

A secured party that furnishes to a buyer a list of debtors who have farm products subject to a security interest is not liable to a debtor whose name is on the list for furnishing the list.

Subd. 4. COMMISSION MERCHANT. Notwithstanding section 336.1-201, subsection (9), a commission merchant or selling agent who sells farm products for another for a fee, that is a registered buyer under section 386.42, is a buyer in the ordinary course of business under this chapter and section 336.9-307, subsection (1), for transactions involving farm products.

Sec. 10. Minnesota Statutes 1984, section 336.9-307, as amended by S.F. No. 919, section 7, if enacted by the 1985 regular session, is amended to read:

336.9-307 PROTECTION OF BUYERS OF GOODS.

(1) A buyer in ordinary course of business (subsection (9) of section 336.1-201) takes free of a security interest created by his seller even though the security interest is perfected and even though the buyer knows of its existence, except that a buyer in the ordinary course of business who purchases farm products from a person engaged in farming operations is subject to section 386.42 223A.01.

(2) In the case of consumer goods, a buyer takes free of a security interest even though perfected if he buys without knowledge of the security interest, for value and for his own personal, family or household purposes unless prior to the purchase the secured party has filed a financing statement covering such goods.

(3) A buyer other than a buyer in ordinary course of business (subsection (1) of this section) takes free of a security interest to the extent that it secures future advances made after the secured party acquires knowledge of the purchase, or more than 45 days after the purchase, whichever first occurs, unless made pursuant to a commitment entered into without knowledge of the purchase and before the expiration of the 45 day period.

Sec. 11. EFFECTIVE DATE.

This act is effective the day following final enactment.

Approved May 31, 1985

CHAPTER 277 — H.F.No. 78

An act relating to crimes; defining the crime of owning or operating a disorderly house; requiring a mandatory fine for a person owning or operating a disorderly house; amending Minnesota Statutes 1984, section 609.33.

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

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

Section 1. Minnesota Statutes 1984, section 609.33, is amended to read:

609.33 DISORDERLY HOUSE OR PLACE OF PUBLIC RESORT.

Whoever does either of the following may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both:

(1) Keeps a disorderly house, or place of public resort, whereby the peace, comfort or decency of a neighborhood is habitually disturbed; or

(2) Being the owner or in control of any premises, intentionally permits them to be so used.

Subdivision 1. **DEFINITION.** For the purpose of this section, "disorderly house" means a building, dwelling, place, establishment, or premises in which actions or conduct habitually occur in violation of laws relating to:

(1) the sale of intoxicating liquor or nonintoxicating malt liquor;

(2) gambling;

(3) prostitution as defined in section 609.321, subdivision 9, or acts relating to prostitution; or

(4) the sale or possession of controlled substances as defined in section 152.01, subdivision 4.

Subd. 2. **PROHIBITING OWNING OR OPERATING A DISORDERLY HOUSE.** No person may own, lease, operate, manage, maintain, or conduct a disorderly house, or invite or attempt to invite others to visit or remain in the disorderly house. A violation of this subdivision is a gross misdemeanor.

Subd. 3. **MANDATORY MINIMUM PENALTIES.** (a) If a person is convicted of a first violation of subdivision 2, in addition to any sentence of imprisonment authorized by subdivision 2 which the court may impose, the court shall impose a fine of not less than \$300 nor more than \$3,000.

(b) If a person is convicted of a second violation of subdivision 2, in addition to any sentence of imprisonment authorized by subdivision 2 which the court may impose, the court shall impose a fine of not less than \$500 nor more than \$3,000.

(c) If a person is convicted of a third or subsequent violation of subdivision 2, in addition to any sentence of imprisonment authorized by subdivision 2 which the court may impose, the court shall impose a fine of not less than \$1,000 nor more than \$3,000.

Subd. 4. **EVIDENCE.** Evidence of unlawful sales of intoxicating liquor or nonintoxicating malt liquor, of prostitution or acts relating to prostitution, or of gambling or acts relating to gambling, is prima facie evidence of the existence of a disorderly house. Evidence of sales of intoxicating liquor or nonintoxicating

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malt liquor between the hours of 1:00 a.m. and 8:00 a.m., while a person is within a disorderly house, is prima facie evidence that the person knew it to be a disorderly house.

Subd. 5. LOCAL REGULATION. Subdivisions 1 to 4 do not prohibit or restrict a local governmental unit from imposing more restrictive provisions.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective August 1, 1985, and applies to crimes committed on or after that date.

Approved May 31, 1985

CHAPTER 278 — H.F.No. 83

An act relating to courts; authorizing the chief judge in Hennepin and Ramsey counties to extend the principal assignment of certain juvenile court judges.

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

Section 1. [260.0191] DESIGNATION OF JUVENILE COURT JUDGE.

Notwithstanding the provisions of Minnesota Statutes, section 260.019, subdivision 3, the chief judge in Hennepin and Ramsey counties may designate any judge to hear cases under sections 260.011 to 260.301 as a principal assignment regardless of how long the judge has served on that assignment.

Sec. 2. REPEALER.

Section 1 is repealed effective August 1, 1989.

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective the day following final enactment.

Approved May 31, 1985

CHAPTER 279 — H.F.No. 535

An act relating to health; restricting the use of lead in pipes, solders, and flux; requiring schools to flush certain pipes; amending Minnesota Statutes 1984, section 123.36, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 326.

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

Section 1. Minnesota Statutes 1984, section 123.36, is amended by adding a subdivision to read:

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