

(6) Gross immorality;

(7) Advanced physical or mental disability;

(8) Failure to maintain adequate safety and sanitary conditions for a dental office in accordance with the standards established by the rules ~~and regulations~~ of the board;

(9) Employing, assisting, or enabling in any manner an unlicensed person to practice dentistry; or

(10) Violation of, or failure to comply with, any other provisions of sections 150A.01 to 150A.12 or the rules ~~and regulations~~ of the board of dentistry or any other just cause related to the practice of dentistry. Suspension ~~or~~, revocation, modification or limitation of any license shall not be based upon any judgment as to therapeutic or monetary value of any individual drug prescribed or any individual treatment rendered, but only upon a repeated pattern of conduct.

Sec. 7. Minnesota Statutes 1976, Section 150A.09, is amended by adding a subdivision to read:

Subd. 4. LATE FEE. A late fee established by the board shall be paid if the information and fee required by subdivision 1 of this section is not received by the executive secretary of the board on or before the registration or license renewal date.

Sec. 8. Minnesota Statutes 1976, Section 150A.09, is amended by adding a subdivision to read:

Subd. 5. EYE EXAMINATION. The board may establish by rules, requirements for eye examinations of individual dentists, dental hygienists or registered dental assistants if in the opinion of the board it is reasonably necessary, from licensed optometrists or ophthalmologists indicating that the licensee or registrant has visual acuity to perform the services required of such licensee or registrant.

Sec. 9. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved April 5, 1978.

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CHAPTER 771-H.F.No.2017

[Coded in Part]

*An act relating to cable communications; providing for line extension; amending Minnesota Statutes 1976, Sections 238.02, by adding subdivisions; 238.08, Subdivision 1; and Chapter 238, by adding a section.*

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

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Section 1. Minnesota Statutes 1976, Section 238.02, is amended by adding a subdivision to read:

Subd. 14. "Core service unit" shall mean the municipality, or, in the case of a joint powers agreement, municipalities, in which a cable communications system first provides service under a lawful franchise and from which the cable communications system extends service into additional areas which are included in the boundaries of a cable service territory approved by the board.

Sec. 2. Minnesota Statutes 1976, Section 238.02, is amended by adding a subdivision to read:

Subd. 15. "Extension area" shall mean a municipality or municipalities located outside the franchise boundaries of the core service unit.

Sec. 3. Minnesota Statutes 1976, Section 238.02, is amended by adding a subdivision to read:

Subd. 16. "Extension permit" shall mean any authorization granted by an extension area in the form of a franchise, privilege, permit, license or other municipal authorization to construct, operate, maintain, or manage a cable communications system within the boundaries of the extension area.

Sec. 4. Minnesota Statutes 1976, Section 238.08, Subdivision 1, is amended to read:

**238.08 FRANCHISE REQUIREMENT.** Subdivision 1. A municipality shall require a franchise or extension permit of any cable communications system providing service within the municipality.

Sec. 5. Minnesota Statutes 1976, Chapter 238, is amended by adding a section to read:

**[238.17] PROVISION OF SERVICE TO EXTENSION AREAS.** Subdivision 1. CONDITIONS FOR EXTENSIONS. Notwithstanding the provisions of section 238.09 or any other law to the contrary, a cable communications system may extend service outside the boundaries of a core service unit if: (1) the extension area is not within the seven county metropolitan area, as defined in section 473.121, subdivision 4; (2) the board first approves, in accordance with procedures set forth in the board's rules, the inclusion of the extension area in the same cable service territory which contains the core service unit; and (3) the cable communications system obtains and files with the board an extension permit issued by the municipality or municipalities which have jurisdiction over the extension area.

Subd. 2. EXEMPTION. Notwithstanding any law to the contrary, a cable communications system with less than 50 subscribers in a municipality shall be exempt from obtaining a permit from that municipality, unless the municipality chooses to require a permit.

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Subd. 3. MUNICIPAL PERMIT. Any extension permit awarded pursuant to this section shall be issued at a regular or special meeting of the governing body affording reasonable notice and reasonable opportunity to be heard. Such extension permits shall include:

(a) A schedule of the rates to be charged to the subscribers and the procedure to be used to change subscriber rates;

(b) A stipulation that the parties to the extension permit agree, to the extent applicable, to abide by those terms of the franchise of the core service unit which pertain to system-wide channel capacity, access channels, equipment for production and reproduction or playback of programming, two way communications capability, standards for system installation, maintenance and operation, indemnification of the franchisor, liability insurance, abandonment of service, removal of equipment and termination or cancellation of the franchise; and

(c) A statement to the effect that the expiration date of the extension permit shall be coincident with that of the franchise of the core service unit, provided that a change in the expiration date of the core service unit franchise, by way of either renewal or amendment of the franchise, shall automatically apply to the extension permit unless the municipality with jurisdiction over the extension area elects otherwise.

