

(2) the respondent's identified needs cannot be met by less restrictive means, including use of appropriate technological assistance.

(b) Alternatively, the court, with appropriate findings, may treat the petition as one for a protective order under section 524.5-401, enter any other appropriate order, or dismiss the proceeding.

(c) The court shall grant to a guardian only those powers necessitated by the ward's limitations and demonstrated needs and, whenever feasible, make appointive and other orders that will encourage the development of the ward's maximum self-reliance and independence. Any power not specifically granted to the guardian, following a written finding by the court of a demonstrated need for that power, is retained by the ward.

(d) Within 14 days after an appointment, a guardian shall send or deliver to the ward, and counsel if represented at the hearing, a copy of the order of appointment accompanied by a notice which advises the ward of the right to appeal the guardianship appointment in the time and manner provided by the Rules of Appellate Procedure.

(e) Each year, within 30 days after the anniversary date of an appointment, a guardian shall send or deliver to the ward a notice of the right to request termination or modification of the guardianship and notice of the status of the ward's right to vote.

Sec. 68. REPEALER.

Minnesota Statutes 2004, section 204C.50, subdivision 7, is repealed.

Minnesota Rules, parts 4501.0300, subparts 1 and 4; 4501.0500, subpart 4; 4501.0600; 4503.0200, subpart 4; 4503.0300, subpart 2; 4503.0400, subpart 2; 4503.0500, subpart 9; and 4503.0800, subpart 1, are repealed.

Presented to the governor May 31, 2005

Signed by the governor June 3, 2005, 4:55 p.m.

CHAPTER 157—H.F.No. 1470

An act relating to environment; authorizing annual adjustment of dry cleaner environmental fees; amending Minnesota Statutes 2004, section 115B.49, by adding a subdivision; repealing Minnesota Statutes 2004, section 115B.49, subdivision 4a.

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

Section 1. Minnesota Statutes 2004, section 115B.49, is amended by adding a subdivision to read:

Subd. 4b. FEE ADJUSTMENT. Notwithstanding section 16A.1285, each fiscal year the commissioner shall adjust the fees in subdivision 4 as necessary to maintain an annual income to the account of \$650,000.

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

Sec. 2. REPEALER.

Minnesota Statutes 2004, section 115B.49, subdivision 4a, is repealed.

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective July 1, 2005.

Presented to the governor May 31, 2005

Signed by the governor June 3, 2005, 9:00 a.m.

CHAPTER 158—S.F.No. 2093

An act relating to commerce; modifying definition of "wage"; regulating payroll cards and payroll accounts; requiring a study and report; amending Minnesota Statutes 2004, section 177.23, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 177.

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

Section 1. Minnesota Statutes 2004, section 177.23, subdivision 4, is amended to read:

Subd. 4. **WAGE.** "Wage" means compensation due to an employee by reason of employment, payable in:

- (1) legal tender of the United States;
- (2) check on banks convertible into cash on demand at full face value or;
- (3) except for instances of written objection to the employer by the employee, direct deposit to the employee's choice of demand deposit account; or
- (4) an electronic fund transfer to a payroll card account that meets all of the requirements of section 177.255, subject to allowances permitted by rules of the department under section 177.28.

Sec. 2. [177.255] PAYROLL CARD ACCOUNTS.

Subdivision 1. DEFINITIONS. For the purposes of this section, the following terms have the meanings given them in this subdivision.

(a) "Payroll card" means a card issued to an employee by an employer or other payroll card issuer to access funds from the employee's employee payroll card account.

(b) "Payroll card account" means an agreement providing that an employer pays each participating employee's wages by making an electronic fund transfer to an account, and participating employees receive a payroll card to access their funds.

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