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Sec. 15. **EFFECTIVE DATE.** This act is effective July 1, 1977.

Approved June 2, 1977.

CHAPTER 415—H.F.No.1113

An act relating to welfare; clarifying the powers of guardianship by the commissioner; amending Minnesota Statutes 1976, Sections 252A.03, Subdivision 3; 252A.04, Subdivision 3; 252A.07, Subdivision 1; and 252A.18; repealing Minnesota Statutes 1976, Section 252.03.

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

Section 1. Minnesota Statutes 1976, Section 252A.03, Subdivision 3, is amended to read:

Subd. 3. **COMMISSIONER OF PUBLIC WELFARE; GUARDIANSHIP POWERS.** The commissioner shall accept the nomination if the psychologist's report contained in the comprehensive evaluation concludes that the alleged mentally retarded person is, in fact, mentally retarded and if the comprehensive evaluation concludes that such person is in need of the supervision and protection of a conservator or guardian.

Sec. 2. Minnesota Statutes 1976, Section 252A.04, Subdivision 3, is amended to read:

Subd. 3. The county welfare department shall prepare and forward the comprehensive evaluation to the commissioner within ~~30~~ 90 days of the date the commissioner orders the evaluation.

Sec. 3. Minnesota Statutes 1976, Section 252A.07, Subdivision 1, is amended to read:

252A.07 FILING OF COMPREHENSIVE EVALUATION. Subdivision 1. When a petition is brought by the commissioner following acceptance of his nomination, a copy of the comprehensive evaluation shall be filed with the petition. If a petition is brought by a person other than the commissioner and a comprehensive evaluation has been prepared within a year of the filing of the petition, the commissioner shall forward a copy of the comprehensive evaluation to the court upon notice of the filing of said petition. If a comprehensive evaluation has not been prepared within a year of the filing of the petition, the commissioner, upon notice of the filing of said petition, shall arrange for a comprehensive evaluation to be prepared and forwarded to the court within ~~30~~ 90 days.

Sec. 4. Minnesota Statutes 1976, Section 252A.18, is amended to read:

252A.18 PERSONS UNDER GUARDIANSHIP BY PRIOR LAW. Subdivision 1.

Changes or additions indicated by underline deletions by strikeout

Any interested person may nominate the commissioner as conservator ~~or guardian~~ or may initiate conservatorship proceedings pursuant to section 252A.06 for any person committed to the guardianship of the commissioner pursuant to any prior law. Any proceeding brought pursuant to this section shall have no retroactive effect upon the placement of a mentally deficient ward in a state institution by the commissioner of welfare unless the petition requests the court to review the need for further institutionalization.

Subd. 2. Sections 252A.01 to 252A.21 apply to all guardianships of the commissioner of public welfare.

Sec. 5. Minnesota Statutes 1976, Section 252.03, is repealed.

Sec. 6. This act is effective the day following final enactment.

Approved June 2, 1977.

CHAPTER 416—H.F.No.1215

[Coded]

An act relating to environmental protection; prohibiting the construction or operation of radioactive waste management facilities within Minnesota; prohibiting transportation of radioactive wastes into Minnesota for purposes of storage or disposal; providing exceptions; prescribing penalties.

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

Section 1. [116C.71] **ENVIRONMENTAL PROTECTION; RADIOACTIVE WASTE MANAGEMENT FACILITIES; DEFINITIONS.** Subdivision 1. For the purposes of sections 1 to 4, the terms defined in this section have the meaning given them.

Subd. 2. "By-product nuclear material" means any material, except special nuclear material, yielded in or made radioactive by:

(a) Exposure to the radiation incident to the process of producing or utilizing special nuclear material; or

(b) Exposure to radiation produced or accelerated in an atomic or sub-atomic particle accelerating machine.

Subd. 3. "Person" means any individual, corporation, partnership or other unincorporated association or governmental agency.

Subd. 4. "Radiation" means any or all of the following: alpha rays, beta rays, gamma rays, high energy neutrons or protons or electrons, and other atomic particles; but not x-rays and electromagnetic radiations of wavelengths greater than 2,000 Angstrom

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