

probate court as in the ~~municipal county~~ court under Minnesota Statutes, chapter 488; or any other law enacted in lieu thereof which provides for uniform powers, duties, and jurisdiction of municipal courts 487.

Subd. 2. Appeals from any judgment of a probate court exercising the powers, duties, and jurisdiction in certain civil and criminal cases under sections 525.011 to 525.015, shall be made in the same manner as in the ~~municipal county~~ courts under ~~Laws 1959, Chapter 660, and any act amendatory of or supplementary thereto~~ chapter 487.

Approved April 23, 1979.

CHAPTER 42—H.F.No.396

An act relating to welfare; altering the conditions under which a day care facility will be considered a single family residential use of property for zoning purposes; amending Minnesota Statutes 1978, Section 245.812, Subdivision 3.

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

Section 1. Minnesota Statutes 1978, Section 245.812, Subdivision 3, is amended to read:

Subd. 3. A licensed ~~day care~~ or residential facility serving six or fewer persons or a licensed day care facility serving ten or fewer persons shall be considered a permitted single family residential use of property for the purposes of zoning.

Approved April 23, 1979.

CHAPTER 43—S.F.No.322

An act relating to guardianship; providing that a petition for guardianship may be treated as a petition for conservatorship; providing for the transfer of guardianship to conservatorship; amending Minnesota Statutes 1978, Sections 201.15; 525.551; and 525.61.

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

Section 1. Minnesota Statutes 1978, Section 201.15, is amended to read:

201.15 PROBATE JUDGE, REPORT GUARDIANSHIPS AND COMMITMENTS. The judge of probate in each county in the state shall report monthly to the county auditor the name, age and address of each individual 18 years of age or over residing in the county who, during the month preceding the date of the report, was placed under a guardianship of the person or adjudged legally incompetent by reason of mental illness, mental deficiency, or inebriation, or as a psychopathic personality, and

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each such individual transferred to the jurisdiction of or restored to capacity by the court, or transferred from guardianship to conservatorship. Upon receipt of the report, the auditor shall examine the original and duplicate registration files to determine if any individual named in the report is registered to vote. The auditor shall attach a notice to the original and duplicate registration cards of any individual so named informing the election judges that the individual is not eligible to reregister or vote. The notice shall contain the reason for ineligibility, the date of the determination, and the dated signature of the county auditor. Upon notice from the judge of probate of a restoration to capacity, or of a transfer from guardianship to conservatorship, the county auditor shall remove the notice from the individual's registration cards and thereafter process the cards in the same manner as if no guardianship or adjudication had occurred.

Sec. 2. Minnesota Statutes 1978, Section 525.551, is amended to read:

525.551 HEARING; APPOINTMENT; BOND; PROSECUTION; NOTICE.
Subdivision 1. Upon proof of the petition, the court shall appoint one or two persons suitable and competent to discharge the trust as general guardians or conservators of the person or estate or of both. Upon the filing of a bond in ~~such~~ an amount as the court may direct and an oath according to law, or upon the filing of an acceptance of the trust pursuant to section 48.79, letters of guardianship or conservatorship shall issue. If there be no personal property, the court may waive the filing of a bond, but if the guardian or conservator receives or becomes entitled to any such property he shall immediately file a report thereof and a bond in such amount as the court may direct. In case of breach of any condition of the bond an action thereon may be prosecuted by leave of the court by any interested person. If the ward or conservatee be a patient of a state hospital for the mentally ill, or committed to the guardianship or conservatorship of the commissioner of public welfare as mentally retarded, epileptic, dependent and neglected or is under the temporary custody of the commissioner of public welfare, the court shall notify the commissioner of public welfare of the appointment of a guardian or conservator or successor guardian or conservator of the estate of ~~such~~ the ward or conservatee.

Subd. 2. If the circumstances warrant, the court may treat a petition for guardianship as a petition for conservatorship.

Sec. 3. Minnesota Statutes 1978, Section 525.61, is amended to read:

525.61 RESTORATION TO CAPACITY. Any person who is under guardianship or conservatorship (except as a minor, or as a feeble-minded or epileptic person, or a person under guardianship or conservatorship in the juvenile court), or his guardian or conservator, or any other person interested in him or his estate may petition the court in which he was so adjudicated to be restored to capacity or to have a guardianship transferred to a conservatorship. Upon the filing of ~~such~~ a petition, the court shall fix the time and place for the hearing thereof, notice of which shall be given to the commissioner of public welfare if he was under the control of the commissioner and has not been discharged by the commissioner, and to ~~such~~ those other persons and in ~~such~~ a manner as the court may direct.

Any person may oppose ~~such~~ the restoration. Upon proof that ~~such~~ the person is of

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sound mind and capable of managing his person and estate, and that he is not likely to expose himself or his family to want or suffering, the court shall adjudge him restored to capacity. In any proceedings for restoration, the court may appoint two duly licensed doctors of medicine to assist in the determination of the mental capacity of the patient. The court shall allow and order paid to each doctor a reasonable sum for his services. Upon ~~such~~ the order, the county auditor shall issue a warrant on the county treasurer for the payment thereof.

Sec. 4. **EFFECTIVE DATE.** This act is effective on the day following final enactment.

Approved April 27, 1979.

CHAPTER 44—H.F.No.103

An act relating to highway traffic regulations; allowing loads of round baled hay with a width of 11-1/2 feet to be transported pursuant to permit; amending Minnesota Statutes 1978, Chapter 169, by adding a section.

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

Section 1. Minnesota Statutes 1978, Chapter 169, is amended by adding a section to read:

[169.862] PERMITS FOR CERTAIN LOADS. The commissioner of transportation, with respect to highways under his jurisdiction, and local authorities, with respect to highways under their jurisdiction, may issue an annual permit to enable a vehicle carrying round baled hay, with a total outside width of the vehicle or the load thereon not exceeding 11-1/2 feet, to be operated on public streets and highways. Permits issued pursuant to this section shall be governed by the applicable provisions of section 169.86 except as otherwise provided herein, and in addition shall carry the following restrictions:

(a) The vehicles shall not be operated between sunset and sunrise, when visibility is impaired by weather, fog or other conditions rendering persons and vehicles not clearly visible at a distance of 500 feet, or on Saturdays, Sundays and holidays.

(b) The vehicles shall not be operated on interstate highways.

(c) The vehicles shall not be operated on a trunk highway with a pavement less than 24 feet wide.

(d) A vehicle operated under the permit shall be equipped with a retractable or removable mirror on the left side so located that it will reflect to the driver a clear view of the highway for a distance of at least 200 feet to the rear of the vehicle. Simultaneous flashing amber lights, as provided in section 169.59, subdivision 4, shall be displayed to

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