

Sec. 2. **EFFECTIVE DATE.** This act is effective immediately upon enactment.

Approved March 23, 1978.

CHAPTER 549-H.F.No.1442

An act relating to professional corporations; including architects, professional engineers and land surveyors within the definition of professional service for the purposes of formation of professional corporations; amending Minnesota Statutes 1976, Section 319A.02, Subdivision 2.

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

Section 1. Minnesota Statutes 1976, Section 319A.02, Subdivision 2, is amended to read:

Subd. 2. "Professional service" means personal service rendered by a professional pursuant to a license or certificate issued to him by the state of Minnesota pursuant to sections 147.01 to 147.29, 148.01 to 148.101, 148.52 to 148.62, 148.79 to 148.86, 150A.01 to 150A.12, 153.01 to 153.15, 156.001 to 156.14, ~~326.17~~ 326.02 to 326.23, or 481.01 to 481.17, or a license or certificate issued to him by another state pursuant to similar laws.

Approved March 23, 1978.

CHAPTER 550-H.F.No.1447

[Coded]

An act relating to education; teachers; providing due process rights for certain athletic coaches; amending Minnesota Statutes 1976, Chapter 125, by adding a section.

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

Section 1. Minnesota Statutes 1976, Chapter 125, is amended by adding a section to read:

[125.121] COACHES, TERMINATION OF DUTIES. Subdivision 1. Before a district terminates the coaching duties of an employee who is required to hold a license as an athletic coach from the board of teaching, the district shall notify the employee in writing and state its reason for the proposed termination. Within 14 days of receiving this notification, the employee may request in writing a hearing on the termination before the board. If a hearing is requested, the board shall hold a hearing within 25 days according to the hearing procedures specified in section 125.12, subdivision 9, and the termination shall not be final except upon the order of the board after the hearing.

Changes or additions indicated by underline deletions by ~~strikeout~~

Subd. 2. Within ten days after the hearing, the board shall issue a written decision regarding the termination. If the board decides to terminate the employee's coaching duties, the decision shall state the reason on which it is based and include findings of fact based upon competent evidence in the record. The board may terminate the employee's duties or not, as it sees fit, for any reason which is found to be true based on substantial and competent evidence in the record.

Subd. 3. This section shall not apply to the termination of coaching duties pursuant to a district transfer policy or as a result of the nonrenewal or termination of the employee's contract or the employee's discharge, demotion or suspension pursuant to sections 125.12 or 125.17. This section shall not apply to the termination of an employee's coaching duties prior to his completion of the probationary period of employment.

Approved March 23, 1978.

CHAPTER 551-H.F.No.1604

An act relating to town roads; providing cartways; amending Minnesota Statutes 1976, Section 164.08, Subdivision 2.

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

Section 1. Minnesota Statutes 1976, Section 164.08, Subdivision 2, is amended to read:

Subd. 2. **SHALL BE ESTABLISHED IN CERTAIN INSTANCES.** Upon petition presented to the town board by the owner of a tract of land containing at least five acres, who has no access thereto except over the lands of others, the town board by resolution shall establish a cartway at least two rods wide connecting the petitioner's land with a public road. In an unorganized territory, the board of county commissioners of the county in which the tract is located shall act as the town board. The proceedings of the town board shall be in accordance with section 164.07. The amount of damages, if any, shall be paid by the petitioner to the town before such cartway is opened.

Approved March 23, 1978.

CHAPTER 552-H.F.No.1612

[Coded in Part]

An act relating to military justice; providing for military judges; modifying court composition and punishment authority; making other changes consistent and current federal military law; amending Minnesota Statutes 1976, Sections 192A.015; 192A.02; 192A.045; 192A.06; 192A.085; 192A.09; 192A.10; 192A.105; 192A.11, Subdivision 3; 192A.12;

Changes or additions indicated by underline deletions by ~~strikeout~~