; and 548.09, subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, chapters 423A and 548; repealing Laws 1931, chapter 48, section 5; Laws 1935, chapter 192, section 4; Laws 1943, chapter 397, section 26; Laws 1945, chapter 74, section 5; Laws 1947, chapter 43, section 26; Laws 1949, chapters 87, section 29; 144, section 26; 378, section 26; and 406, section 7, subdivision 3, as amended; Laws 1953, chapters 91, section 12; 348, section 22; and 399, section 26; Laws 1955, chapters 75, section 27, as amended; 151, section 17; and 375, section 28; Laws 1959, chapter 131, section 22; Laws 1961, chapters 343, section 22, as amended; and 631, section 4; Laws 1963, chapters 443, section 22; and 643, section 23; Laws 1965, chapter 605, section 28; Laws 1971, chapter 51, section 14, subdivision 16; Laws 1973, chapter 432, section 7, subdivision 2; Laws 1974, chapter 382, section 7, subdivision 2; Laws 1977, chapter 374, section 15; and Laws 1982, chapter 610, section 18.

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

Section 1. Minnesota Statutes 1982, section 69.62, is amended to read:

69.62 PENSION PAYMENTS EXEMPT FROM GARNISHMENT PROCESS.

No payment made or to be made by any fire department relief association in a city of the first class under the provisions of section 69.25 to any member of the pension roll shall be subject to judgment, garnishment, execution, or other legal process, except as provided in section 518.611; and no person entitled to this payment shall have the right to assign the same, nor shall the association

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have the authority to recognize any assignment or pay over any sum which has been assigned.

Sec. 2. Minnesota Statutes 1983 Supplement, section 256.87, is amended by adding a subdivision to read:

Subd. 6. NOTICE OF DOCKETING JUDGMENT. Any order for support or maintenance issued under this section shall provide for a conspicuous notice that, if the obligor fails to make the support or maintenance payments, the public agency responsible for support or maintenance enforcement may obtain docketing of a judgment for the unpaid amounts under the provisions of section 24. The notice shall enumerate the conditions that must be met before the judgment can be docketed.

Sec. 3. Minnesota Statutes 1982, section 257.66, is amended by adding a subdivision to read:

Subd. 5. NOTICE OF DOCKETING JUDGMENT. Any order for support or maintenance issued under this section shall provide for a conspicuous notice that, if the obligor fails to make the support payments, the obligee or a public agency responsible for support enforcement may obtain docketing of a judgment for the unpaid amounts under the provisions of section 24. The notice shall enumerate the conditions that must be met before the judgment can be docketed.

Sec. 4. Minnesota Statutes 1983 Supplement, section 352.15, subdivision 1, is amended to read:

Subdivision 1. None of the moneys, annuities, or other benefits mentioned herein shall be assignable either in law or in equity or be subject to any state estate tax, or to execution, levy, attachment, garnishment, or other legal process, including actions for dissolution, legal separation, or child support, or to any state estate tax except as provided in section 518.611. Provided, however, the executive director may pay an annuity, benefit or refund to a banking institution, qualified under chapter 48, that is trustee for a person eligible to receive such annuity, benefit or refund. Upon the request of a retired, disabled or former employee, the executive director may mail the annuity, benefit or refund check to a banking institution, savings association or credit union for deposit to such employee's account or joint account with his spouse. The board of directors may prescribe the conditions under which such payments will be made.

Sec. 5. Minnesota Statutes 1983 Supplement, section 352B.071, is amended to read:

352B.071 EXEMPTION FROM PROCESS.

None of the moneys, annuities, or other benefits provided for in this chapter shall be assignable either in law or in equity or be subject to execution,

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levy, attachment, garnishment, or other legal process, ~~including actions for dissolution, legal separation, or child support,~~ except as provided in section 518.611.

