

Legislative History Summary of 1984 Minn. Laws ch. 612¹
Compiled by Paul Birnberg 11/20/2020

Progress of SF 1330 in Senate

Page in Senate Journal	Date	Event
4462	3/6/84	First Reading ² ; referred to Judiciary - Endnote 2
4787	3/26/84	Report back with amendments – Endnote 3; Endnotes 3¼ and 3½ are the minutes of the Civil Law subcommittee and the full committee, respectively
4788	3/26/84	Second Reading
5639	4/11/84	Floor amendment - Endnote 4
5643-44	4/11/84	Floor amendment proposed but defeated - Endnote 5
5644	4/11/84	Third Reading, passed 53-7 - Endnote 5 ³
7251	4/24/84	Report that House passed the Senate bill
7260		Signed by the Governor

Progress of SF 1330 in House

Page in House Journal	Date	Event
8225	4/13/84	Transmittal from Senate
8227	4/13/84	First Reading
8390	4/16/84	Identical to HF 1837
8392	4/16/84	Second Reading
9299	4/19/84	Add to Special Orders
10088-89	4/24/84	Floor amendment proposed but defeated - Endnote 6
10089	4/24/84	Third Reading, passed 107-12 - Endnote 6 ⁴
10271		Enrolled

¹Endnote 0.

²Endnote 1 is a copy of the bill as introduced.

³The Nay votes were from six GOP senators (including Sen. Knaak, who proposed the defeated amendment earlier that day) and one DFL senator.

⁴All the Nay votes were from GOP representatives.

Progress of HF1837 in House

Page in House Journal	Date	Event
6488	3/12/84	First Reading; referred to Judiciary
7662	4/9/84	New authors - Rep. Rose off, Rep. Staten on
8202	4/13/84	Report back with amendments – Endnote 7; Endnote 7½ is the committee’s minutes
8227	4/13/84	First Reading of SF 1330
8390	4/16/84	HF 1837 is identical to SF 1330 (with one exception see Endnote 8)

End of progress.

SUMMARY OF AMENDMENTS

Successful amendments:

- [1] Residential only (committee)
- [2] “intentionally” changed to “in bad faith (committee)
- [3] “treble” to “up to treble” (floor)

Failed amendments:

- [1] Treble damages for landlord if tenant loses 566.03, subd. 1 = 504B.285, subd. 1 (committee)
- [2] Remove “treble”
- [3] Remove “up to” and restore plain “treble” (floor)
- [4] Delete attorney fees (floor)

Endnote 0

2 pp

1984 Minn. Laws 1469, 1469-1470, Act of May 2, 1984

1984 Minn. Laws. Ch. 612

CHAPTER 612-S.F.No. 1330

An act relating to landlords and tenants; providing for recovery by the tenant from the landlord of damages and attorney's fees for unlawful ouster or exclusion [from residential premises](#); proposing new law coded in Minnesota Statutes, chapter 504.

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

Section 1. [504.255] [UNLAWFUL OUSTER OR EXCLUSION; DAMAGES.]

If a landlord, his agent, or a person acting under the landlord's direction or control, unlawfully and [in bad faith](#)¹ removes or excludes a tenant from [a residential premises](#), the tenant may recover from the landlord [up to](#)² treble damages and reasonable attorney's fees³.

Sec. 2. [EFFECTIVE DATE.]

Section 1 applies to [causes of action](#) arising on or after [August 1, 1984](#).

Approved May 2, 1984.

¹[Shown in blue](#): Judiciary Committee amendment. Date of committee meeting to be determined once Gale Library reopens. 1984 Journal of the Senate 4787 (March 26, 1984).

²[Shown in Red](#): Floor amendment, April 11, 1984, 1984 Journal of the Senate 5639. The failed proposed amendment in the House would have eliminated “up to”. 1984 Journal of the House 10088-10089 (April 24, 1984).

³The failed proposed floor amendment in the Senate would have eliminated “and reasonable attorney’s fees”. 1984 Journal of the Senate 5463-5464 (April 11, 1984).

VERSIONS

As Introduced

Section 1. [504.255] [UNLAWFUL OUSTER OR EXCLUSION; DAMAGES.]

If a landlord, his agent, or a person acting under the landlord's direction or control, unlawfully and intentionally removes or excludes a tenant from lands or tenements, the tenant may recover from the landlord treble damages and reasonable attorney's fees.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment and applies to suite after that date.

=====.

As Reported Out of Committee

Section 1. [504.255] [UNLAWFUL OUSTER OR EXCLUSION; DAMAGES.]

If a landlord, his agent, or a person acting under the landlord's direction or control, unlawfully and in bad faith removes or excludes a tenant from a residential premises, the tenant may recover from the landlord treble damages and reasonable attorney's fees.

Sec. 2. [EFFECTIVE DATE.]

Section 1 applies to causes of action arising on or after August 1, 1984.

=====.

As Enacted

Section 1. [504.255] [UNLAWFUL OUSTER OR EXCLUSION; DAMAGES.]

If a landlord, his agent, or a person acting under the landlord's direction or control, unlawfully and in bad faith removes or excludes a tenant from a residential premises, the tenant may recover from the landlord up to treble damages and reasonable attorney's fees.

Sec. 2. [EFFECTIVE DATE.]

Section 1 applies to causes of action arising on or after August 1, 1984.

S.F. No. 1329: A bill for an act relating to forcible entry and unlawful detainer; providing for the assessment of punitive damages and attorney's fees against a landlord for bad faith commencement of an action for recovery of possession; proposing new law coded in Minnesota Statutes, chapter 566.

Referred to the Committee on Judiciary.

Mr. Belanger introduced—

S.F. No. 1330: A bill for an act relating to landlords and tenants; providing for recovery by the tenant from the landlord of damages and attorney's fees for unlawful ouster or exclusion; proposing new law coded in Minnesota Statutes, chapter 504.

Referred to the Committee on Judiciary.

Mr. Taylor introduced—

S.F. No. 1331: A bill for an act relating to transportation; designating a bridge as the "Veterans Memorial Bridge"; amending Minnesota Statutes 1982, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Wegscheid and Vega introduced—

S.F. No. 1332: A bill for an act relating to Independent School District No. 196; authorizing it to establish and operate a nonprofit corporation for the benefit of students; requiring local approval.

