

(3) must include the following, clearly and conspicuously stated: "This statement of qualification is filed pursuant to Laws 2001, chapter 64, section 5, is not an election under Minnesota Statutes, section 323A.12-02, paragraph (c), to be governed by Minnesota Statutes, chapter 323A, and is to take effect on January 1, 2002, when by operation of law, Minnesota Statutes, chapter 323A, will govern the partnership that is filing this statement."

Presented to the governor April 27, 2001

Signed by the governor April 30, 2001, 2:55 p.m.

### CHAPTER 65—H.F.No. 967

*An act relating to health; permitting schools to sponsor potluck events; permitting fraternal or patriotic organizations to sell home-prepared food at certain events; amending Minnesota Statutes 2000, section 157.22.*

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

Section 1. Minnesota Statutes 2000, section 157.22, is amended to read:

#### 157.22 EXEMPTIONS.

This chapter shall not be construed to apply to:

(1) interstate carriers under the supervision of the United States Department of Health and Human Services;

(2) any building constructed and primarily used for religious worship;

(3) any building owned, operated, and used by a college or university in accordance with health regulations promulgated by the college or university under chapter 14;

(4) any person, firm, or corporation whose principal mode of business is licensed under sections 28A.04 and 28A.05, is exempt at that premises from licensure as a food or beverage establishment; provided that the holding of any license pursuant to sections 28A.04 and 28A.05 shall not exempt any person, firm, or corporation from the applicable provisions of this chapter or the rules of the state commissioner of health relating to food and beverage service establishments;

(5) family day care homes and group family day care homes governed by sections 245A.01 to 245A.16;

(6) nonprofit senior citizen centers for the sale of home-baked goods; and

(7) fraternal or patriotic organizations that are tax exempt under section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(10), or 501(c)(19) of the Internal Revenue Code of 1986, or organizations related to or affiliated with such fraternal or patriotic organizations. Such organizations may organize events at which home-prepared food

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

is donated by organization members for sale at the events, provided:

- (i) the event is not a circus, carnival, or fair;
- (ii) the organization controls the admission of persons to the event, the event agenda, or both; and
- (iii) the organization's licensed kitchen is not used in any manner for the event; and

(7) (8) food not prepared at an establishment and brought in by individuals attending a potluck event for consumption at the potluck event. An organization sponsoring a potluck event under this clause may advertise the potluck event to the public through any means. Individuals who are not members of an organization sponsoring a potluck event under this clause may attend the potluck event and consume the food at the event. Licensed food establishments other than schools cannot be sponsors of potluck events. A school may sponsor and hold potluck events in areas of the school other than the school's kitchen, provided that the school's kitchen is not used in any manner for the potluck event. For purposes of this clause, "school" means a public school as defined in section 120A.05, subdivisions 9, 11, 13, and 17, or a nonpublic school, church, or religious organization at which a child is provided with instruction in compliance with sections 120A.22 and 120A.24. Potluck event food shall not be brought into a licensed food establishment kitchen.

Presented to the governor April 30, 2001

Signed by the governor May 2, 2001, 2:52 p.m.

#### CHAPTER 66—H.F.No. 1151

*An act relating to professions; modifying penalty provisions for psychologists; amending Minnesota Statutes 2000, section 148.941, subdivision 2, and by adding a subdivision.*

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

Section 1. Minnesota Statutes 2000, section 148.941, subdivision 2, is amended to read:

Subd. 2. **GROUNDS FOR DISCIPLINARY ACTION; FORMS OF DISCIPLINARY ACTION.** (a) The board may impose disciplinary action as described in paragraph (b) against an applicant or licensee whom the board, by a preponderance of the evidence, determines:

- (1) has violated a statute, rule, or order that the board issued or is empowered to enforce;
- (2) has engaged in fraudulent, deceptive, or dishonest conduct, whether or not the conduct relates to the practice of psychology, that adversely affects the person's ability or fitness to practice psychology;

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