

Subd. 7. **FINAL ACCOUNTING.** At the expiration of the time specified in the court's order, or upon the granting of letters of general guardianship or conservatorship, The power of a special guardian or conservator shall cease, ends and the special guardian or conservator shall proceed forthwith to must prepare a final accounting when one of the following events first occurs:

(1) the time specified for the special guardianship or conservatorship in the court order has expired; or

(2) a general guardian or conservator has been appointed for the ward or conservatee.

When If a special guardian or conservator has been appointed to protect the ward's or conservatee's interest in any matter wherein the interest of the general guardian or conservator appears to conflict with that of the ward or conservatee, or to protect the ward's or conservatee's interest upon suspension of an order of removal of a general guardian or conservator by appeal, the power of the special guardian or conservator shall not cease until terminated by the court.

Presented to the governor March 13, 1998

Signed by the governor March 16, 1998, 9:56 a.m.

CHAPTER 282—S.F.No. 2402

An act relating to commerce; prohibiting the unauthorized possession of, or damage to, merchandise pallets; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Section 1. [325F.795] UNAUTHORIZED POSSESSION OF MERCHANDISE PALLETS.

Subdivision 1. **DEFINITIONS.** (a) "Merchandise" means objects, wares, goods, or commodities.

(b) "Merchandise pallet" means a plastic carrier or plastic container, ranging in size from 36 inches to 54 inches with a forklift entry, used by a manufacturer or distributor to transport merchandise, which has a notice permanently affixed to it by the owner that does all of the following:

(1) identifies the company name of the owner of the pallet;

(2) notifies the public that the unauthorized possession of the pallet is a violation of state law; and

(3) lists a telephone number or address for the owner.

(c) With respect to possession of a merchandise pallet, "unauthorized person" includes anyone in possession of one or more merchandise pallets, except the following:

New language is indicated by underline, deletions by ~~strikeout~~.

- (1) the company owner;
- (2) a person in lawful possession of the merchandise pallet; or
- (3) a person who has temporary possession of the merchandise pallet as a result of the purchase of the products or merchandise transported using the merchandise pallet.

Subd. 2. LIABILITY. An unauthorized person in possession of a merchandise pallet, or a person, other than the owner, who maliciously, with intent to damage, obliterates, removes, or distorts the owner's name on a merchandise pallet, shall be liable to the injured party as set forth in subdivision 4.

Subd. 3. EVIDENCE OF OWNERSHIP OR RIGHTFUL POSSESSION. A person who purchases or leases a merchandise pallet shall retain a copy of the bill of sale or other evidence that supports the purchase or lease.

Subd. 4. REMEDY. A person injured by a violation of this section may recover damages equal to three times the cost of the merchandise pallet, together with costs and disbursements, including a reasonable attorney's fee.

Presented to the governor March 13, 1998

Signed by the governor March 16, 1998; 9:58 a.m.

CHAPTER 283—S.F.No. 2729

An act relating to highways; allowing advertisements, public art, and informational signs to be placed on bicycle racks and bicycle storage facilities on highway right-of-way; amending Minnesota Statutes 1996, section 160.27, subdivision 5, and by adding a subdivision.

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

Section 1. Minnesota Statutes 1996, section 160.27, subdivision 5, is amended to read:

Subd. 5. **MISDEMEANORS.** Except for the actions of the road authorities, their agents, employees, contractors, and utilities in carrying out their duties imposed by law or contract, and except as herein provided, it shall be unlawful to:

- (1) obstruct any highway or deposit snow or ice thereon;
- (2) plow or perform any other detrimental operation within the road right-of-way except in the preparation of the land for planting permanent vegetative cover or as authorized under section 160.232;
- (3) erect a fence on the right-of-way of a trunk highway, county state-aid highway, county highway or town road, except to erect a lane fence to the ends of a livestock pass;
- (4) erect or reconstruct driveway headwalls in or on the right-of-way of a highway or road, except as may be allowed by permit from the road authority imposing reasonable regulations as are necessary to prevent interference with the construction, maintenance, and safe use of the highway or road and its appurtenances;

New language is indicated by underline, deletions by ~~strikeout~~.