Referred to the Committee on Education.

Mr. Benson introduced—

S.F. No. 1333: A bill for an act relating to education; increasing the weighting of kindergarten pupil units for those attending full day programs; amending Minnesota Statutes 1982, section 124.17, subdivision 1.

Referred to the Committee on Education.

Mr. Belanger introduced—

S.F. No. 1334: A bill for an act relating to transportation; allowing prepayment of state contractual obligations to governmental subdivisions under agreements for the construction, improvement, or maintenance of trunk highways; amending Minnesota Statutes 1982, section 16A.41, subdivision 1, and by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Pogemiller introduced—

S.F. No. 1335: A bill for an act relating to evidence; providing for admission into evidence of certain convictions for driving while under the influence of alcohol or a controlled substance; proposing new law coded in Minnesota Statutes, chapter 634.

Referred to

Mr. Pogem

S.F. No. 1
providing for
under the infl
test; authorizi
condition ren
Statutes 1982
amended; and

Referred to

Ms. Berglin

S.F. No. 13
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Referred to

Mr. Stumpf

S.F. No. 13
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Referred to

Mr. Stumpf

S.F. No. 13
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Referred to

Mr. Purfeer

S.F. No. 13
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highway user
Minnesota Stat

Referred to

Mr. Diessne

S.F. No. 13
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governing the
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or amend rule

Endnote 1

F

als”

Page 1, delete lines 5 and 6 and insert “amending Minnesota Statutes 1983 Supplement, section 604.05, subdivision 2.”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 1351: A bill for an act relating to commerce; providing an alternative distribution of assets following voluntary dissolution of a cooperative association; amending Minnesota Statutes 1982, section 308.14, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 1576: A bill for an act relating to military justice; modifying the appeal of court-martial proceedings; clarifying when a military judge may issue search warrants; amending Minnesota Statutes 1982, sections 192A.325; 192A.345, subdivisions 2 and 8; 192A.612; repealing Minnesota Statutes 1982, section 192A.345, subdivisions 1 and 3.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 1330: A bill for an act relating to landlords and tenants; providing for recovery by the tenant from the landlord of damages and attorney’s fees for unlawful ouster or exclusion; proposing new law coded in Minnesota Statutes, chapter 504.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, delete “intentionally” and insert “in bad faith”

Page 1, line 13, delete “lands or tenements” and insert “a residential premises”

Page 1, line 17, delete “is effective the day following final enactment”

Page 1, line 18, delete “and” and delete “suits” and insert “causes of action”

Page 1, line 18, delete “that date” and insert “August 1, 1984”

Amend the title as follows:

Page 1, line 4, before the semicolon, insert “from residential premises”

And when so amended the bill do pass. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 1733, 1784, 1331, 1642, 1519, 1495, 1334, 1435, 1699, 1759,

Minnesota State Law Library
Sen. Paul Minnesota

Endnote 2

g Minnesota

SPECIAL ORDER

S.F. No. 1576: A bill for an act relating to military justice; modifying the appeal of court-martial proceedings; clarifying when a military judge may issue search warrants; amending Minnesota Statutes 1982, sections 192A.325; 192A.345, subdivisions 2 and 8; 192A.612; repealing Minnesota Statutes 1982, section 192A.345, subdivisions 1 and 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Knutson	Peterson, C.C.	Spear
Anderson	Diessner	Kroening	Peterson, D.C.	Stumpf
Benson	Dieterich	Kronebusch	Peterson, D.L.	Taylor
Berg	Frank	Laidig	Peterson, R.W.	Ulland
Berglin	Frederick	Langseth	Petty	Vega
Bernhagen	Frederickson	Lantry	Purfeerst	Waldorf
Bertram	Hughes	Lessard	Ramstad	Wegscheid
Brataas	Isackson	Luther	Reichgott	Willet
Chmielewski	Johnson, D.E.	McQuaid	Renneke	
Dahl	Jude	Merriam	Samuelson	
Davis	Kamrath	Moe, R. D.	Sieloff	
DeCramer	Knaak	Olson	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1330: A bill for an act relating to landlords and tenants; providing for recovery by the tenant from the landlord of damages and attorney's fees for unlawful ouster or exclusion from residential premises; proposing new law coded in Minnesota Statutes, chapter 504.

Mr. Sieloff moved to amend S.F. No. 1330 as follows:

Page 1, line 14, after "landlord" insert "up to"

The motion prevailed. So the amendment was adopted.

S.F. No. 1330 was then progressed.

SPECIAL ORDER

H.F. No. 1813: A bill for an act relating to hospital districts; providing for loans to students in health-related educational programs; amending Minnesota Statutes 1982, section 447.331.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

End note 3

CIVIL LAW SUBCOMMITTEE
of the Senate Judiciary Committee
Friday, March 16, 1984
8:00 a.m., Room 15 Capitol

The following members were present:

Peterson, R.W., Chair	Absent:
Spear	Jude
Luther	Knaak
Sieloff	

Attached is a summary of the bills to be heard prepared by senate counsel.

The subcommittee considered S.F. 1330 relating to landlords and tenants; providing for recovery by the tenant from the landlord of damages and attorney's fees for unlawful ouster or exclusion; (Belanger)

Senator Spear moved to amend S.F. 1330. See attached amendment SCS1330A-1.

MOTION CARRIED.

Senator Luther moved to amend S.F. 1330 as follows:

Page 1, line 17, delete "is effective the day following final enactment"

Page 1, line 18, delete "and"; delete "suits" and insert "causes of action"; delete "that date" and insert "August 1, 1984"

MOTION CARRIED.

Senator Sieloff moved to amend S.F. 1330 as follows by adding a subdivision to read:

"If a person unlawfully and in bad faith holds over residential premises, pursuant to section 566.03, subdivision 1, the landlord may recover from the tenant treble damages and reasonable attorney's fees."

MOTION DEFEATED.

