

~~same~~ such minnows for sale, or storage within the state or to transport live carp minnows for any purpose.

*No minnows (except as to ornamentals) shall be transported from other states or countries into or through Minnesota, unless the possessor shall have first obtained a permit from the commissioner or his agent, showing the name and address of the owner, the number and kind of minnows to be transported, the point of entry into Minnesota, the destination, and the route to be followed through Minnesota, such permit shall be valid for not more than 12 hours after its date, and time of issuance.*

Approved April 20, 1961.

---

CHAPTER 478—S. F. No. 933

[Coded]

*An act relating to income tax; providing for a deduction from gross income for federal estate tax paid and Minnesota inheritance tax paid; amending Minnesota Statutes 1957, Section 290.077, by adding a new subdivision thereto.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1957, Section 290.077, is amended by adding a new subdivision thereto to read as follows:

**Subd. 4. Deduction for federal estate tax and Minnesota inheritance tax. (1) Allowance of deduction; federal estate tax.**

*(A) General rule. A person who includes an amount in gross income under Minnesota Statutes, Section 290.077, shall be allowed, for the same taxable year, as a deduction an amount which bears the same ratio to the estate tax attributable to the net value for estate tax purposes of all the items described in Minnesota Statutes, Section 290.077, Subdivision 1, as the value for estate tax purposes of the items of gross income or portions thereof in respect of which such person included the amount in gross income (or the amount included in gross income, whichever is lower) bears to the value for estate tax purposes of all the items described in Minnesota Statutes, Section 290.077, Subdivision 1.*

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**

*(B) Estates and trusts. In the case of an estate or trust, the amount allowed as a deduction under subparagraph (A) of this subdivision shall be computed by excluding from the gross income of the estate or trust the portion (if any) of the items described in Minnesota Statutes, Section 290.077, Subdivision 1, which is properly paid, credited, or to be distributed to the beneficiaries during the taxable year. This subparagraph shall apply to the same taxable years, and to the same extent, as is provided in Minnesota Statutes, Section 290.23, Subdivision 5.*

**(2) Method of computing deduction.** *For purposes of paragraph (1) of this subdivision*

*(A) The term "estate tax" means the tax imposed on the estate of the decedent or any prior decedent under internal revenue code section 2001 or 2101, reduced by the credits against such tax.*

*(B) The net value for estate tax purposes of all the items described in Minnesota Statutes, Section 290.077, Subdivision 1, shall be the excess of the value for estate tax purposes of all the items described in Minnesota Statutes, Section 290.077, Subdivision 1, over the deductions from the gross estate in respect of claims which represent the deductions and credit described in Minnesota Statutes, Section 290.077, Subdivision 2. Such net value shall be determined with regard to the provisions of internal revenue code section 421 (d) (6) (B), relating to the deduction for estate tax with respect to restricted stock options.*

*(C) The estate tax attributable to such net value shall be an amount equal to the excess of the estate tax over the estate tax computed without including in the gross estate such net value.*

**(3) Allowance of deductions; Minnesota inheritance tax.**

*(A) General rule. A person who includes an amount in gross income under Minnesota Statutes, Section 290.077, shall be allowed, for the same taxable year, as a deduction an amount which bears the same ratio to the Minnesota inheritance tax attributable to the net value for inheritance tax purposes of all the items described in Minnesota Statutes, Section 290.077, Subdivision 1, as the value for inheritance tax purposes of the items of gross income or portions thereof in respect of which such person included the amount in*

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**

gross income (or the amount included in gross income, whichever is lower) bears to the value for inheritance tax purposes of all the items described in Minnesota Statutes, Section 290.077, Subdivision 1.

(B) **Estates and trusts.** *In the case of an estate or trust, the amount allowed as a deduction under subparagraph (A) of this subdivision shall be computed by excluding from the gross income of the estate or trust the portion (if any) of the items described in Minnesota Statutes, Section 290.077, Subdivision 1, which is properly paid, credited, or to be distributed to the beneficiaries during the taxable year. This subparagraph shall apply to the same taxable years, and to the same extent as is provided in Minnesota Statutes, Section 290.23, Subdivision 5.*

(4) **Method of computing deduction.** *For purposes of paragraph (3) of this subdivision*

(A) *The term "inheritance tax" means the tax imposed on the estate of the decedent or any prior decedent under Minnesota Statutes, Chapter 291, reduced by the credits against such tax.*

(B) *The net value for inheritance tax purposes of all the items described in Minnesota Statutes, Section 290.077, Subdivision 1, shall be the excess of the value for inheritance tax purposes of all the items described in Minnesota Statutes, Section 290.077, Subdivision 1, over the deductions from the gross inheritance in respect of claims which represent the deductions and credit described in Minnesota Statutes, Section 290.077, Subdivision 2.*

(C) *The inheritance tax attributable to such net value shall be an amount equal to the excess of the inheritance tax over the inheritance tax computed without including in the gross inheritance such net value.*

Approved April 20, 1961.

---

CHAPTER 479—S. F. No. 953

[Not Coded]

*An act relating to tax-forfeited lands in the county of St. Louis.*

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**