Sec. 6. Minnesota Statutes 1982, section 353.15, is amended to read:

353.15 NONASSIGNABILITY AND EXEMPTION OF ANNUITIES AND BENEFITS FROM JUDICIAL PROCESS.

No money, annuity, or benefit provided for in this chapter is assignable or subject to any state estate tax, or to execution, levy, attachment, garnishment, or legal process, ~~including actions for divorce, legal separation, and child support, or to any state estate tax~~ except as provided in section 518.611. Provided, however, the association may pay an annuity, benefit or refund to a trust company, qualified under chapter 48, that is trustee for a person eligible to receive such annuity, benefit or refund. Upon the request of a retired, disabled or former member, the association may mail the annuity, benefit or refund check to a banking institution, savings association or credit union for deposit to such person's account or joint account with his spouse. The association may prescribe the conditions under which such payment will be made. If in the judgment of the executive director conditions so warrant, payment may be made to a public body in behalf of an annuitant, disabilitant, or survivor upon such terms as the executive director may prescribe.

Sec. 7. Minnesota Statutes 1982, section 354.10, is amended to read:

354.10 FUND NOT SUBJECT TO ASSIGNMENT OR PROCESS; BENEFICIARIES.

The right of a teacher to avail himself of the benefits provided by this chapter, is a personal right only and shall not be assignable. All moneys to the credit of a teacher's account in the fund or any moneys payable to him from the fund shall belong to the state of Minnesota until actually paid to the teacher or his beneficiary pursuant to the provisions of this chapter. Any power of attorney, assignment or attempted assignment of a teacher's interest in the fund, or of the beneficiary's interest therein, by a teacher or his beneficiary, ~~including actions for divorce, legal separation, and child support,~~ shall be null and void and the same shall be exempt from taxation under chapter 291 and from garnishment or levy under attachment or execution and from taxation under chapter 291, except as provided in section 518.611. Provided however, the board may pay an annuity or benefit to a banking institution, qualified under chapter 48, that is a trustee for a person eligible to receive such annuity or benefit. Upon completion of the proper forms as provided by the board, the annuity or benefit check may be mailed to a banking institution, savings association or credit union for deposit to the recipient's individual account or joint account with his or her spouse. The board shall prescribe the conditions which shall govern these procedures. If in the judgment of the executive director conditions so warrant, payment may be

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made to a public body in behalf of an annuitant, disabilitant, or survivor upon such terms as the executive director may prescribe. Any beneficiary designated by a teacher under the terms of this chapter, may be changed or revoked by the teacher at his pleasure, in such manner as the board may prescribe. In case a designated beneficiary dies before the teacher designating him dies, and a new beneficiary is not designated, the teacher's estate shall be the beneficiary.

Sec. 8. Minnesota Statutes 1983 Supplement, section 354A.11, is amended to read:

354A.11 CERTAIN MONEYS AND CREDITS OF TEACHERS EX-EMPT.

All moneys deposited by a teacher or member or deposited by any other person or corporation, municipal or private, to the credit of a teacher or member of a teachers retirement fund association organized pursuant to this chapter, and all moneys, rights, and interests or annuities due or to become due to a teacher, member, or annuitant, or their beneficiaries, from any association shall not be assignable, shall be exempt from garnishment, attachment, and execution or sale on any final process issued from ~~any a~~ court and ~~every~~ other legal process ~~whatsoever including, but not limited to, process to collect court awards relating to marriage dissolution, legal separation, and child support,~~ except as provided in section 518.611, and shall not be subject to the estate tax provisions of this state. This section does not make the moneys nonmarital property.

Sec. 9. Minnesota Statutes 1982, section 422A.24, is amended to read:

422A.24 ALLOWANCES NOT ASSIGNABLE OR SUBJECT TO EXECUTION PROCESS.

No moneys payable pursuant to chapter 422A shall be assignable either in law or equity or be subject to execution, levy, attachment, garnishment, or other legal process, except as provided in section 518.611, nor shall any of the proceeds of payments due pursuant to this chapter be subject to the inheritance tax provisions of this state upon transfer to a surviving spouse or minor or dependent child of the decedent or a trust for their benefit.

