

by item or type.

(4) A purchase money security interest in collateral other than inventory has priority over a conflicting security interest in the same collateral or its proceeds, if the purchase money security interest is perfected at the time the debtor receives possession of the collateral or within ten days thereafter.

(5) In all cases not governed by other rules stated in this section (including cases of purchase money security interests which do not qualify for the special priorities set forth in subsections (3) and (4) of this section), priority between conflicting security interests in the same collateral shall be determined according to the following rules:

(a) Conflicting security interests rank according to priority in time of filing or perfection. Priority dates from the time a filing is first made covering the collateral or the time the security interest is first perfected, whichever is earlier, provided that there is no period thereafter when there is neither filing nor perfection.

(b) so long as conflicting security interests are unperfected, the first to attach has priority.

(6) For the purposes of subsection (5) a date of filing or perfection as to collateral is also a date of filing or perfection as to proceeds.

(7) If future advances are made while a security interest is perfected by filing or the taking of possession, or under section 336.8-321 on securities, the security interest has the same priority for the purposes of subsection (5) with respect to the future advances as it does with respect to the first advance. If a commitment is made before or while the security interest is so perfected, the security interest has the same priority with respect to advances made pursuant thereto. In other cases a perfected security interest has priority from the date the advance is made.

Sec. 55. This act is effective January 1, 1979.

Approved March 28, 1978.

CHAPTER 696-H.F.No.2518

[Coded]

An act relating to courts; authorizing the sealing of records of judicial commitment proceedings.

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

Section 1. [253A.075] JUDICIAL COMMITMENT PROCEEDINGS; SEALING.
Upon petition by a person who has been the subject of a judicial commitment proceeding the probate court for the county in which the petitioner resides shall consider the sealing

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of all judicial records of the commitment proceedings initiated against the petitioner. The court may seal the commitment records if it finds that access to the records creates undue hardship for the petitioner. All hearings held in proceedings under this section shall be confidential and shall be held in closed court. The files and records of the court in proceedings under this section shall not be open to inspection by any person except the petitioner, or to other persons only upon order by the court.

Approved March 28, 1978.

CHAPTER 697-S.F.No.291

[Coded]

An act relating to labor; prohibiting termination of employee benefits unless certain conditions are met; amending Minnesota Statutes 1976, Chapter 181, by adding a section.

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

Section 1. Minnesota Statutes 1976, Chapter 181, is amended by adding a section to read:

[181.82] BENEFITS BASED ON JOB PERFORMANCE PROHIBITED. No employer may terminate or threaten to terminate:

(a) group accident and health insurance coverage;

(b) group life insurance coverage; or

(c) pension benefits

for an employee, including a commissioned agent, based on the employee's job performance unless the employer has first given the employee the opportunity to continue coverage by making the same contribution the employer would have to make to continue coverage for the employee.

Approved March 28, 1978.

CHAPTER 698-S.F.No.437

[Coded in Part]

An act relating to assumed business names; permitting and regulating conduct of business under assumed business name; appropriating money; amending Minnesota Statutes 1976, Sections 301.09; 333.01; 333.04; and 333.06; and Chapter 333, by adding sections; repealing Minnesota Statutes 1976, Sections 333.03; and 333.05.

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