Steve Swanson, attorney for Legal Services Advocacy Project, speaking on behalf of St. Paul Tenants Union, spoke in support of S.F. 1330 but again the Sieloff amendment.

Senator Spear moved that S.F. 1330, as amended, be recommended to pass and be referred to the full committee.

MOTION CARRIED.

The subcommittee considered S.F. 1572 relating to probate; providing for ante-mortem probate of wills (Sieloff)

Raymond Flynn spoke in support of S.F. 1572 and referred to a survey done. See attached.

Senator Sieloff moved that S.F. 1572 be recommended to pass and be referred to the full committee.

MOTION CARRIED.

S.F. 1329 was not heard at the author's request.

The meeting was taped. The meeting adjourned at 9:40 a.m.

Respectfully submitted,

Randolph W. Peterson
Randolph W. Peterson, Chair

ENDNOTE 3 1/4

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JOEL A. SUTTER

TO: Members of the Civil Law Subcommittee
FROM: Julie A. Beck, Senate Counsel *gab*
RE: Agenda Items for March 16, 1984 Meeting
DATE: March 14, 1984

1. S. F. No. 1329 (Belanger) (Landlord-Tenant)

The bill provides for an award of reasonable attorney fees and punitive damages not to exceed \$200, at the discretion of the court, if a landlord acts in bad faith in commencing an action for recovery of a premises.

2. S. F. No. 1330 (Belanger) (Landlord-Tenant)

The bill provides that a tenant may recover treble damages from a landlord if the landlord unlawfully and intentionally removes or excludes a tenant from a premises.

3. S. F. No. 1572 (Sieloff) (Ante-Mortem Probate)

Section 1, subdivision 1, allows a testator to commence an action for a judgment declaring the validity of the testator's will prior to death. If the testator is incompetent, cannot be found, or has consented in writing to the commencement of the action, the testator's guardian or custodian holding a durable power of attorney may commence the action. A testator may appoint, in writing, another person to commence the action.

Subdivision 2 requires all beneficiaries in the will and all intestate successors at the commencement of the action to be named as parties to the proceeding.

Subdivision 3 requires service on each named party by personal or substituted service or by mailing, by first class mail, to the last known address.

Subdivision 4 provides that ante-mortem probate actions be venued in the court having jurisdiction of probate matters in the county where the testator resides.

Subdivision 5 enumerates the conditions for declaring a will valid and provides that the will be placed on file with the court if found valid.

Subdivision 6 provides that a will declared valid under this section is binding unless and until the testator revokes the will.

Subdivision 7 provides that the probate of a will declared under this section is conducted as provided by law except that the finding of validity of the will is binding.

Subdivision 8 allows the settlor of a revocable or irrevocable trust to use the procedures of this act to establish the validity of the trust.

JAB:sh

1 To: Senator Spear, Chairman
2 Committee on Judiciary
3 Mr. Peterson, R.W.,
4 Chairman of the Subcommittee on Civil Law, to which was
5 referred

6 S.F. No. 1330: A bill for an act relating to landlords and
7 tenants; providing for recovery by the tenant from the landlord
8 of damages and attorney's fees for unlawful ouster or exclusion;
9 proposing new law coded in Minnesota Statutes, chapter 504.

10

11 Reports the same back with the recommendation that the bill
12 be amended as follows:

13 Page 1, line 12, delete "intentionally" and insert "in bad
14 faith"

15 Page 1, line 13, delete "lands or tenements" and insert "a
16 residential premises"

17 Page 1, line 17, delete "is effective the day following
18 final enactment"

19 Page 1, line 18, delete "and" and delete "suits" and insert
20 "causes of action"

21 Page 1, line 18, delete "that date" and insert "August 1,
22 1984"

23 Amend the title as follows:

24 Page 1, line 4, before the semicolon, insert "from
25 residential premises"

26 And when so amended that the bill be recommended to pass
27 and be referred to the full committee.

28

29 *Randolph W. Peterson*
30
31 (Subcommittee Chairman)

32 March 16, 1984.....
33 (Date of Subcommittee action)

Mr. Belanger introduced--

S. F. No. 1330 Referred to the Committee on Judiciary.

1 A bill for an act
 2 relating to landlords and tenants; providing for
 3 recovery by the tenant from the landlord of damages
 4 and attorney's fees for unlawful ouster or exclusion;
 5 proposing new law coded in Minnesota Statutes, chapter
 6 504.

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

9 Section 1. [504.255] [UNLAWFUL OUSTER OR EXCLUSION;
 10 DAMAGES.]

11 If a landlord, his agent, or a person acting under the
 12 -----
 13 landlord's direction or control, unlawfully and intentionally
 14 removes or excludes a tenant from lands or tenements, the tenant
 15 -----
 16 may recover from the landlord treble damages and reasonable
 17 attorney's fees.
 18 -----

16 Sec. 2. [EFFECTIVE DATE.]

17 Section 1 is effective the day following final enactment
 18 -----
 and applies to suits arising on or after that date.

Adopted

1 M..... moves to amend S. F. No. 1330 as
2 follows:

3 Page 1, line 12, delete "intentionally" and insert "in bad
4 faith"

5 Page 1, line 13, delete "lands or tenements" and insert "a
6 residential premises"

7 Amend the title as follows:

8 Page 1, line 4, before the semicolon, insert "from
9 residential premises"

SUBCOMMITTEE REPORT

TO: Senator Spear, Chairman

Committee on Judiciary

Mr. Randolph Peterson, Chairman of the

Subcommittee on Civil Law,

to which was referred S. F. No. 1572, A bill for an act relating to probate; providing for ante-mortem probate of wills proposing new law coded in Minnesota Statutes, chapter 525

Reports the same back with the recommendation that the bill do pass and be referred to the full committee.