Sec. 10. Minnesota Statutes 1982, section 423.39, is amended to read:

423.39 FUNDS EXEMPT FROM EXECUTION.

All payments made or to be made by any such policemen's relief association under any of the provisions of Laws 1947, Chapter 625, shall be totally exempt from garnishment, execution, or other legal process, except as provided in section 518.611, and no persons entitled to such payment shall have the right to assign the same, nor shall the association have authority to recognize

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any assignment, or to pay any sum on account thereof; and any attempt to transfer any such right or claim, or any part thereof, shall be absolutely void.

Sec. 11. Minnesota Statutes 1982, section 423.61, is amended to read:

423.61 PENSION EXEMPT FROM LEGAL PROCESS.

All payments made or to be made by any such policemen's relief association under any of the provisions of sections 423.41 to 423.62 shall be totally exempt from garnishment, execution, or other legal process, except as provided in section 518.611, and no persons entitled to such payment shall have the right to assign the same, nor shall the association have authority to recognize any assignment, or to pay any sum on account thereof; and any attempt to transfer any such right or claim, or any part thereof, shall be absolutely void.

Sec. 12. Minnesota Statutes 1982, section 423.813, is amended to read:

423.813 PAYMENTS EXEMPT FROM PROCESS, ASSIGNMENT FORBIDDEN.

Any payment made by the association under any provision of sections 423.801 to 423.814 is exempt from any legal process, except as provided in section 518.611. No person entitled to any such payment may assign the same. The association may not recognize any assignment or pay any sum on account thereof.

Sec. 13. [423A.16] **EXEMPTION FROM ASSIGNMENTS; PROCESS.**

Notwithstanding any law to the contrary, none of the moneys, annuities, or other benefits provided by any police or salaried firefighter's relief association shall be assignable in law or in equity, nor be subject to execution, levy, attachment, garnishment, or other legal process, except as provided in section 518.611.

Sec. 14. Minnesota Statutes 1982, section 424.27, is amended to read:

424.27 PAYMENTS EXEMPT FROM LEGAL PROCESS.

All payments made or to be made by any relief associations under any of the provisions of sections 424.01 to 424.29 shall be totally exempt from garnishment, execution, or other legal process, except as provided in section 518.611, and no persons entitled to such payment shall have the right to assign the same, nor shall the association have authority to recognize any assignment, or to pay any sum on account thereof; and any attempt to transfer any such right or claim or any part thereof shall be void.

Sec. 15. Minnesota Statutes 1983 Supplement, section 424A.02, subdivision 6, is amended to read:

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Subd. 6. PAYMENT OF SERVICE PENSIONS; NONASSIGNABILITY. The method of calculating service pensions shall be applied uniformly, except as otherwise provided in this section. No service pension shall be paid to any person while the person remains an active member of the respective fire department, and no person who is receiving a service pension shall be entitled to receive any other benefits from the special fund of the relief association. No service pension or ancillary benefits paid or payable from the special fund of a relief association to any person receiving or entitled to receive a service pension or ancillary benefits shall be subject to garnishment, judgment, execution or other legal process, except as provided in section 518.611. No person entitled to a service pension or ancillary benefits from the special fund of a relief association may assign any service pension or ancillary benefit payments, nor shall the association have the authority to recognize any assignment or pay over any sum which has been assigned.

Sec. 16. Minnesota Statutes 1983 Supplement, section 518.17, subdivision 5, is amended to read:

Subd. 5. DEVIATION FROM GUIDELINES. The court ~~shall not~~ may order the noncustodial parent to pay support in an amount below the appropriate amount determined from the guidelines in section 518.551, subdivision 5 for use in public assistance cases ~~unless the court makes only after considering the factors in subdivision 4 of this section and making express findings of fact as to the reason for the lower order. An order for support in an amount below the guidelines must include findings of fact regarding the financial resources and needs of the child.~~

Sec. 17. Minnesota Statutes 1982, section 518.55, is amended to read:
518.55 MAINTENANCE OR SUPPORT MONEY.

