

~~tion of a teacher contract or the discharge of a teacher under section 125.12 or 125.17, is subject to the grievance procedure and compulsory binding arbitration.~~

(c) Employees covered by civil service systems created under chapter 43A, 44, 375, 387, 419, or 420, by a home rule charter under chapter 410, or by Laws 1941, chapter 423, may pursue a grievance through the procedure established under this section. When the grievance is also within the jurisdiction of appeals boards or appeals procedures created by chapter 43A, 44, 375, 387, 419, or 420, by a home rule charter under chapter 410, or by Laws 1941, chapter 423, the employee may proceed through the grievance procedure or the civil service appeals procedure, but once a written grievance or appeal has been properly filed or submitted by the employee or on the employee's behalf with the employee's consent the employee may not proceed in the alternative manner.

(d) A teacher who elects a hearing before an arbitrator under section 2 or 4 or who elects or acquiesces to a hearing before the school board may not later proceed in the alternative manner nor challenge the termination or discharge through a grievance procedure required by this subdivision.

(e) This section does not require employers or employee organizations to negotiate on matters other than terms and conditions of employment.

Presented to the governor May 23, 1991

Signed by the governor May 27, 1991, 10:28 p.m.

CHAPTER 197—S.F.No. 302

An act relating to signs; requiring recycling centers and junk yards to accept certain hazard signs; amending Minnesota Statutes 1990, sections 115A.555; and 161.242, subdivision 2, and by adding a subdivision.

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

Section 1. Minnesota Statutes 1990, section 115A.555, is amended to read:

115A.555 RECYCLING CENTER DESIGNATION.

The agency shall designate recycling centers for the purpose of section 173.086. To be designated as a recycling center, a recycling facility must be open a minimum of 12 operating hours each week, 12 months each year, and must accept for recycling:

(1) at least four different materials such as paper, glass, plastic, and metal;
and

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(2) if the recycling center accepts metal, hazard signs, as defined in section 161.242, subdivision 2, paragraph (h), to the same extent that a junk yard dealer must accept hazard signs under section 161.242, subdivision 6a.

Sec. 2. Minnesota Statutes 1990, section 161.242, subdivision 2, is amended to read:

Subd. 2. **DEFINITIONS.** ~~(1)~~ (a) For the purposes of this section, the terms defined in this subdivision shall have the meanings given them.

~~(2)~~ Junk yard ~~(b)~~ "Junk yard" means an establishment, place of business, or place of storage or deposit, which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and shall include garbage dumps and sanitary fills not regulated by the Minnesota pollution control agency, any of which are wholly or partly within one half mile of any right-of-way of any state trunk highway, including the interstate highways, whether maintained in connection with another business or not, where the waste, body, or discarded material stored is equal in bulk to five or more motor vehicles and which are to be resold for used parts or old iron, metal, glass, or other discarded material.

~~(3)~~ Dealer ~~(c)~~ "Dealer" means any person, partnership, or corporation engaged in the operation of a junk yard.

~~(4)~~ Junk ~~(d)~~ "Junk" means old or scrap hazard signs, copper, brass, rope, rags, batteries, paper, synthetic or organic, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles or farm or construction machinery or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

~~(5)~~ Automobile graveyard ~~(e)~~ "Automobile graveyard" means any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

~~(6)~~ Unzoned industrial area ~~(f)~~ "Unzoned industrial area" means the land occupied by the regularly used building, parking lot, storage or processing area of an industrial activity, and the land within 1,000 feet thereof which is located on the same side of the highway as the principal part of said activity, and not predominantly used for residential or commercial purposes, and not zoned by state or local law, regulation or ordinance.

~~(7)~~ Industrial activities ~~(g)~~ "Industrial activities" means those activities permitted only in industrial zones, or in less restrictive zones by the nearest zoning authority within the state, or prohibited by said authority but generally recognized as industrial by other zoning authorities within the state, except that none of the following shall be considered industrial activities:

~~(a)~~ (1) outdoor advertising devices as defined in Minnesota Statutes 1969, section 173.02, subdivision 2;

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(b) (2) agricultural, forestry, ranching, grazing, farming and related activities, including, but not limited to, wayside fresh produce stands;

(c) (3) activities normally and regularly in operation less than three months of the year;

(d) (4) activities not visible from the traffic lanes of the main traveled way;

(e) (5) activities conducted in a building principally used as a residence;

(f) (6) railroad tracks, minor sidings, and passenger depots; or

(g) (7) junk yards, as defined herein in paragraph (b).

(h) "Hazard signs" means signs listed in the Minnesota drivers' manual published by the department of public safety, signs required by the state fire code, and other signs related to road or fire hazards and approved for use by the state or a political subdivision.

Sec. 3. Minnesota Statutes 1990, section 161.242, is amended by adding a subdivision to read:

Subd. 6a. HAZARD SIGNS MUST BE ACCEPTED. A dealer shall accept hazard signs only from a properly identified elected official or employee of the state or a political subdivision, who is acting within the scope of the person's official duties. A dealer is not required to pay or otherwise compensate any person or organization for taking possession of a hazard sign and is not required to take possession at a place away from the site of the dealer's junk yard.

Presented to the governor May 23, 1991

Signed by the governor May 27, 1991, 10:30 p.m.

CHAPTER 198—S.F.No. 998

An act relating to weights and measures; adopting weights and measures standards recommended by the United States Department of Commerce, National Institute of Standards and Technology; defining the responsibilities, duties, and powers of the division of weights and measures; providing that the division have a director; amending Minnesota Statutes 1990, sections 239.01; 239.02; 239.05; 239.09; proposing coding for new law in Minnesota Statutes, chapter 239; repealing Minnesota Statutes 1990, sections 239.07; 239.08; and 239.37.

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

Section 1. Minnesota Statutes 1990, section 239.01, is amended to read:

239.01 ~~DIVISION OF WEIGHTS AND MEASURES~~ DIVISION; JURISDICTION.

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