Randolph W. Peterson
Chairman

Subcommittee on Civil Law

Date of Subcommittee action March 16, 1984

MINUTES

SENATE JUDICIARY COMMITTEE

Thursday, March 22, 1984

10 a.m. Room 118 Capitol

MEMBERS PRESENT: Spear, Chairman; Reichgott, Vice Chair; Freeman; Johnson, D.E.; Jude; Kamrath; Knaak; Merriam; Peterson, R.W.; Petty; Pogemiller; Sieloff

MEMBERS EXCUSED: Luther; Ramstad

1. Senator Spear called the meeting to order at 10:27.
2. SF 1740 - Senator D.J. Johnson introduced and explained the bill.
Robert Swanson, Legislative Committee, Minnesota LP Gas Association, testified in favor of the bill.
The bill was laid over until new language could be drafted.
3. SF 1330 - Senator Peterson moved adoption of the subcommittee report. MOTION CARRIED, VOICE VOTE. Senator Belanger explained the bill.
Senator Kamrath moved that SF 1330 be recommended to pass as amended.
Senator Sieloff moved the following amendment: Page 1, line 14, delete "treble" MOTION FAILED, VOICE VOTE.
Returning to the Kamrath motion - MOTION CARRIED, VOICE VOTE.
4. SF 1351 - Senator C.C. Peterson explained the bill. Senator R.W. Peterson moved adoption of the subcommittee report. MOTION CARRIED, VOICE VOTE.
Senator Johnson moved that SF 1351 be recommended to pass as amended. MOTION CARRIED, VOICE VOTE.
5. SF 1402 - Senator Storm explained the bill.
Senator Pogemiller moved that SF 1402 be recommended to pass.
Mr. Del Gorecki, Ramsey County Attorney's Office, clarified misdemeanor vs. felony charges.
Senator Merriam moved the following amendment: Page 1, line 20, after the stricken "or" delete the comma and insert "and" and after "replacement" strike the comma Page 1, line 21, delete the new language MOTION CARRIED, VOICE VOTE.
Returning to the Pogemiller motion - MOTION CARRIED, VOICE VOTE.
6. SF 1576 - Senator Petty moved adoption of the subcommittee report. MOTION CARRIED, VOICE VOTE. Senator Jude explained the bill.
Major Herbert, Air National Guard, answered questions of the committee.
Senator Jude moved that SF 1576 be recommended to pass. MOTION CARRIED, VOICE VOTE.

ENDNOTE 3 1/2

7. SF 1858 - Senator Jude explained the bill.

Senator Jude moved that SF 1858 be recommended to pass. MOTION CARRIED, VOICE VOTE.

8. Senator Pogemiller moved that the content of SF 1368 and SF 1335 be included in SF 1336. MOTION CARRIED, VOICE VOTE.

9. SF 1336 - Senator Petty moved adoption of the subcommittee report. MOTION CARRIED, VOICE VOTE.

Senator Pogemiller explained the bill.

Norm Coleman, Attorney General's Office, explained how the bill would work with the pending intoxilyzer legislation.

James Early, Attorney General's Office, answered questions about technical aspects of the bill.

Senator Sieloff moved the following amendment (drawn to SCS1336UE1):
Page 2, line 22, strike "a minimum period of" and delete "one year" and insert "the same period of time as if convicted of a violation of section 169.121, driving under the influence" Page 2, line 26 to 27, strike "a minimum period of 90 days" and insert "the same period of time as if convicted of a violation of section 169.121, driving under the influence" and Page 3, line 33, strike "a period of" and delete "one year" and insert "the same period of time as if convicted of a violation of section 169.121, driving under the influence"

Forest Lowry, Department of Public Safety, spoke against the Sieloff amendment.

Mr. Coleman spoke against the amendment.

Senator Merriam moved to strike the statutory references on the Page 2 segment of Senator Sieloff's amendment. Senator Sieloff accepted that amendment to his amendment, and the Sieloff amendment was put to a vote. MOTION DID NOT PREVAIL, VOICE VOTE.

Senator Pogemiller moved that SF 1336 be recommended to pass as amended, incorporating the sections of SF 1335 and SF 1368 approved on 3/20. MOTION CARRIED, VOICE VOTE.

10. SF 1905 and SF 1443 - Senator Peterson explained SF 1905.

Senator Sieloff moved the following amendment to SF 1905: Page 2, line 1, delete "in fact" MOTION CARRIED, VOICE VOTE.

Senator Petty moved adoption of the subcommittee report for SF 1443. MOTION CARRIED, VOICE VOTE.

Senator Pehler explained SF 1443.

Senator Peterson moved that the content of lines 30 to 35 of the subcommittee report of SF 1443 be inserted as a paragraph 5 on Page 2 after line 1 of SF 1905, and on page 1 of SF 1443, line 35, strike ", and an emergency in fact exists" and on page 1 of SF 1905, lines 17 to 18, strike "in fact" MOTION CARRIED, VOICE VOTE.

Senator Peterson moved that SF 1905 be recommended to pass as amended.

Senator Merriam moved the following amendment to SF 1905: Page 1, line 10, after "CALLS" insert "AND COMMUNICATIONS" MOTION CARRIED, VOICE VOTE.

The committee voted on the Peterson motion to recommend the bill's passage as amended - MOTION CARRIED, VOICE VOTE.

11. SF 1740 - Senator Spear presented new language in the form of amendment SCS1740A-1.

Don Chaplain, Minnesota LP Gas Association, testified in support of the amendment.

Senators Peterson and Spear concurred that the handwritten amendments on page 1 of the amendment - "beyond reimbursement for out of pocket expenses" - were redundant and should be stricken from the amendment. Senator Spear added the following amendments to SCS1740A-1: Page 2, line 4, delete "shall include" and insert "includes" and Page 2, line 16, after "gases" insert a quotation mark. MOTION CARRIED, VOICE VOTE.

Senator D.E. Johnson moved that SF 1740 be recommended to pass as amended. MOTION CARRIED, VOICE VOTE.

12. SF 1285 - Senator Reichgott moved adoption of the subcommittee report. MOTION CARRIED, VOICE VOTE. Senator Merriam explained the bill.

Senator Reichgott assumed the chair.

Senator Sieloff moved the following amendment: Insert "or appealed" on Page 1, line 21, after "satisfied," and on Page 3, line 18, after "satisfied," and on Page 5, line 5, after "satisfied" (drawn to SS1285SUBC).

Senator Merriam said the language of the amendment was inappropriate.

Steve Swanson, Legal Services Advocacy Project, spoke against the amendment.