Subdivision 1. CONTENTS OF ORDER. Every award of maintenance or support money in a judgment of dissolution or legal separation shall clearly designate whether the same is maintenance or support money, or what part of the award is maintenance and what part is support money. An award of payments from future income or earnings of the custodial parent is presumed to be maintenance and an award of payments from the future income or earnings of the noncustodial parent is presumed to be support money, unless otherwise designated by the court. In a judgment of dissolution or legal separation the court may determine, as one of the issues of the case, whether or not either spouse is entitled to an award of maintenance notwithstanding that no award is then made, or it may reserve jurisdiction of the issue of maintenance for determination at a later date.

Subd. 2. NOTICE OF DOCKETING JUDGMENT. Every order for support or maintenance shall provide for a conspicuous notice that, if the obligor fails to make the support or maintenance payments, the obligee or a public

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agency responsible for maintenance or support enforcement may obtain docketing of a judgment for the unpaid amount under the provisions of section 24. The notice shall enumerate the conditions that must be met before the judgment can be docketed.

Sec. 18. Minnesota Statutes 1983 Supplement, section 518.551, subdivision 5, is amended to read:

Subd. 5. **NOTICE TO PUBLIC AUTHORITY; GUIDELINES.** The petitioner shall notify the public authority of all proceedings for dissolution, legal separation, determination of parentage or for the custody of a child, if either party is receiving aid to families with dependent children or applies for it subsequent to the commencement of the proceeding. After receipt of the notice, the court shall set child support by multiplying the obligor's net income by the percentage indicated by the following guidelines:

Net Income Per Month of Obligor	Number of Children						
	1	2	3	4	5	6	7 or more
\$400 and Below	Order based on the ability of the obligor to provide support at these income levels, or at higher levels, if the obligor has the earning ability.						
\$401 - 500	14%	17%	20%	22%	24%	26%	28%
\$501 - 550	15%	18%	21%	24%	26%	28%	30%
\$551 - 600	16%	19%	22%	25%	28%	30%	32%
\$601 - 650	17%	21%	24%	27%	29%	32%	34%
\$651 - 700	18%	22%	25%	28%	31%	34%	36%
\$701 - 750	19%	23%	27%	30%	33%	36%	38%
\$751 - 800	20%	24%	28%	31%	35%	38%	40%
\$801 - 850	21%	25%	29%	33%	36%	40%	42%
\$851 - 900	22%	27%	31%	34%	38%	41%	44%
\$901 - 950	23%	28%	32%	36%	40%	43%	46%
\$951 - 1000	24%	29%	34%	38%	41%	45%	48%
\$1001 and over							
- <u>6000</u>	25%	30%	35%	39%	43%	47%	50%

Guidelines for support for an obligor with a monthly income of \$6001 or more shall be the same dollar amounts as provided for in the guidelines for an obligor with a monthly income of \$6000.

Net Income defined as:

Total monthly
income less

- * (1) Federal Income Tax
- * (2) State Income Tax
- (3) Social Security Deductions
- (4) Mandatory Pension

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

*Standard
Deductions apply-
use of tax tables
recommended

- Deductions
(5) Union Dues
(6) Cost of Dependent Health Insurance Coverage
(7) Cost of Individual Health/Hospitalization Coverage or an Equivalent Amount for Actual Medical Expense Deductions not to exceed \$25 a month Expenses.

(a) The child support payment guidelines take into consideration the following criteria:

- (1) all earnings, income, and resources of the obligor including real and personal property;
- (2) the basic living needs of the obligor;
- (3) the financial needs of the child or children to be supported; and
- (4) the amount of the aid to families with dependent children grant for the child or children.

(b) ~~Debts owed to private creditors are not to be considered~~ In establishing a support obligation, the court may consider debts owed to private creditors, but only if:

- (1) the right to support has not been assigned under section 256.74;
- (2) the debt was reasonably incurred for necessary support of the child or obligee or for the necessary generation of income. If the debt was incurred for the necessary generation of income, the court shall consider only the amount of debt that is essential to the continuing generation of income;
- (3) the party requesting a departure produces a sworn schedule of the debts, with supporting documentation, showing goods or services purchased, the recipient of them, the amount of the original debt, the outstanding balance, the monthly payment, and the number of months until the debt will be fully paid; and
- (4) the court determines that the debt was legitimately incurred for the necessary support of the child or obligee or for the necessary generation of income.

