

CONTAINERS. The use of a liquefied petroleum gas or industrial gas container or containers by any person other than the person whose name, mark, initial or device shall be or shall have been upon such the liquefied petroleum gas or industrial gas container or containers, without written consent or purchase of such the marked and distinguished liquefied petroleum gas or industrial gas container, for the sale of liquefied petroleum gas or industrial gas or filling or refilling with liquefied petroleum gas or industrial gas, or the possession of such liquefied petroleum gas or industrial gas containers by any person other than the person having his name, mark, initial or other device thereon, without the written consent of such the owner, shall and is hereby declared to be presumptive evidence of the unlawful use, filling or refilling, transition of, or trafficking in such liquefied petroleum gas or industrial gas containers.

Subd. 5. VIOLATIONS, SEARCH WARRANTS. Whenever any person, or the president, secretary, treasurer, or other officer of any corporation mentioned in this section, or his duly authorized agent who has personal knowledge of the facts, shall make oath in writing before any justice of the peace or police judge, or other magistrate, that the party ~~so~~ making such affidavit has reason to believe and does believe that any of his, her, its or their liquefied petroleum gas or industrial gas containers marked with the name, initials, mark or other device of said the owner, are in the possession of or being used by or being filled or refilled or transferred by any person whose name, initials, mark or other device does not appear on said the containers, and who is in the possession of, filling or refilling, or using any such containers without the written consent of the owner of such the name, initials or trade mark, the said magistrate may, when satisfied that there is reasonable cause, issue a search warrant and cause the premises designated to be searched for the purpose of discovering and obtaining the same, and may also cause to be brought before him the person in whose possession such the containers may be found, and shall then inquire into the circumstances of such the possession; and if such the magistrate finds that such the person has been guilty of a violation of this section, he shall impose the punishment herein prescribed, and he shall also award the possession of property taken upon such the search warrant to the owner thereof.

Subd. 6. MISDEMEANOR. Any person who shall fail to comply with any of the foregoing provisions of this section shall be deemed guilty of a misdemeanor for each separate offense.

Approved May 19, 1977.

CHAPTER 153—S.F.No.967 .

An act relating to probate; guardianships and conservatorships; providing for resignations and removals of guardians; providing for joinder of sureties in final account hearings; amending Minnesota Statutes 1976, Section 525.582.

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

Section 1. Minnesota Statutes 1976, Section 525.582, is amended to read:

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

525.582 **PROBATE PROCEEDINGS; GUARDIANS; ADJUDICATION ON ACCOUNT; RESIGNATION AND REMOVAL.** (a) Unless otherwise ordered, the guardian or conservator shall, and other persons may, be examined on the hearing. If the account be correct, it shall be settled and allowed; if incorrect, it shall be corrected and then settled and allowed. The order of settlement and allowance shall show the amount of the personal property remaining. Upon settlement of the final account, and upon delivery of the property on hand to the person entitled thereto, the court shall discharge the guardian or conservator and his sureties. Any person for whom a guardian or conservator has been appointed and who has become of age or has been restored to capacity may show to the court that he has settled with his guardian or conservator and may petition for the guardian's or conservator's discharge without further hearing. Upon such petition, the court may discharge the guardian or conservator and his sureties.

(b) If, after hearing on notice as the court may require to the guardian, conservator and any surety, there is determined to be mismanagement, a shortage of funds, or other misconduct for which the guardian, conservator or a surety is liable, the court shall settle the account and enter judgment against the guardian, conservator or any surety as may be appropriate. The judgment may be filed, docketed and enforced in the same manner as any other judgment. This remedy is in addition to any other remedy available for breach of any condition of the bond.

(c) The resignation of a guardian or conservator shall not take effect until the court examines and allows his final account and makes an order accepting his resignation.

(d) If a guardian or conservator becomes unsuitable, incapacitated or disabled, or violates his trust or fails to perform any duty imposed on him by law or the lawful order of the court, the court upon petition or the courts' own motion may remove him after notice.

Approved May 19, 1977.

CHAPTER 154—S.F.No.969

An act relating to probate; authorizing the court to issue interim orders; surety bonds; authorizing court to order accounting by and judgment against surety in proceedings to settle estate; amending Minnesota Statutes 1976, Sections 524.3-105; and 524.3-606.

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

Section 1. Minnesota Statutes 1976, Section 524.3-105, is amended to read:

524.3-105 **PROBATE PROCEEDINGS; PROCEEDINGS AFFECTING DEVOLUTION AND ADMINISTRATION; JURISDICTION OF SUBJECT MATTER.** Any interested person in a decedent's estate may apply to the registrar for determination in the informal proceedings provided in this article, and may petition the court for orders in formal proceedings within the court's jurisdiction including but not

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