Senator Sieloff withdrew his amendment.

Senator Petty moved amendment SCS1285A-2 (see attached). MOTION DID NOT PREVAIL, VOICE VOTE.

Ron Bushinski court administrator, Ramsey County Municipal Court, testified about problems that he said would arise from the bill.

Senator Merriam moved that SF 1285 be recommended to pass as amended.

Senator Sieloff moved to reconsider the amendment SCS1285A-2. Senator Petty explained the amendment. MOTION CARRIED, VOICE VOTE. Senator Merriam agreed to incorporate the amendment into his bill.

Senator Merriam renewed his motion that SF 1285 be recommended to pass as amended. MOTION CARRIED, VOICE VOTE.

13. Senator Reichgott adjourned the meeting.

Respectfully submitted,

Eric Stults
Eric Stults, Secretary

Allan Spear
Allan Spear, Chairman

AGENDA

Senate Judiciary Committee

Thursday, March 22, 1984

10 a.m. Room 118 Capitol

- SF 1336 (Pogemiller) Mandatory DWI testing
- SF 1740 (Johnson, D.J.) Good samaritan,
compressed gas accidents
- SF 1330 (Belanger) Bad faith eviction
- SF 1351 (Peterson, C.C.) Dissolved
cooperative assets
- SF 1402 (Knutson) Criminal damage to
property
- SF 1576 (Jude) Court-martial procedures
- SF 1858 (Jude) Fleeing a peace officer
- SF 1905 (Peterson, R.W.) Telephone crime
- SF 1285 (Merriam) Conciliation court
enforcement
- SF 1443 (Pehler) Interfering with emergency
citizens band radio communications

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MICHAEL SCANDRETT
MARK J. HANSON

TO: Members of the Judiciary Committee
FROM: Julie A. Beck, Senate Counsel *gab*
RE: Agenda Items for March 22, 1984 Meeting
DATE: March 21, 1984

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JOEL A. SUTTER

1. S. F. No. 1740 (Johnson, D.J.) (Compressed Gasses; Immunity from Liability)

The bill provides immunity from civil liability to persons who render assistance or advice with respect to an incident creating danger as a result of discharge or threatened discharge of compressed gasses. Immunity is limited to persons who do not receive or expect to receive remuneration for their assistance and to persons who are not grossly negligent in rendering the assistance.

2. S. F. No. 1330 (Belanger) (Bad Faith Eviction)

The bill provides that a tenant may recover treble damages from a landlord if the landlord unlawfully and intentionally removes or excludes a tenant from a premises.

3. S. F. No. 1351 (Peterson, C.C.) (Dissolution of Voluntary Association)

The bill provides a method of distributing any property of a cooperative association that remains undistributed five years after dissolution of the cooperative association. It allows distribution to any tax-exempt corporation or organization, or to any unit of state or local government.



4. S. F. No. 1402 (Knutson) (Damage to Property)

The bill defines aggravated criminal damage to property to include damage which reduces the value of property by more than \$300, measured by a combination of both repair and replacement costs.

5. S. F. No. 1576 (Jude) (Military Justice)

The bill modifies the appeal of court martial proceedings to provide for the convening, as needed, of an appeals court as an alternative to review of courts-martial by the State Judge Advocate. The bill also corrects a statutory provision providing for the referral of general courts-martial records from staff judge advocate to state judge advocate. Lastly, the bill clarifies that a military judge may issue search warrants any time during active service.

6. S. F. No. 1858 (Jude) (Fleeing a Peace Officer)

The bill adds to the penalty portion of the fleeing statute a provision that the offender may be imprisoned for not more than a minimum number of years, depending on the conduct involved.

7. S. F. No. 1905 (Peterson, R.W.)

The bill imposes a penalty on a person who makes an emergency call for medical service, knowing that no emergency in fact exists.

8. S. F. No. 1285 (Merriam) (Conciliation Court)

Sections 1, 4, and 6 provide a procedure for collection of conciliation court judgments. They provide that if a judgment has been docketed for at least 30 days and remains unsatisfied, the judgment creditor can request a county or municipal court order requiring the debtor to reveal information about his assets, liabilities, or personal earnings on a form provided by the court. Failure to respond to the order or satisfy the judgment within seven days may result in civil contempt.

Sections 2, 3, and 5 require the conciliation court clerks to explain the procedures and functions of the court to litigants and assist them in filling out the necessary court forms.

9. S. F. No. 1336 (Pogemiller) (Mandatory Testing)

Section 1 provides for criminal penalties for refusal by a driver to submit to a chemical test. It also changes the provisions regarding informing a person of his rights when stopped for a violation of section 169.121. The person must now be informed that Minnesota law requires the person to take a test and that refusal will result in criminal penalties and a one year license revocation. The person need no longer be informed of the right to contact an attorney before taking the test.

Section 2 permits chemical testing of an unconscious person or of a person who is incapable of refusing.

Section 3 increases, from six months to one year, the period of license revocation for refusal to take a test.

Sections 4 and 5 make conforming changes in sections 169.123, subdivisions 5a and 6.

JAB:sh

1 Mr. Spear from the Committee on Judiciary, to which was
2 referred

3 S.F. No. 1330: A bill for an act relating to landlords and
4 tenants; providing for recovery by the tenant from the landlord
5 of damages and attorney's fees for unlawful ouster or exclusion;
6 proposing new law coded in Minnesota Statutes, chapter 504.

7 Reports the same back with the recommendation that the bill
8 be amended as follows:

9 Page 1, line 12, delete "intentionally" and insert "in bad
10 faith"

11 Page 1, line 13, delete "lands or tenements" and insert "a
12 residential premises"

13 Page 1, line 17, delete "is effective the day following
14 final enactment"

15 Page 1, line 18, delete "and" and delete "suits" and insert
16 "causes of action"

17 Page 1, line 18, delete "that date" and insert "August 1,
18 1984"

19 Amend the title as follows:

20 Page 1, line 4, before the semicolon, insert "from
21 residential premises"

22 And when so amended the bill do pass. Amendments adopted.
23 Report adopted.

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Allan H. Spear
.....
(Committee Chairman)

March 22, 1984.....
(Date of Committee recommendation)

1 To: Senator Spear, Chairman
2 Committee on Judiciary
3 Mr. Peterson, R.W.,
4 Chairman of the Subcommittee on Civil Law, to which was
5 referred

6 S.F. No. 1330: A bill for an act relating to landlords and
7 tenants; providing for recovery by the tenant from the landlord
8 of damages and attorney's fees for unlawful ouster or exclusion;
9 proposing new law coded in Minnesota Statutes, chapter 504.