Any schedule prepared under paragraph (b), clause (3), shall contain a statement that the debt will be fully paid after the number of months shown in the schedule, barring emergencies beyond the party's control.

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The court shall order child support in accordance with the guidelines and any departure therefrom. Any further departure below the guidelines that is based on a consideration of debts owed to private creditors shall not exceed 18 months in duration, after which the support shall increase automatically to the level ordered by the court. Nothing in this section shall be construed to prohibit one or more step increases in support to reflect debt retirement during the 18-month period.

Where payment of debt is ordered pursuant to this section, the payment shall be ordered to be in the nature of child support.

(c) Previous support orders and maintenance orders may be considered if the obligor is paying them.

(d) Nothing shall preclude the court from receiving evidence on the above factors to determine if the guidelines should be exceeded or modified in a particular case.

(e) The above guidelines are binding in each case unless the court makes express findings of fact as to the reason for departure below the guidelines in that case in which the court orders support that so deviates from the guidelines. It may also increase the amount of child support by more than the guidelines without making express findings by agreement of the parties or by making further findings.

Sec. 19. Minnesota Statutes 1983 Supplement, section 518.551, subdivision 9, is amended to read:

Subd. 9. **ASSIGNMENT OF RIGHTS; JUDGMENT.** The public agency responsible for child support enforcement is joined as a party in each case in which rights are assigned under section 256.74, subdivision 5. When arrearages are reduced to judgment, the court shall grant judgment in favor of, and in the name of, the public agency to the extent that the arrearages are assigned. After filing notice of an assignment with the clerk of court, who shall enter the notice in the docket, the public agency may enforce a judgment entered before the assignment of rights as if the judgment were granted to it, and in its name, to the extent that the arrearages in that judgment are assigned.

Sec. 20. Minnesota Statutes 1983 Supplement, section 518.611, subdivision 3, is amended to read:

Subd. 3. **MODIFICATION ORDERS.** An order ~~modifying the amount of maintenance or support,~~ issued after the hearing on the motion to modify under subdivision 2, paragraph (c), of this section, shall provide that payments be made outright by withholding. ~~The provisions conditions precedent to withholding~~ of subdivision 2 do not apply.

Sec. 21. Minnesota Statutes 1983 Supplement, section 518C.17, subdivision 1, is amended to read:

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

Subdivision 1. **ISSUANCE OF ORDER.** If the responding court finds a duty of support, it may order the obligor to furnish support or reimbursement therefor and subject the property of the obligor to the order. Support orders made under sections 518C.01 to 518C.36 shall require that payments be made as the responding court directs and the responding court shall order support payments under chapter 518. Every order for support shall provide for a conspicuous notice that, if the obligor fails to make the support payments, the obligee or a public agency responsible for support enforcement may obtain docketing of a judgment for the unpaid amounts under the provisions of section 24. The notice shall enumerate the conditions that must be met before the judgment can be docketed. The court and the prosecuting attorney of a county in which the obligor is present or has property have the same powers and duties to enforce the order as have those of the county in which it was first issued. If enforcement is impossible, or cannot be completed in the county in which the order was issued, the prosecuting attorney shall send a certified copy of the order to the prosecuting attorney of a county in which it appears that the proceedings to enforce the order would be effective. The prosecuting attorney to whom the certified copy of the order is forwarded shall proceed with enforcement and report the results of the proceedings to the court first issuing the order.

Sec. 22. Minnesota Statutes 1983 Supplement, section 548.09, subdivision 1, is amended to read:

Subdivision 1. **DOCKETING; SURVIVAL OF JUDGMENT.** Except as provided in section 24, every judgment requiring the payment of money, including a judgment or decree of dissolution or separate maintenance, a determination of parentage, an order under the Reciprocal Enforcement of Support Act, or an order under section 256.87, any of which provide for installment or periodic payments of child support, spousal maintenance, or both, shall be docketed by the clerk upon its entry. Upon a transcript of the docket being filed with the clerk in any other county, the clerk shall also docket it. From the time of docketing the judgment is a lien, in the amount unpaid, upon all real property in the county then or thereafter owned by the judgment debtor. The judgment survives, and the lien continues, for ten years after its entry.

