

CHAPTER 121—S.F.No. 351

An act relating to crime prevention; providing that in certain cases authorized representatives of entities possessing a permit to use radio equipment capable of receiving police emergency transmissions may use and possess the equipment without a permit; amending Minnesota Statutes 2002, section 299C.37, subdivisions 1, 3.

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

Section 1. Minnesota Statutes 2002, section 299C.37, subdivision 1, is amended to read:

Subdivision 1. **USE REGULATED.** (a) No person other than peace officers within the state, the members of the state patrol, and persons who hold an amateur radio license issued by the Federal Communications Commission, shall equip any motor vehicle with any radio equipment or combination of equipment, capable of receiving any radio signal, message, or information from any police emergency frequency, or install, use, or possess the equipment in a motor vehicle without permission from the superintendent of the bureau upon a form prescribed by the superintendent. An amateur radio license holder is not entitled to exercise the privilege granted by this paragraph if the license holder has been convicted in this state or elsewhere of a crime of violence, as defined in section 624.712, subdivision 5, unless ten years have elapsed since the person has been restored to civil rights or the sentence has expired, whichever occurs first, and during that time the person has not been convicted of any other crime of violence. For purposes of this section, "crime of violence" includes a crime in another state or jurisdiction that would have been a crime of violence if it had been committed in this state. Radio equipment installed, used, or possessed as permitted by this paragraph must be under the direct control of the license holder whenever it is used. A person who is designated in writing by the chief law enforcement officer of a political subdivision issued a permit under subdivision 3 may use and possess radio equipment while in the course and scope of duties or employment without also having to obtain an individual permit.

(b) Except as provided in paragraph (c), any person who is convicted of a violation of this subdivision shall, upon conviction for the first offense, be guilty of a misdemeanor, and for the second and subsequent offenses shall be guilty of a gross misdemeanor.

(c) An amateur radio license holder who exercises the privilege granted by paragraph (a) shall carry the amateur radio license in the motor vehicle at all times and shall present the license to a peace officer on request. A violation of this paragraph is a petty misdemeanor. A second or subsequent violation is a misdemeanor.

Sec. 2. Minnesota Statutes 2002, section 299C.37, subdivision 3, is amended to read:

Subd. 3. **PERMIT.** The superintendent of the bureau shall, upon written application, issue a written permit, which shall be nontransferable, to a person, firm, political subdivision, or corporation showing good cause to use radio equipment

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

capable of receiving a police emergency frequency, as a necessity, in the lawful pursuit of a business, trade, or occupation.

Presented to the governor May 23, 2003

Signed by the governor May 25, 2003, 11:06 p.m.

CHAPTER 122—S.F.No. 328

An act relating to health; authorizing the board of psychology to require an independent examination of a practitioner; classifying such information; clarifying the definition of the practice of psychology; modifying provisions relating to supervised practice by a psychologist; providing for psychologist emeritus registration; appropriating money; amending Minnesota Statutes 2002, sections 13.383, subdivision 8; 148.89, subdivision 5; 148.925, subdivision 1; 148.941, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Section 1. Minnesota Statutes 2002, section 13.383, subdivision 8, is amended to read:

Subd. 8. PSYCHOLOGISTS AND PSYCHOLOGICAL PRACTITIONERS.

Client records of a patient cared for by a psychologist or psychological practitioner who is under review by the board of psychology are classified under section 148.941, subdivision 4. Data obtained by the board of psychology when requiring a mental, physical, or chemical dependency examination or evaluation of a regulated individual or when accessing the medical records of a regulated individual are classified under section 148.941, subdivision 8.

Sec. 2. Minnesota Statutes 2002, section 148.89, subdivision 5, is amended to read:

Subd. 5. PRACTICE OF PSYCHOLOGY. "Practice of psychology" means the observation, description, evaluation, interpretation, ~~and~~ or modification of human behavior by the application of psychological principles, methods, ~~and~~ or procedures, to prevent ~~or~~ eliminate, or manage symptomatic, maladaptive, or undesired behavior and to enhance interpersonal relationships, work ~~and~~ life and developmental adjustment, personal and organizational effectiveness, behavioral health, and mental health. The practice of psychology includes, but is not limited to, the following services, regardless of whether the provider receives payment for the services:

(1) psychological research, psychological testing, and teaching of psychology, and the evaluation or assessment of personal characteristics such as intelligence, personality, abilities, interests, aptitudes, and neuropsychological functioning;

(2) assessment, including psychological testing and other means of evaluating personal characteristics such as intelligence, personality, abilities, interests, aptitudes, and neuropsychological functioning;

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