10

11 Reports the same back with the recommendation that the bill
12 be amended as follows:

13 Page 1, line 12, delete "intentionally" and insert "in bad
14 faith"

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16 residential premises"

17 Page 1, line 17, delete "is effective the day following
18 final enactment"

19 Page 1, line 18, delete "and" and delete "suits" and insert
20 "causes of action"

21 Page 1, line 18, delete "that date" and insert "August 1,
22 1984"

23 Amend the title as follows:

24 Page 1, line 4, before the semicolon, insert "from
25 residential premises"

26 And when so amended that the bill be recommended to pass
27 and be referred to the full committee.

28

29 *Randolph W. Peterson*
30
31 (Subcommittee Chairman)

32 March 16, 1984.....
33 (Date of Subcommittee action)

Mr. Belanger introduced--

S. F. No. 1330 Referred to the Committee on Judiciary.

A bill for an act

relating to landlords and tenants; providing for recovery by the tenant from the landlord of damages and attorney's fees for unlawful ouster or exclusion; proposing new law coded in Minnesota Statutes, chapter 504.

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

Section 1. [504.255] [UNLAWFUL OUSTER OR EXCLUSION; DAMAGES.]

If a landlord, his agent, or a person acting under the landlord's direction or control, unlawfully and intentionally removes or excludes a tenant from lands or tenements, the tenant may recover from the landlord treble damages and reasonable attorney's fees.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment and applies to suits arising on or after that date.

[75TH DAY

75TH DAY]

WEDNESDAY, APRIL 11, 1984

5643

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Kronebusch	Pehler	Spear
Anderson	Frank	Laidig	Peterson, C.C.	Storm
Belanger	Frederick	Langseth	Peterson, D.C.	Stumpf
Berg	Frederickson	Lantry	Peterson, D.L.	Taylor
Bernhagen	Freeman	Lessard	Peterson, R.W.	Ulland
Bertram	Hughes	Luther	Petty	Vega
Brataas	Isackson	McQuaid	Purfeerst	Waldorf
Chmielewski	Johnson, D.E.	Mehrkens	Ramstad	Wegscheid
Dahl	Jude	Merriam	Renneke	Willet
Davis	Kamrath	Moe, D. M.	Samuelson	
DeCramer	Knaak	Moe, R. D.	Schmitz	
Dicklich	Knutson	Nelson	Sieloff	
Diessner	Kroening	Olson	Solon	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1794: A bill for an act relating to waters; legislative approval to provide water to Emerson, Manitoba by the North Kittson Rural Water District.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Diessner	Kroening	Olson	Sieloff
Anderson	Dieterich	Kronebusch	Pehler	Solon
Belanger	Frank	Laidig	Peterson, C.C.	Spear
Benson	Frederick	Langseth	Peterson, D.C.	Storm
Berg	Frederickson	Lantry	Peterson, D.L.	Stumpf
Bernhagen	Freeman	Lessard	Peterson, R.W.	Taylor
Bertram	Hughes	Luther	Petty	Ulland
Brataas	Isackson	McQuaid	Purfeerst	Vega
Chmielewski	Johnson, D.E.	Merriam	Ramstad	Waldorf
Dahl	Jude	Moe, D. M.	Reichgott	Willet
Davis	Kamrath	Moe, R. D.	Renneke	
DeCramer	Knaak	Nelson	Samuelson	
Dicklich	Knutson	Novak	Schmitz	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1330: A bill for an act relating to landlords and tenants; providing for recovery by the tenant from the landlord of damages and attorney's fees for unlawful ouster or exclusion from residential premises; proposing new law coded in Minnesota Statutes, chapter 504.

Mr. Knaak moved to amend S.F. No. 1330 as follows:

Page 1, line 14, delete "and"

Page 1, line 15, delete everything before the period

Amend the title as follows:

Endnote 4

Page 1, line 4, delete "and attorney's fees"

The motion did not prevail. So the amendment was not adopted.

S.F. No. 1330 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 53 and nays 7, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Lessard	Peterson, C.C.	Spear
Anderson	Frank	Luther	Peterson, D.C.	Storm
Belanger	Frederick	McQuaid	Peterson, D.L.	Stumpf
Bernhagen	Freeman	Mehrkens	Peterson, R.W.	Taylor
Bertram	Hughes	Merriam	Petty	Ulland
Brataas	Johnson, D.E.	Moe, D. M.	Purfeerst	Vega
Chmielewski	Jude	Moe, R. D.	Ramstad	Waldorf
Dahl	Kroening	Nelson	Reichgott	Wegscheid
Davis	Kronebusch	Novak	Renneke	Willet
DeCramer	Langseth	Olson	Schmitz	
Dicklich	Lantry	Pehler	Solon	

Those who voted in the negative were:

Berg	Kamrath	Laidig	Samuelson	Sieloff
Isackson	Knaak			

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1790: A bill for an act relating to natural resources; eliminating duplicative appraisal reviews in land acquisition procedures; amending Minnesota Statutes 1982, section 84.0272; repealing Minnesota Statutes 1982, section 84.0271.

Mrs. Kronebusch moved to amend S.F. No. 1790 as follows:

Page 2, line 2, strike "ten" and insert "five"

The motion did not prevail. So the amendment was not adopted.

