

corporation in any way authorized by section 11A.24. Money in the fund is appropriated to the corporation to be used as provided in this chapter.

(b) The fund consists of:

- (1) money appropriated and transferred from other state funds;
- (2) fees and charges collected by the corporation;
- (3) income from investments and purchases;
- (4) revenue from loans, rentals, royalties, dividends, and other proceeds collected in connection with lawful corporate purposes; and
- (5) gifts, donations, and bequests made to the corporation; and
- (6) through the first five full fiscal years, during which proceeds from the lottery are received, one-half of the net proceeds of the state-operated lottery must be credited to the greater Minnesota corporation fund. Thereafter, up to one-half, as determined by law each biennium, of the net proceeds from the state-operated lottery must be credited to the greater Minnesota corporation fund.

#### Sec. 4. EFFECTIVE DATE.

Sections 1 and 2 are effective the day following final enactment. Section 3 is effective the day following adoption by the voters of the constitutional amendment proposed by article 1, section 2.

Approved April 28, 1988

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### CHAPTER 691—H.F.No. 2228

*An act relating to education; establishing a records destruction schedule for chemical abuse preassessment teams; requiring law enforcement reports of certain violations to preassessment teams; amending Minnesota Statutes 1987 Supplement, sections 126.034; 126.035; 126.037; and 260.161, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 126; repealing Minnesota Statutes 1987 Supplement, section 126.033, subdivision 4.*

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

Section 1. Minnesota Statutes 1987 Supplement, section 126.034, is amended to read:

#### 126.034 SCHOOL PREASSESSMENT TEAMS.

Every public school, and every nonpublic school that participates in a school district chemical abuse program shall establish a chemical abuse preassessment

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

team. The preassessment team must be composed of classroom teachers, administrators, and to the extent possible they exist in each school, school nurse, school counselor or psychologist, social worker, chemical abuse specialist, and other appropriate professional staff. The superintendents or their designees shall designate the team members in the public schools. The preassessment team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.

Within 45 days after receiving an individual reported case, the preassessment team shall make a determination whether to provide the student and, in the case of a minor, the student's parents with information about school and community services in connection with chemical abuse. Data may be disclosed without consent in health and safety emergencies pursuant to section 13.32 and applicable federal law and regulations.

Notwithstanding section 138.163, destruction of records identifying individual students shall be governed by this section. If the preassessment team decides not to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the preassessment team about the student shall be destroyed not later than six months after the determination is made. If the preassessment team decides to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the preassessment team about the student shall be destroyed not later than six months after the student is no longer enrolled in the district.

Sec. 2. Minnesota Statutes 1987 Supplement, section 126.035, is amended to read:

#### 126.035 SCHOOL AND COMMUNITY ADVISORY TEAM.

The superintendent, with the advice of the school board, shall establish a school and community advisory team to address chemical abuse problems in the district. The school and community advisory team must be composed of representatives from the school preassessment team established in section 126.034, to the extent possible, law enforcement agencies, county attorney's office, social service agencies, chemical abuse treatment programs, parents, and the business community. The community advisory team shall:

(1) build awareness of the problem within the community, identify available treatment and counseling programs for students and develop good working relationships and enhance communication between the schools and other community agencies; and

(2) develop a written procedure clarifying the notification process to be used by the chemical abuse preassessment team established under section 126.034 when a student is believed to be in possession of or under the influence of alcohol or a controlled substance. The procedure must include contact with the student, and the student's parents or guardian; ~~and~~

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(3) ~~develop a written memorandum of understanding between school personnel and law enforcement agencies identifying when the school shall notify the local law enforcement agency that a violation of its drug and alcohol policy has occurred; and when the law enforcement agency shall notify the school chemical abuse preassessment team of incidents occurring off the school premises involving chemical abuse by students enrolled in that school pursuant to the possession or purchase of alcohol in violation of section 340A.503, subdivision 2 or 3, or in the case of controlled substances, a violation of section 152.09, subdivision 4 in the case of a minor student.~~

Sec. 3. [126.036] LAW ENFORCEMENT RECORDS.

