

owned or leased land and after obtaining a license. "Privately owned or leased land" includes waters that are shallow or marshy, are not actually navigable, and are not of substantial beneficial public use. Before an application for a license is considered, the applicant must enclose the area to sufficiently confine the animals to be raised in a manner approved by the commissioner. A license may be granted only if the commissioner finds the application is made in good faith with intention to actually carry on the business described in the application and the commissioner determines that the facilities are adequate for the business.

Approved May 14, 1987

CHAPTER 122—H.F.No. 357

An act relating to the city of Saint Paul; permitting the city to adopt certain regulations for smoke detection devices; amending Minnesota Statutes 1986, section 299F.362, by adding a subdivision.

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

Section 1. Minnesota Statutes 1986, section 299F.362, is amended by adding a subdivision to read:

Subd. 9. Notwithstanding subdivision 7, or other law, the governing body of the city of Saint Paul may adopt, by ordinance, rules for the installation of a smoke detector in single family homes in the city that are more restrictive than the standards provided by this section. Rules adopted pursuant to this subdivision shall be enforced through the truth-in-housing inspection.

Sec. 2. EFFECTIVE DATE.

This act is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of Saint Paul.

Approved May 14, 1987

CHAPTER 123—H.F.No. 427

An act relating to public safety; providing that violation of local DWI ordinance is counted for purposes of driver's license revocation; providing that courts must report juvenile traffic violations to the department of public safety; amending Minnesota Statutes 1986, sections 169.121, subdivision 4; 171.16, subdivision 5; 171.17; and 260.161, subdivision 2; repealing Minnesota Statutes 1986, section 260.193, subdivision 9.

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

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Section 1. Minnesota Statutes 1986, section 169.121, subdivision 4, is amended to read:

Subd. 4. **ADMINISTRATIVE PENALTIES.** The commissioner of public safety shall revoke the driver's license of a person convicted of violating this section or an ordinance in conformity with it as follows:

(a) First offense: not less than 30 days;

(b) Second offense in less than five years: not less than 90 days and until the court has certified that treatment or rehabilitation has been successfully completed where prescribed in accordance with section 169.126;

(c) Third offense in less than five years: not less than one year, together with denial under section 171.04, clause (8), until rehabilitation is established in accordance with standards established by the commissioner;

(d) Fourth or subsequent offense on the record: not less than two years, together with denial under section 171.04, clause (8), until rehabilitation is established in accordance with standards established by the commissioner.

If the person convicted of violating this section is under the age of 18 years, the commissioner of public safety shall revoke the offender's driver's license or operating privileges until the offender reaches the age of 18 years or for a period of six months or for the appropriate period of time under clauses (a) to (d) for the offense committed, whichever is the greatest period.

For purposes of this subdivision, a juvenile adjudication under this section, section 169.129, an ordinance in conformity with either of them, or a statute or ordinance from another state in conformity with either of them is an offense.

Whenever department records show that the violation involved personal injury or death to any person, not less than 90 additional days shall be added to the base periods provided above.

Any person whose license has been revoked pursuant to section 169.123 as the result of the same incident is not subject to the mandatory revocation provisions of clause (a) or (b).

Sec. 2. Minnesota Statutes 1986, section 171.16, subdivision 5, is amended to read:

Subd. 5. **JUVENILE COURT.** When any judge of a juvenile court, or any of its duly authorized agents, shall determine formally or informally that any person under the age of 18 years has violated any of the provisions of any law of this state, or ordinances of political subdivisions thereof, regulating the operation of motor vehicles on streets and highways, except parking violations, and except traffic offenses involving a violation of section 169.121 that must be reported under section 171.17, such judge, or duly authorized agent, shall immediately report such determination to the department and may recommend the

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suspension of the driver's license of such person, and the commissioner is hereby authorized to suspend such license, without a hearing.

