

expose himself or his family to want or suffering, or who, though not otherwise incompetent to manage his person or estate, requests the court to appoint such a guardian, provided such person is a resident of the county or being a non-resident of this state has property in the county. No guardian of the person of any minor shall be appointed while proceedings for his care and custody are pending in any juvenile court of this state. Nothing herein contained shall diminish the power of any court to appoint a guardian to serve or protect the interest of any minor or other person under disability in any proceedings therein, nor abridge the rights of the father and mother, if suitable and competent, as the natural guardians of their minor children.

Approved May 27, 1971.

CHAPTER 589—S.F.No.1074

An act relating to workmen's compensation; subsequent disability; defining physical impairment; requiring registration thereof; increasing employer liability; amending Minnesota Statutes 1969, Section 176.131, Subdivisions 1, 2, 4 and 8.

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

Section 1. Minnesota Statutes 1969, Section 176.131, Subdivision 1, is amended to read:

176.131 WORKMEN'S COMPENSATION; SUBSEQUENT DISABILITY; PHYSICAL IMPAIRMENT; SPECIAL FUND. Subdivision 1. If an employee incurs personal injury and suffers disability that is substantially greater, because of a pre-existing physical impairment, than what would have resulted from the personal injury alone, the employer shall pay all compensation provided by Minnesota Statutes, Chapter 176, but he shall be reimbursed from the special compensation fund for all compensation paid in excess of ~~26 52~~ weeks of monetary benefits and ~~\$1,000~~ \$2,000 in medical expenses, subject to the following exceptions:

(a) If the personal injury alone results in permanent partial disability to a scheduled member under section 176.101, the monetary and medical expense limitations shall not apply and the employer shall be liable for such compensation, medical expense, and retraining attributable to the permanent partial disability, and he may be

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

reimbursed from the compensation fund only for compensation paid in excess of such disability.

Sec. 2. Minnesota Statutes 1969, Section 176.131, Subdivision 2, is amended to read:

Subd. 2. If the employee's personal injury shall result in disability or death, and if the injury, death, or disability would not have occurred except for the pre-existing physical impairment, the employer shall pay all compensation provided by chapter 176, but shall be reimbursed from the special compensation fund for all such compensation only where the permanent physical impairment contributing to the second injury is diabetes, hemophilia or seizures.

Sec. 3. Minnesota Statutes 1969, Section 176.131, Subdivision 4, is amended to read:

Subd. 4. ~~If the employee's pre-existing physical impairment has been caused by a personal injury for which medical reports, showing the impairment have been filed with the commission and for which a monetary benefit in excess of medical expense, has been paid under chapter 176, the employee shall be deemed to be registered~~ Any employer who hires or retains in his employment any person who has a physical impairment shall file a formal registration for each such employee with the commission in such form as the commission may require.

Sec. 4. Minnesota Statutes 1969, Section 176.131, Subdivision 8, is amended to read:

Subd. 8. As used in this section the following terms have the meanings given them:

"Physical impairment" means any physical or mental condition that is permanent in nature, whether congenital or due to injury, disease or surgery and which is or is likely to be a hindrance or obstacle to obtaining employment provided that, physical impairment as used herein is limited to the following:

- (a) Epilepsy,
- (b) Diabetes,
- (c) Hemophilia,
- (d) Cardiac disease,
- (e) Partial or entire absence of thumb, finger, hand, foot, arm or leg,
- (f) Lack of sight in one or both eyes or vision in either eye not correctable to ²⁰/₄₀.

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(g) Residual disability from poliomyelitis,

(h) Cerebral Palsy,

(i) Multiple Sclerosis,

(j) Parkinson's disease,

(k) Cerebral vascular accident,

(l) Chronic Osteomyelitis,

(m) Muscular Dystrophy,

(n) Thrombophlebitis,

(o) Any other physical impairment for which at least 50 weeks or more of weekly benefits would be payable as permanent partial disability if the physical impairment were evaluated according to standards used in workmen's compensation proceedings, and

(p) Any other physical impairments of a permanent nature which the commission may by rule prescribe ;

"Compensation" has the meaning defined in section 176.011;

"Employer" includes insurer;

"Disability" means, unless otherwise indicated, any condition causing either temporary total, temporary partial, permanent total, permanent partial, death, medical expense, or retraining.

Sec. 5. This act is effective September 1, 1971.

Approved May 27, 1971.

CHAPTER 590—S.F.No.1162

An act relating to juvenile detention; amending Minnesota Statutes 1969, Section 260.171, Subdivision 2.

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

Section 1. Minnesota Statutes 1969, Section 260.171, Subdivision 2, is amended to read:

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