

**CHAPTER 22—H.F.No. 137**

*An act relating to watercraft; exempting collector watercraft from certain watercraft license display requirements; amending Minnesota Statutes 1998, section 86B.401, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1998, section 86B.401, is amended by adding a subdivision to read:

Subd. 13. COLLECTOR WATERCRAFT. (a) The owner of a watercraft built before July 1, 1959, that is used solely as a collector's item may affix any license numbers and decals that are required for the watercraft by section 86B.301, subdivision 1, and rules adopted pursuant to that section so that the numbers and decals are readily detachable.

(b) The authority issuing a permit under section 86B.121 for any exhibit, regatta, or boat parade held on the waters of this state may exempt a collector watercraft from displaying the license numbers and decals required by section 86B.301, subdivision 1, during the duration of the event. The authority may also exempt the collector watercraft from any equipment and operational requirements and any license requirements in section 86B.301 for the duration of the event.

Presented to the governor March 23, 1999

Signed by the governor March 26, 1999, 1:37 p.m.

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**CHAPTER 23—H.F.No. 56**

*An act relating to civil actions; modifying the limitations provision governing health provider actions; amending Minnesota Statutes 1998, section 541.07; proposing coding for new law in Minnesota Statutes, chapter 541.*

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

Section 1. Minnesota Statutes 1998, section 541.07, is amended to read:

**541.07 TWO- OR THREE-YEAR LIMITATIONS.**

Except where the Uniform Commercial Code, this section, section 148A.06, or section 541.073, or 541.076 otherwise prescribes, the following actions shall be commenced within two years:

(1) for libel, slander, assault, battery, false imprisonment, or other tort, resulting in personal injury, and all actions against ~~physicians, surgeons, dentists, occupational therapists, other health care professionals as defined in section 145.61, and veterinarians as defined in chapter 156, hospitals, sanitariums,~~ for malpractice, error, mistake or failure to cure, whether based on contract or tort; provided a counterclaim may be pleaded as a defense to any action for services brought by a ~~physician, surgeon, dentist, occupational~~

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therapists, or other health care professional or veterinarian, hospital or sanitarium, after the limitations herein described notwithstanding it is barred by the provisions of this chapter, period if it was the property of the party pleading it at the time it became barred and was not barred at the time the claim sued on originated, but no judgment thereof except for costs can be rendered in favor of the party so pleading it;

(2) upon a statute for a penalty or forfeiture, except as provided in sections 541.074 and 541.075;

(3) for damages caused by a dam, other than a dam used for commercial purposes; but as against one holding under the preemption or homestead laws, the limitations shall not begin to run until a patent has been issued for the land so damaged;

(4) against a master for breach of an indenture of apprenticeship; the limitation runs from the expiration of the term of service;

(5) for the recovery of wages or overtime or damages, fees or penalties accruing under any federal or state law respecting the payment of wages or overtime or damages, fees or penalties except, that if the employer fails to submit payroll records by a specified date upon request of the department of labor and industry or if the nonpayment is willful and not the result of mistake or inadvertence, the limitation is three years. (The term "wages" means all remuneration for services or employment, including commissions and bonuses and the cash value of all remuneration in any medium other than cash, where the relationship of master and servant exists and the term "damages" means single, double, or treble damages, accorded by any statutory cause of action whatsoever and whether or not the relationship of master and servant exists);

(6) for damages caused by the establishment of a street or highway grade or a change in the originally established grade;

(7) against the person who applies the pesticide for injury or damage to property resulting from the application, but not the manufacture or sale, of a pesticide.

## Sec. 2. [541.076] HEALTH CARE PROVIDER ACTIONS.

(a) For purposes of this section, "health care provider" means a physician, surgeon, dentist, occupational therapist, other health care professionals as defined in section 145.61, hospital, or treatment facility.

(b) An action by a patient or former patient against a health care provider alleging malpractice, error, mistake, or failure to cure, whether based on a contract or tort, must be commenced within four years from the date the cause of action accrued.

(c) A counterclaim may be pleaded as a defense to any action for services brought by a health care provider after the limitations described in this section, notwithstanding it is barred by the provisions of this chapter, if the counterclaim belonged to the party pleading it at the time it became barred and was not barred at the time the claim sued on originated, but no judgment on the counterclaim except for costs can be rendered in favor of the party so pleading it.

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

Sec. 3. **EFFECTIVE DATE; APPLICATION.**

Section 2 is effective August 1, 1999, and applies to actions commenced on or after that date.

Presented to the governor March 23, 1999

Signed by the governor March 26, 1999, 1:41 p.m.

**CHAPTER 24—S.F.No. 255**

*An act relating to crime; providing that interference with an emergency call is a crime; amending Minnesota Statutes 1998, section 609.78.*

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

Section 1. Minnesota Statutes 1998, section 609.78, is amended to read:

**609.78 EMERGENCY TELEPHONE CALLS AND COMMUNICATIONS.**

Subdivision 1. **MISDEMEANOR OFFENSES.** Whoever does the following is guilty of a misdemeanor:

(1) refuses to relinquish immediately a coin-operated telephone or a telephone line consisting of two or more stations when informed that the line is needed to make an emergency call ~~for medical or ambulance service or for assistance from a police or fire department or for other service needed in an emergency to avoid serious harm to person or property, and an emergency exists;~~

(2) secures a relinquishment of a coin-operated telephone or a telephone line consisting of two or more stations by falsely stating that the line is needed for an emergency;

(3) publishes telephone directories to be used for telephones or telephone lines and the directories do not contain a copy of this section;

(4) makes ~~an emergency~~ a call for emergency medical or ambulance service, knowing that no medical emergency exists; or

(5) interrupts, disrupts, impedes, or otherwise interferes with the transmission of a citizen's band radio channel communication the purpose of which is to inform or inquire about a medical emergency or an emergency in which property is or is reasonably believed to be in imminent danger of damage or destruction.

Subd. 2. **INTERFERENCE WITH A ~~911~~ AN EMERGENCY CALL; GROSS MISDEMEANOR OFFENSE.** A person who intentionally interrupts, disrupts, impedes, or ~~otherwise~~ interferes with a ~~911~~ an emergency call or who intentionally prevents or hinders another from placing a ~~911~~ an emergency call, and whose conduct does not result in a violation of section 609.498, is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

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