S.F. No. 1790 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Kroening	Novak	Samuelson
Anderson	Frank	Kronebusch	Olson	Schmitz
Berglin	Frederick	Laidig	Pehler	Sieloff
Bernhagen	Frederickson	Langseth	Peterson, C.C.	Solon
Bertram	Freeman	Lantry	Peterson, D.C.	Spear
Brataas	Hughes	Lessard	Peterson, D.L.	Storm
Chmielewski	Isackson	Luther	Peterson, R.W.	Stumpf
Dahl	Johnson, D.E.	McQuaid	Petty	Taylor
Davis	Jude	Mehrkens	Purfeerst	Ulland
DeCramer	Kamrath	Merriam	Ramstad	Vega
Dicklich	Knaak	Moe, R. D.	Reichgott	Waldorf
Diessner	Knutson	Nelson	Renneke	Willet

So the bill passed and its title was agreed to.

Endnote 5

subdivision 1; 85.018, subdivision 6; 98.45, subdivision 4; 98.47, subdivisions 8 and 15; 137.10; 147.25; 181.59; 184.26, subdivision 3; 190.06, subdivision 3; 197.03; 197.05; 197.447; 197.63, subdivision 1; 198.01; 256E.08, subdivision 10; 340.02, subdivision 8; 340.13, subdivision 12; 340.403, subdivision 3; 359.01; 360.015, subdivision 9; 395.14; 462.525, subdivision 10; 617.34; and Minnesota Statutes 1983 Supplement, section 51A.03, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 117 yeas and 5 nays as follows:

Those who voted in the affirmative were:

- | | | | | |
|--------------|------------|----------------|---------------|----------------|
| Anderson, B. | Elioff | Kostohryz | Pauly | Simoneau |
| Anderson, G. | Ellingson | Krueger | Peterson | Skoglund |
| Anderson, R. | Erickson | Kvam | Piepho | Solberg |
| Battaglia | Evans | Larsen | Piper | Sparby |
| Beard | Findlay | Long | Price | Staten |
| Begich | Fjoslien | Ludeman | Quist | Sviggum |
| Bennett | Forsythe | Mann | Redalen | Thiede |
| Bergstrom | Graba | McDonald | Reif | Tomlinson |
| Bishop | Greenfield | McEachern | Rice | Tunheim |
| Blatz | Gruenes | McKasy | Riveness | Uphus |
| Brandl | Gutknecht | Metzen | Rodosovich | Valan |
| Brinkman | Halberg | Minne | Rodriguez, C. | Valento |
| Burger | Haukoos | Munger | Rodriguez, F. | Vanasek |
| Carlson, D. | Heap | Murphy | Rose | Vellenga |
| Carlson, L. | Himle | Nelson, D. | St. Onge | Voss |
| Clark, J. | Hoffman | Neuenschwander | Sarna | Waltman |
| Clark, K. | Jacobs | Norton | Schafer | Welch |
| Clawson | Jennings | O'Connor | Scheid | Welle |
| Cohen | Jensen | Ogren | Schoenfeld | Wenzel |
| Coleman | Johnson | Olsen | Schreiber | Wynia |
| Dempsey | Kahn | Omann | Seaberg | Speaker Sieben |
| DenOuden | Kalis | Onnen | Segal | |
| Dimler | Kelly | Osthoff | Shea | |
| Eken | Knuth | Otis | Sherman | |

Endnote 6

Those who voted in the negative were:

- | | | | | |
|----------|---------------|-------|--------|--------|
| Frerichs | Knickerbocker | Marsh | Welker | Wigley |
|----------|---------------|-------|--------|--------|

The bill was passed and its title agreed to.

H. F. No. 1935 was reported to the House.

Dempsey moved that H. F. No. 1935 be returned to its author. The motion prevailed.

S. F. No. 1330 was reported to the House.

Olsen moved to amend S. F. No. 1330, as follows:



84th Day

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84th Day]

TUESDAY, APRIL 24, 1984

10089

Page 1, line 14, after "landlord" delete "up to"

The motion did not prevail and the amendment was not adopted.

S. F. No. 1330, A bill for an act relating to landlords and tenants; providing for recovery by the tenant from the landlord of damages and attorney's fees for unlawful ouster or exclusion from residential premises; proposing new law coded in Minnesota Statutes, chapter 504.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 107 yeas and 12 nays as follows:

Those who voted in the affirmative were:

- | | | | | |
|--------------|---------------|----------------|---------------|----------------|
| Anderson, B. | Evans | Krueger | Osthoff | Simoneau |
| Anderson, G. | Findlay | Kvam | Otis | Skoglund |
| Anderson, R. | Fjoslien | Larsen | Pauly | Solberg |
| Battaglia | Forsythe | Levi | Peterson | Sparby |
| Beard | Graba | Long | Piepho | Staten |
| Begich | Greenfield | Mann | Piper | Thiede |
| Bennett | Gruenes | Marsh | Price | Tomlinson |
| Bergstrom | Gutknecht | McEachern | Quinn | Tunheim |
| Blatz | Halberg | McKasy | Redalen | Uphus |
| Brandl | Heap | Metzen | Reif | Valento |
| Brinkman | Himle | Minne | Rodosovich | Vanasek |
| Burger | Hoffman | Munger | Rodriguez, C. | Vellenga |
| Carlson, D. | Hokr | Murphy | Rodriguez, F. | Voss |
| Carlson, L. | Jacobs | Nelson, D. | Rose | Waltman |
| Clark, J. | Jensen | Nelson, K. | St. Onge | Welch |
| Clark, K. | Johnson | Neuenschwander | Sarna | Welle |
| Clawson | Kahn | Norton | Scheid | Wenzel |
| Cohen | Kalis | O'Connor | Schoenfeld | Wynia |
| Dempsey | Kelly | Ogren | Schreiber | Speaker Sieben |
| Eken | Knickerbocker | Olsen | Seaberg | |
| Elioff | Knuth | Omman | Shea | |
| Ellingson | Kostohryz | Onnen | Sherman | |

Endnote 7

Those who voted in the negative were:

- | | | | | |
|----------|----------|----------|--------|--------|
| DenOuden | Frerichs | Ludeman | Quist | Wigley |
| Dimler | Haukoos | McDonald | Welker | Zaffke |
| Erickson | Jennings | | | |

The bill was passed and its title agreed to.

S. F. No. 1452 was reported to the House.

Voss moved to amend S. F. No. 1452, as follows:

Page 1, after line 6, insert:

Representative Kelly moved to amend H.F. 2049, as follows (see attached).
The MOTION PREVAILED.

