

Subdivision 1. Except when a sentence of life imprisonment is required by law, or when a person is convicted of one of the crimes specified under section 609.11, subdivision 1, and had in his possession a firearm or used another dangerous weapon, any court, including a justice of the peace to the extent otherwise authorized by law, may stay imposition or execution of sentence and place the defendant on probation with or without supervision and on such terms as the court may prescribe, including restitution when practicable. The court may order the supervision to be under the probation officer of the court, or, if there is none and the conviction is for a felony, by the commissioner of corrections, or in any case by some other suitable and consenting person.

A court may not stay the revocation of the driver's license of a person convicted of violating the provisions of section 169.121.

### Sec. 3. EFFECTIVE DATE.

This act is effective the day following its final enactment and applies to offenses committed after that date.

Approved March 25, 1981

## CHAPTER 10 — H.F.No. 87

*An act relating to commerce; clarifying the definition of a "sale of goods" as it applies to consumer credit sales to include certain terminable bailments or leases; clarifying the interests of the respective parties; providing for a certain contract provision; amending Minnesota Statutes 1980, Sections 325G.15, Subdivision 5; and 325G.16, by adding subdivisions.*

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

Section 1. Minnesota Statutes 1980, Section 325G.15, Subdivision 5, is amended to read:

Subd. 5. "Sale of goods" includes, without limitation, any agreement in the form of a bailment or lease of goods if the bailee or lessee agrees to pay as compensation for use a sum substantially equivalent to or in excess of the aggregate value of the goods involved and it is agreed that the bailee or lessee will become, or for no other or a nominal consideration has the option to become, the owner of the goods upon full compliance with his obligations under the agreement. The term also includes a contract in the form of a terminable bailment or lease of goods if: (a) the bailee or lessee has the option to renew the contract by making the payments specified in the contract; (b) the contract obligates the bailor or lessor to transfer ownership of the property to

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the bailee or lessee for no other or a nominal consideration upon full compliance by the bailee or lessee with his obligations under the contract including any obligation incurred by reason of the exercise of an option by the bailee or lessee to renew the contract; and (c) the payments contracted for by the bailee or lessee, including those payments pursuant to the exercise of an option by the bailee or lessee to renew the contract, are substantially equivalent to or in excess of the aggregate value of the property and services involved.

Sec. 2. Minnesota Statutes 1980, Section 325G.16, is amended by adding a subdivision to read:

Subd. 4. **INTEREST RETAINED BY BAILOR OR LESSOR.** Any lease or bailment of goods which constitutes a consumer credit sale shall be deemed to be a sale for all purposes. The interest retained by the bailor or lessor in any such transaction shall be a security interest only.

Sec. 3. Minnesota Statutes 1980, Section 325G.16, is amended by adding a subdivision to read:

Subd. 5. **MANDATORY PROVISION.** All contracts or obligations in the form of terminable bailment or lease of goods relating to consumer credit sales shall specify whether the goods which are the subject of the sale are new or used.

Sec. 4. **APPLICATION.**

Sections 1 to 3 shall apply to all consumer credit sales entered into or renewed after the effective date of this act.

Approved March 27, 1981

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**CHAPTER 11 — S.F.No. 97**

*An act relating to agriculture; changing Todd County from area one to area four for the purposes of potato promotion; amending Minnesota Statutes 1980, Section 30.464, Subdivision 1.*

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

Section 1. Minnesota Statutes 1980, Section 30.464, Subdivision 1, is amended to read:

Subdivision 1. For the purpose of administration of sections 30.461 to 30.479 the state is divided into four areas. Area number one includes the counties of Kittson, Marshall, Polk, Pennington, Red Lake, Norman, Mahnommen, Clay, Becker, Wilkin, Otter Tail, Roseau, Lake of the Woods, Beltrami,

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