Sec. 3. Minnesota Statutes 1986, section 171.17, is amended to read:

171.17 REVOCATION.

The department shall forthwith revoke the license of any driver upon receiving a record of such driver's conviction of any of the following offenses:

- (1) manslaughter or criminal vehicular operation resulting from the operation of a motor vehicle;
- (2) any violation of section 169.121 or 609.487;
- (3) any felony in the commission of which a motor vehicle was used;
- (4) failure to stop and disclose identity and render aid, as required under the laws of this state, in the event of a motor vehicle accident resulting in the death or personal injury of another;
- (5) perjury or the making of a false affidavit or statement to the department under any law relating to the ownership or operation of a motor vehicle;
- (6) except as this section otherwise provides, conviction, plea of guilty, or forfeiture of bail not vacated, upon three charges of violating, within a period of 12 months any of the provisions of chapter 169, or of the rules or municipal ordinances enacted in conformance therewith for which the accused may be punished upon conviction by imprisonment;
- (7) conviction of an offense in another state which, if committed in this state, would be grounds for the revocation of the driver's license.

When any judge of a juvenile court, or any of its duly authorized agents, ~~shall determine, formally or informally,~~ determines under a proceeding under chapter 260 that any person under the age of 18 years has committed any offense defined in this section, such judge, or duly authorized agent, shall immediately report ~~such~~ this determination to the department, and the commissioner shall immediately revoke the license of that person.

Upon revoking the license of any person, as hereinbefore in this chapter authorized, the department shall immediately notify the licensee, in writing, by depositing in the United States post office a notice addressed to the licensee at the licensee's last known address, with postage prepaid thereon.

Sec. 4. Minnesota Statutes 1986, section 260.161, subdivision 2, is amended to read:

Subd. 2. Except as provided in this subdivision and in subdivision 1, none of the records of the juvenile court, including legal records, shall be open to public inspection or their contents disclosed except (a) by order of the court or

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(b) as required by sections 611A.03, 611A.04, and 611A.06. The records of juvenile probation officers and county home schools are records of the court for the purposes of this subdivision. This subdivision does not apply to proceedings under sections 260.255 and 260.261. The court shall maintain the confidentiality of adoption files and records in accordance with the provisions of laws relating to adoptions. In juvenile court proceedings any report or social history furnished to the court shall be open to inspection by the attorneys of record a reasonable time before it is used in connection with any proceeding before the court.

When a judge of a juvenile court, or duly authorized agent of the court, determines under a proceeding under this chapter that a child has violated a state or local law, ordinance, or regulation pertaining to the operation of a motor vehicle on streets and highways, except parking violations, the judge or agent shall immediately report the violation to the commissioner of public safety. The report must be made on a form provided by the department of public safety and must contain the information required under section 169.95.

Sec. 5. **REPEALER.**

Minnesota Statutes 1986, section 260.193, subdivision 9, is repealed.

Approved May 14, 1987

CHAPTER 124—H.F.No. 436

An act relating to agriculture; providing minimum standards for seed potatoes; proposing coding for new law in Minnesota Statutes, chapter 21.

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

Section 1. [21.1195] MINIMUM STANDARDS FOR PLANTING.

Seed potatoes may not be planted in the state in lots of ten or more acres unless the seed meets the minimum disease standards prescribed by the commissioner. Seed potatoes may meet the standards by being certified in accordance with this chapter and rules adopted by the commissioner, or under the certification program of another state or province which, in the judgment of the commissioner, provides equivalent assurances of seed potato quality. Seed potatoes may be planted without certification if they have had at least field inspection as required for certified seed potatoes, have passed the field inspection standards of disease tolerance, and are free from ring rot. A person that plants seed potatoes in violation of this section is subject to a civil penalty of \$20 per acre for each acre or part of an acre planted in violation of this section. Failure to maintain complete and accurate records in accordance with this section or rules adopted by the commissioner is an additional violation resulting in a separate civil penalty of \$200 for each failure.

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