Representative Kelly moved that H.F. 2049, as amended, be recommended to pass and re-referred to the Committee on Appropriations. The MOTION PREVAILED.

Representative Olsen, chief author of H.F. 1837, explained the bill as follows:

H.F. 1837 A bill for an act relating to landlords and tenants; providing for recovery by the tenant from the landlord of damages and attorney's fees for unlawful ouster or exclusion; proposing new law coded in Minnesota Statutes, chapter 504.

Representative Clark moved to amend H.F. 1837 as follows:

Page 1, line 12, delete "intentionally" and insert "in bad faith"

Page 1, line 13, delete "lands or tenements" and insert "a residential premises"

Page 1, line 17, delete "is effective the day following final enactment"

Page 1, line 18, delete "and" and delete "suits" and insert "causes of action"

Page 1, line 18, delete "that date" and insert "August 1, 1984"

Amend the title as follows:

Page 1, line 4, before the semicolon, insert "from residential premises"

The MOTION PREVAILED and the amendment was adopted.

Testimony on H.F. 1837 was as follows:

1) Jack Horner, Minnesota Multi Housing Association, 3100 W. Lake St.,
Minneapolis

Representative Staten moved that H.F. 1837, as amended, be recommended to pass. The MOTION PREVAILED.

Representative Kelly assumed the chair at 11:50 a.m.

Representative Kahn, chief author of H.F. 1547, explained the bill as follows:

H.F. 1547 A bill for an act relating to resident aliens; clarifying the rights and responsibilities of resident aliens with respect to the distribution of economic benefits, militia enlistment, and veterans affairs; amending Minnesota Statutes 1982, sections 43A.11, subdivision 1; 60A.19, subdivision 7; 64A.10, subdivision 1; 85.018, subdivision 6; 98.45, subdivision 4; 98.47, subdivisions 8 and 15; 137.10; 147.25; 181.59; 184.26, subdivision 3; 190.06, subdivision 3; 197.03; 197.05; 197.447; 197.63, subdivision 1; 198.01; 256E.08, subdivision 10; 340.02, subdivision 8; 340.13, subdivision 12; 340.403, subdivision 3; 359.01; 360.015, subdivision 9; 395.14; 462.525, subdivision 10; 617.34; and 617.35; and Minnesota Statutes 1983 Supplement, section 51A.03, subdivision 1.

Representative Kelly moved to amend H.F. 1547 as follows:

Page 2, line 4, after the stricken "citizens" insert ", residents" and reinstate "of this state,"

Page 2, line 7 to 10, delete the new language

Page 2, line 32, reinstate everything after the stricken "and"

Page 2, line 33, after the stricken "citizens" insert "residents" and reinstate "of this state,"

ENDNOTE 7/2

Approved By
Revisor of Statutes
MWH

1 Vanasek from the Committee on Judiciary to which was
2 referred:

3 H. F. No. 1837, A bill for an act relating to landlords and
4 tenants; providing for recovery by the tenant from the landlord
5 of damages and attorney's fees for unlawful ouster or exclusion;
6 proposing new law coded in Minnesota Statutes, chapter 504.

7

8 Reported the same back with the following amendments:

9 Page 1, line 12, delete "intentionally" and insert "in bad
10 faith"

11 Page 1, line 13, delete "lands or tenements" and insert "
12 residential premises"

13 Page 1, line 17, delete "is effective the day following
14 final enactment"

15 Page 1, line 18, delete "and" and delete "suits" and insert
16 "causes of action"

17 Page 1, line 18, delete "that date" and insert "August 1,
18 1984"

19

20 Amend the title as follows:

21 Page 1, line 4, before the semicolon insert "from
22 residential premises"
23

23

24 With the recommendation that when so amended the bill pass.

25

26

HOUSE OF REPRESENTATIVES
STATE OF MINNESOTA
APR 13 1984

Edward A. Berndt

Chief Clerk,
HOUSE OF REPRESENTATIVES

Page 1, line 5, after the semicolon insert "authorizing the governor to renegotiate an interstate tuition reciprocity agreement;"

Page 1, line 6, after "124.565," insert "subdivision 4, and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Vanasek from the Committee on Judiciary to which was referred:

H. F. No. 1837, A bill for an act relating to landlords and tenants; providing for recovery by the tenant from the landlord of damages and attorney's fees for unlawful ouster or exclusion; proposing new law coded in Minnesota Statutes, chapter 504.

Reported the same back with the following amendments:

Page 1, line 12, delete "intentionally" and insert "in bad faith"

Page 1, line 13, delete "lands or tenements" and insert "residential premises"

Page 1, line 17, delete "is effective the day following final enactment"

Page 1, line 18, delete "and" and delete "suits" and insert "causes of action"

Page 1, line 18, delete "that date" and insert "August 1, 1984"

Amend the title as follows:

Page 1, line 4, before the semicolon insert "from residential premises"

With the recommendation that when so amended the bill pass.

The report was adopted.

Vanasek from the Committee on Judiciary to which was referred:

H. F. No. 1900, A bill for an act relating to collection and dissemination of data; classifying government data as public,

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Minnesota Session Laws - 1984, Regular Session

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Key: (1) ~~language to be deleted~~ (2) new language

Laws of Minnesota 1984

CHAPTER 612-S.F.No. 1330

An act relating to landlords and tenants; providing for recovery by the tenant from the landlord of damages and attorney's fees for unlawful ouster or exclusion from residential premises; proposing new law coded in Minnesota Statutes, chapter 504.

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

Section 1. [504.255] [UNLAWFUL OUSTER OR EXCLUSION; DAMAGES.]

If a landlord, his agent, or a person acting under the landlord's direction or control, unlawfully and in bad faith removes or excludes a tenant from a residential premises, the tenant may recover from the landlord up to treble damages and reasonable attorney's fees.

Sec. 2. [EFFECTIVE DATE.]

Section 1 applies to causes of action arising on or after August 1, 1984.

Approved May 2, 1984

Official Publication of the State of Minnesota Revisor of Statutes