Subd. 4. JOINT EXERCISE OF POWERS. Nothing in this section shall be construed to prevent a municipality having jurisdiction over an extension area from becoming a party to the franchise of the core service unit under an agreement for the joint exercise of powers executed pursuant to section 471.59.

Subd. 5. EXCESS EXTENSION PERMITS. Nothing in this section shall be construed to prevent a municipality having jurisdiction over an extension area from prescribing extension permit requirements which are in excess of those required by this section, unless such requirements are inconsistent with chapter 238 or with any rule of the board.

Subd. 6. WAIVER OR MODIFICATION. The board shall liberally construe this section and may, upon petition by either of the parties to an extension permit, waive or modify requirements to abide by the terms of the franchise of the core service unit if the terms are found to be unique to the core service unit and either inapplicable or inoperable in the extension area.

Subd. 7. TRANSITIONAL PROVISIONS. Notwithstanding the provisions of section 238.08 or any other law to the contrary, any cable communications system which, pursuant to the terms of an existing franchise, was lawfully engaged in actual operations and which was providing extension of service to an area or areas outside of its franchise boundaries on the effective date of this act, may continue to provide service within the boundaries of the municipality or municipalities into which service was previously extended, but not to any new subscribers in any other municipality. Any such system shall have until April 30, 1979 to obtain approval of revised cable service territory boundaries which include the extension area being served, and until March 31, 1980 to

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obtain an extension permit or extension permits from the municipality or municipalities having jurisdiction in the extension area. If the franchise of the core service unit is being exercised pursuant to section 238.09, subdivisions 3, 4, 5, or 9, the franchisee may continue to provide service in the extension area without further proceedings until such time as the certificate of confirmation currently in effect is required to be renewed. The franchisee shall, thereafter, be required to have established a cable service territory approved by the board which includes all areas to be served by the cable communications system and to have obtained an extension permit from each municipality in the cable service territory, except where two or more municipalities agree upon the joint exercise of powers pursuant to section 471.59. Nothing in this subdivision shall be construed to prevent a municipality from requiring an extension permit prior to the time required by this subdivision.

Subd. 8. RULES. The board may promulgate such rules as it deems necessary to effectuate the purposes and provisions of this section.

Sec. 6. This act is effective the day following final enactment.

Approved April 5, 1978.

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**CHAPTER 772-H.F.No.2027**

[Coded in Part]

*An act relating to marriage and divorce; modifying prohibitions of marriage between certain parties; modifying requirements to receive a marriage license; modifying penalties for certain offenses; providing that children born of a prohibited marriage are legitimate; revising procedures and grounds for annulment actions; declaring the legal rights of putative spouses; providing new procedures for actions of dissolution and legal separation; limiting grounds for a dissolution to a finding that the marriage is irretrievably broken; modifying procedures for custody proceedings; declaring the right of a custodial parent to determine a child's upbringing; defining marital property; defining provisions for an award of maintenance to a spouse; amending Minnesota Statutes 1976, Sections 517.03; 517.04; 517.05; 517.06; 517.07; 517.09; 517.13; 517.14; 517.15; 517.16; 517.19; 518.01; 518.02; 518.03; 518.05; 518.06, Subdivision 1, and by adding a subdivision; 518.07; 518.09; 518.10; 518.11; 518.13; 518.14; 518.16; 518.165; 518.17; 518.175, Subdivisions 1 and 3, and by adding a subdivision; 518.18; 518.24; 518.27; 518.54; 518.55; 518.57; 518.58; 518.61; 518.62; 518.63; 518.64; 518.65; Chapter 517, by adding a section; and Chapter 518, by adding sections; and Minnesota Statutes, 1977 Supplement, Sections 517.01; 517.08, Subdivisions 1 and 3; 518.155; and 518.551; repealing Minnesota Statutes 1976, Sections 517.17; 518.06, Subdivision 2; 518.15; 518.29; 518.59; and 518.67.*

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

Section 1. Minnesota Statutes, 1977 Supplement; Section 517.01, is amended to read:

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