A law enforcement agency shall provide notice of any drug incident occurring within the agency's jurisdiction, in which the agency has probable cause to believe a student violated section 152.09, subdivision 1, or 340A.503, subdivision 1, 2, or 3. The notice shall be in writing and shall be provided, within two weeks after an incident occurs, to the chemical abuse preassessment team in the school where the student is enrolled.

Sec. 4. Minnesota Statutes 1987 Supplement, section 126.037, is amended to read:

126.037 REPORTING; CHEMICAL ABUSE.

Subdivision 1. TEACHER'S DUTY. A teacher in a nonpublic school participating in a school district chemical use program, or a public school teacher, who knows or has reason to believe that a student is using, possessing, or transferring alcohol or a controlled substance while on the school premises or involved in school-related activities, shall immediately notify the school's chemical abuse preassessment team of this information. A teacher who complies with this section shall be defended and indemnified under section 466.07, subdivision 1, in any action for damages arising out of the compliance.

Subd. 2. OTHER REPORTS. Nothing in this section prevents a<sup>\*</sup> teacher or any other school employee from reporting to a law enforcement agency any violation of law occurring on school premises or at school sponsored events.

Sec. 5. Minnesota Statutes 1987 Supplement, section 260.161, subdivision 3, is amended to read:

Subd. 3. Peace officers' records of children shall be kept separate from records of persons 18 years of age or older and shall not be open to public inspection or their contents disclosed to the public except by order of the juvenile court or except as required by a ~~written memorandum of understanding adopted under section 126.035 section 3~~ or as authorized under chapter 13; except that traffic investigation reports may be open to inspection by a person who has sustained physical harm or economic loss as a result of the traffic accident. No photographs of a child taken into custody may be taken without the consent of the juvenile court unless the child is alleged to have violated

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section 169.121 or 169.129. Any person violating any of the provisions of this subdivision shall be guilty of a misdemeanor.

**Sec. 6. REPEALER.**

Minnesota Statutes 1987 Supplement, section 126.033, subdivision 4, is repealed.

Approved April 28, 1988

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**CHAPTER 692—H.F.No. 2253**

*An act relating to corporations; making certain corrections to shareholder protection and corporate take-over legislation; eliminating restrictions on certain business combinations with an interested shareholder after five years; applying the control share acquisition and business combination statutes to certain issuing public corporations; amending Minnesota Statutes 1986, section 80B.03, subdivisions 1 and 6; Minnesota Statutes 1987 Supplement, sections 302A.011, subdivisions 37, 41, 42, 46, 49, 50, and 51; 302A.471, subdivision 1; 302A.553, subdivision 3; 302A.671, subdivisions 1, 2, 3, 4, and 4a; and 302A.673, subdivisions 1 and 3; repealing Minnesota Statutes 1987 Supplement, section 302A.673, subdivision 2.*

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

Section 1. Minnesota Statutes 1986, section 80B.03, subdivision 1, is amended to read:

Subdivision 1. It is unlawful for any person to make a takeover offer or to acquire any equity securities pursuant to the offer, unless the offer is effective under sections 80B.01 to 80B.13. A takeover offer is effective when the offeror files with the commissioner a registration statement containing the information prescribed in subdivisions 2 and 6. The offeror shall deliver a copy of the registration statement by personal service to the target company at its principal office and ~~publicly disclose the material terms of the proposed offer,~~ not later than the date of filing of the registration statement. ~~Public disclosure shall require, at a minimum, that a copy of the registration statement be supplied to all broker-dealers maintaining an office in this state currently quoting the security~~ The offeror shall send or deliver to all offerees as soon as practicable after the filing, the material terms of the proposed offer and the information specified in subdivision 6.

Sec. 2. Minnesota Statutes 1986, section 80B.03, subdivision 6, is amended to read:

Subd. 6. The form required to be filed by subdivision 2, clause (a), shall contain the following information:

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