

(4) Minnesota Rules, part 3525.1329, amend eligibility criteria for emotional or behavior disorders so that the standards reflect severe emotional disorder and professional standards;

(5) amend Minnesota Rules, part 3525.2325, to revise outdated standards for students placed for care and treatment to be compatible with related legislation;

(6) repeal Minnesota Rules, part 3525.2550, on conduct before assessment except for subpart 2, item C;

(7) add a rule to make the responsibilities of the IEP team for assessment, IEP development, and placement decisions consistent with federal requirements;

(8) repeal Minnesota Rules, part 3525.2750, on educational assessment as duplicative;

(9) repeal Minnesota Rules, part 3525.2900, on IEP development and content except subparts 4 and 5 on regulated interventions; and

(10) repeal Minnesota Rules, part 3525.3300, except item B, on contents of notice as duplicative.

The rules that must be repealed under this section remain in effect until repealed through the rulemaking process.

Sec. 21. REPEALER.

Laws 1998, chapter 398, article 2, section 53, and Minnesota Rules, part 3525.2470, are repealed.

Sec. 22. EFFECTIVE DATE.

Sections 1, 2, 5 to 18, 20, and 21 are effective July 1, 1999, except that the requirement under section 3 to provide special instruction and services until the child with a disability becomes 21 years old, instead of 22 years old, is effective July 1, 2002. Sections 3 and 4 are effective July 1, 2002. Section 19 is effective the day following final enactment.

Presented to the governor April 30, 1999

Signed by the governor May 4, 1999, 11:26 a.m.

CHAPTER 124—H.F.No. 92

An act relating to drivers' licenses; modifying required content of petition for seeking judicial review of driver's license revocation for violating implied consent law; allowing judges to order additional discovery in that proceeding; amending Minnesota Statutes 1998, section 169.123, subdivision 5c.

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

Section 1. Minnesota Statutes 1998, section 169.123, subdivision 5c, is amended to read:

Subd. 5c. **PETITION FOR JUDICIAL REVIEW.** (a) Within 30 days following receipt of a notice and order of revocation or disqualification pursuant to this section, a

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person may petition the court for review. The petition shall be filed with the district court administrator in the county where the alleged offense occurred, together with proof of service of a copy on the commissioner of public safety, and accompanied by the standard filing fee for civil actions. No responsive pleading shall be required of the commissioner of public safety, and no court fees shall be charged for the appearance of the commissioner of public safety in the matter.

(b) The petition must:

(1) be captioned in the full name of the person making the petition as petitioner and the commissioner of public safety as respondent;

(2) include the petitioner's date of birth, driver's license number, and date of the offense; and

(3) state with specificity the grounds upon which the petitioner seeks rescission of the order of revocation, disqualification, or denial and state the facts underlying each claim asserted.

(c) The filing of the petition shall not stay the revocation, disqualification, or denial. The reviewing court may order a stay of the balance of the revocation or disqualification if the hearing has not been conducted within 60 days after filing of the petition upon terms the court deems proper.

(d) Judicial reviews shall be conducted according to the rules of civil procedure except that prehearing discovery is mandatory and is limited to:

(1) the notice of revocation;

(2) the test record, or in the case of blood or urine tests, the certificate of analysis;

(3) the peace officer's certificate and any accompanying documentation submitted by the arresting officer to the commissioner of public safety; and

(4) disclosure of potential witnesses, including experts, and the basis of their testimony.

Other types of discovery are ~~not~~ available only upon order of the court.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Presented to the governor May 3, 1999

Signed by the governor May 6, 1999, 3:32 p.m.

CHAPTER 125—H.F.No. 359

An act relating to utilities; authorizing public utilities commission to establish and delegate powers to subcommittees and to designate lead commissioners; allowing petitions to be deemed approved unless set aside for affirmative action by the commission; authorizing a quorum of the com-

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