Sec. 23. Minnesota Statutes 1983 Supplement, section 548.09, subdivision 3, is amended to read:

Subd. 3. **VIOLATIONS BY CLERK.** If the clerk violates this provision, neither the judgment nor the docketing is invalid, but the clerk shall be liable to a person damaged by the violation in the sum of \$5.

Sec. 24. **[548.091] SUPPORT AND MAINTENANCE JUDGMENT.**

Subdivision 1. **DOCKETING OF JUDGMENT.** A judgment for unpaid amounts under a judgment or decree of dissolution or legal separation, determination of parentage, an order under chapter 518C, or an order under section 256.87,

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any of which provide for installment or periodic payments of child support, maintenance, or both, shall be entered and docketed by the clerk of court only when ordered by the court or when the following conditions are met:

(a) The obligee or the public authority determines that the obligor is at least 30 days in arrears;

(b) The obligee or public authority serves a copy of an affidavit of default and notice of intent to enter judgment on the obligor by mail at his last known post office address. Service shall be deemed complete upon mailing in the manner designated. The affidavit shall state the full name, occupation, place of residence, and last known post office address of the obligor, the name and post office address of the obligee, the date of the first unpaid amount, the date of the last unpaid amount, and the total amount unpaid;

(c) The obligor fails within 20 days after mailing of the notice either to pay all unpaid amounts or to request a hearing on the issue of whether arrears claimed owing have been paid and to seek, ex parte, a stay of entry of judgment; and

(d) Not less than 20 days after service on the obligor in the manner provided, the obligee or public authority files with the clerk the affidavit of default together with proof of service and, if payments have been received by the obligee or public authority since execution of the affidavit of default, a supplemental affidavit setting forth the amount of payment received.

Subd. 2. AMOUNT AND SURVIVAL OF JUDGMENT. The clerk of court shall enter and docket judgment in the amount of each affidavit filed under subdivision 1 less any amount paid. From the time of docketing, the judgment is a lien in the amount unpaid upon all the real property in the county then or after owned by the judgment debtor. The judgment survives and the lien continues for ten years after its entry.

Subd. 3. JUDGMENTS DOCKETED PRIOR TO DEFAULT. An obligor whose property is subject to the lien of a judgment for installment of periodic payments of child support, maintenance, or both, under section 548.09, and who claims that no amount of support or maintenance is in arrears, may move the court ex parte for an order directing the clerk to vacate the lien of the judgment on the docket and register of the action where it was entered. The obligor shall file with the motion an affidavit stating that:

(a) The lien attached upon the docketing of a judgment or decree of dissolution or separate maintenance, a determination of parentage, an order under the Reciprocal Enforcement of Support Act, or an order under section 256.87;

(b) The docketing was made while no installment or periodic payment of child support, maintenance, or both, was unpaid or overdue; and

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

(c) No installment or periodic payment of child support, maintenance, or both, that was due prior to the filing of the motion remains unpaid or overdue.

The court shall grant the obligor's motion as soon as possible if the pleadings and affidavit show that there is and has been no default.

Sec. 25. Minnesota Statutes 1982, section 548.13, is amended to read:

548.13 ASSIGNMENT OF JUDGMENT; MODE AND EFFECT.

Every assignment of a judgment shall be in writing, signed and acknowledged by the assignor, and except that written notice of assignment shall be sufficient in the case of assignment under section 256.74. No ~~such~~ assignment shall be valid as against a subsequent purchaser of the judgment in good faith for value, or against a creditor levying upon or attaching the same, unless it is filed with the clerk and an entry thereof is made in the docket. When ~~so~~ filed and entered, ~~none~~ no one but the assignee, his agent, or attorney, shall be authorized to collect or enforce ~~such~~ the judgment; provided, that the lien of an attorney ~~thereon~~ on the judgment shall not be affected by the assignment.

