

**Sec. 7. REPEALER.**

Minnesota Statutes 1988, section 609.785, is repealed.

**Sec. 8. EFFECTIVE DATE.**

Sections 1 to 7 are effective August 1, 1990, and apply to crimes committed on or after that date.

Presented to the governor April 24, 1990

Signed by the governor April 24, 1990, 9:47 p.m.

---

**CHAPTER 495—S.F.No. 2318**

*An act relating to education; clarifying that statutes governing aversive and deprivation procedures apply to handicapped pupils; requiring that rules of the state board of education contain a list of prohibited procedures; amending Minnesota Statutes 1988, sections 127.43, subdivision 1; and 127.44.*

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

Section 1. Minnesota Statutes 1988, section 127.43, subdivision 1, is amended to read:

Subdivision 1. **APPLICATION.** For the purposes of providing instruction to handicapped children under section 120.17, this section and section 127.44, the following terms have the meanings given them.

Sec. 2. Minnesota Statutes 1988, section 127.44, is amended to read:

**127.44 AVERSIVE AND DEPRIVATION PROCEDURES.**

The state board of education shall adopt rules governing the use of aversive and deprivation procedures by school district employees or persons under contract with a school district. The rules must:

(1) promote the use of positive approaches and must not encourage or require the use of aversive or deprivation procedures;

(2) require that planned application of aversive and deprivation procedures be a part of an individual education plan;

(3) require parents or guardians to be notified after the use of aversive or deprivation procedures in an emergency; ~~and~~

(4) establish health and safety standards for the use of time-out procedures

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

that require a safe environment, continuous monitoring of the child, ventilation, and adequate space; and

(5) contain a list of prohibited procedures.

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor April 24, 1990

Signed by the governor April 24, 1990, 9:50 p.m.

---

**CHAPTER 496—S.F.No. 2493**

*An act relating to insurance; promoting availability of automobile insurance for family or group family day care providers; amending Minnesota Statutes 1988, sections 65B.47, subdivision 1, and by adding a subdivision; and 65B.49, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1988, section 65B.47, subdivision 1, is amended to read:

Subdivision 1. In case of injury to the driver or other occupant of a motor vehicle ~~other than a commuter van; or other than a vehicle being used to transport children to school or to a school sponsored activity or other bus while it is in operation within the state of Minnesota as to any Minnesota resident who is an insured as defined in section 65B.43, subdivision 5,~~ if the accident causing the injury occurs while the vehicle is being used in the business of transporting persons or property, the security for payment of basic economic loss benefits is the security covering the vehicle or, if none, the security under which the injured person is an insured.

Sec. 2. Minnesota Statutes 1988, section 65B.47, is amended by adding a subdivision to read:

Subd. 1a. EXEMPTIONS. Subdivision 1 does not apply to:

(1) a commuter van;

(2) a vehicle being used to transport children as part of a family or group family day care program;

(3) a vehicle being used to transport children to school or to a school-sponsored activity; or

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