Sec. 26. Minnesota Statutes 1982, section 548.17, is amended to read:

548.17 PAYMENT AND SATISFACTION BY CLERK.

Subdivision 1. JUDGMENTS OTHER THAN FOR SUPPORT AND MAINTENANCE. Except as provided in subdivision 2, when a judgment debtor or other person whose property is subject to the lien of a money judgment shall file files with the clerk an affidavit that he has made diligent search and inquiry and is unable to find any person having authority to receive payment and give satisfaction of such judgment, he may pay the amount due ~~thereon~~ on the judgment to the clerk, who, upon receipt ~~thereof~~, shall note satisfaction of ~~such~~ the judgment on the docket and register of the action ~~wherein~~ where it was entered, and the clerk shall issue a certificate reciting the payment and satisfaction under his seal to the person paying the ~~same~~ a certificate reciting such payment and satisfaction ~~judgment.~~ The clerk shall at once notify all persons appearing of record to have an interest in ~~such~~ the judgment, including the attorney of the judgment creditor, of its payment and satisfaction, and. Upon demand, the clerk shall pay ~~such~~ the money to the person entitled ~~thereto~~, taking duplicate receipts ~~therefor~~, one of which he shall retain, and one which he shall file the other in the case.

Subd. 2. JUDGMENTS FOR SUPPORT AND MAINTENANCE. When an obligor whose property is subject to the lien of a judgment for installment of periodic payments of child support, maintenance, or both, under section 24, files an affidavit with the clerk that the obligee cannot be found or refuses to receive payment and give satisfaction for the amount of each sum docketed, he may pay the amount due on the judgment to the clerk who, upon receipt, shall note satisfaction of the amount due on the docket and register of the

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action where it was entered, and the clerk shall issue a certificate under his seal to the obligor which recites the payment and satisfaction. The clerk shall at once notify all persons appearing of record to have an interest in the judgment, including the obligee's attorney, of the payment and satisfaction. Upon demand, the clerk shall pay the money to the person entitled, taking duplicate receipts, one which he shall retain, and one which he shall file in the case.

Sec. 27. REPEALER.

Laws 1931, chapter 48, section 5; Laws 1935, chapter 192, section 4; Laws 1943, chapter 397, section 26; Laws 1945, chapter 74, section 5; Laws 1947, chapter 43, section 26; Laws 1949, chapters 87, section 29; 144, section 26; 378, section 26; and 406, section 7, subdivision 3, as amended by Laws 1953, chapter 127, section 7, and Laws 1965, chapter 520, section 1; Laws 1953, chapters 91, section 12; 348, section 22; and 399, section 26; Laws 1955, chapters 75, section 27, as amended by Laws 1965, chapter 190, section 1, and Laws 1969, chapter 138, section 1; 151, section 17; and 375, section 28; Laws 1959, chapter 131, section 22; Laws 1961, chapters 343, section 22, as amended by Laws 1967, chapter 702, section 6; and 631, section 4; Laws 1963, chapters 443, section 22; and 643, section 23; ~~Laws 1965, chapter 605, section 28; Laws 1971, chapter 51, section 14, subdivision 16; Laws 1973, chapter 432, section 7, subdivision 2; Laws 1974, chapter 382, section 7, subdivision 2; Laws 1977, chapter 374, section 15; and Laws 1982, chapter 610, section 18,~~ are repealed.

Sec. 28. EFFECTIVE DATE.

This act is effective the day following final enactment.

Approved April 25, 1984

CHAPTER 548 — S.F.No. 1511

An act relating to public finance; modifying the tax exemption for property held by political subdivisions; providing a tax exemption for certain real and personal property; authorizing the levy of special assessments or service charges for fire protection and pedestrian skyway systems; amending Minnesota Statutes 1982, sections 272.02, subdivision 5; 429.021, subdivision 1; 429.031, subdivision 3; 429.091, subdivision 2; and 429.101, subdivision 1; and Minnesota Statutes 1983 Supplement, sections 272.02, subdivision 1; and 297A.25, subdivision 1; and Laws 1979, chapter 189, section 2.

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

Section 1. Minnesota Statutes 1983 Supplement, section 272.02, subdivision 1, is amended to read:

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