

on the day following the filing of a certificate of approval by the chief clerical officer of the city of Bloomington pursuant to Minnesota Statutes, 1979 Supplement, Section 645.021, Subdivision 3. Sections 6 to 8 of this act shall be effective the day following final enactment. Section 9 shall be effective the day following final enactment.

Approved April 23, 1980

CHAPTER 596—H.F.No. 644

An act relating to licensed occupations; allowing the board of dentistry by rule to prohibit applicants for certain dental licenses who fail a clinical examination twice from further taking the examination without additional education and training specified by the board in the rule; requiring licensed dentists, dental hygienists and registered dental assistants to inform the board of dentistry when changing addresses; setting standards for the names under which dentists may practice; requiring the issuance of temporary licenses to certain qualified persons to act as insurance agents; extending the temporary joint underwriting association act for an additional two year period; extending the termination date of certain insurance policies; providing for rules on advertising by licensed professionals; establishing penalties; amending Minnesota Statutes 1978, Chapter 214, by adding a section; Sections 60A.17, by adding a subdivision; 62F.01, Subdivision 2; 62F.06, Subdivision 1; 150A.06, Subdivisions 1 and 2; 150A.09, Subdivision 3; 150A.11, Subdivision 1; and Minnesota Statutes, 1979 Supplement, Section 150A.06, Subdivision 2a.

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

Section 1. Minnesota Statutes 1978, Section 150A.06, Subdivision 1, is amended to read:

150A.06 LICENSURE. Subdivision 1. DENTISTS. A person of good moral character not already a licensed dentist of the state, having submitted an application and fee as prescribed by the board and his diploma or equivalent from a dental college of good standing, of which standing the board shall be the sole judge, may be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in such a manner as to test ~~thoroughly~~ the applicant's fitness to practice dentistry. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants may take the examination prior to applying to the board for licensure. The examination shall include an examination of the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the board. The board may by rule provide that an applicant shall be ineligible to retake the clinical examination required by the board upon failing it on two occasions until such time as he obtains further education and training as specified by the board in the rule. A separate fee may be charged for each time a person applies which in no case shall be refunded. An applicant who passes the examination and meets all other requirements of the board shall be licensed to

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practice dentistry and supplied with a license by the board. Rules of the board establishing an examination fee shall remain in effect and shall constitute the application fee provided for herein until such time as the board shall amend, repeal, or otherwise change the rules pursuant to chapter 15.

Sec. 2. Minnesota Statutes 1978, Section 150A.06, Subdivision 2, is amended to read:

Subd. 2. **DENTAL HYGIENISTS.** A person of good moral character not already a licensed dental hygienist of this state, being a graduate of an accredited high school or its equivalent, and having submitted an application and fee as prescribed by the board and his diploma or equivalent from a training school for dental hygienists of good standing, of which standing the board shall be the sole judge, or equivalent approved by the board, may be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in such a manner as to thoroughly test the applicant's fitness to practice dental hygiene. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants may take the examination prior to applying to the board for licensure. Each applicant shall also be examined on the applicant's knowledge of the laws of Minnesota relating to dentistry and of the rules of the board. The board may by rule provide that an applicant shall be ineligible to retake the clinical examination required by the board upon failing it on two occasions until such time as he obtains further education and training as specified by the board in the rule. A separate fee may be charged for each time a person applies which in no case shall be refunded. An applicant who passes the examination and meets all the other requirements of the board shall be licensed as a dental hygienist and supplied with a license by the board. Rules of the board establishing an examination fee shall remain in effect and shall constitute the application fee provided for herein until such time as the board shall amend, repeal, or otherwise change the rules pursuant to chapter 15.

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 150A.06, Subdivision 2a, is amended to read:

Subd. 2a. **REGISTERED DENTAL ASSISTANT.** A person of good moral character, having submitted an application and fee as prescribed by the board and his diploma or equivalent from a training school, of good standing, for dental assistants, of which standing the board shall be sole judge, or equivalent as approved by the board, may be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in such a manner as to test thoroughly the applicant's fitness to perform as a registered dental assistant. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants may take the examination prior to applying to the board for registration. The examination shall include an examination of the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the board. The board may by rule provide that an applicant shall be ineligible to retake the clinical examination required by the board upon failing it on two occasions until such time as he obtains further education and training as specified by the board in the rule. A separate fee may be charged for each time a person ~~applied~~ applies which in no

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case shall be refunded. An applicant who passes the examination and meets all the other requirements of the board shall be registered as a dental assistant. Rules of the board establishing an examination fee shall remain in effect and shall constitute the application fee provided for herein until such time as the board shall amend, repeal, or otherwise change the rules pursuant to chapter 15.

Sec. 4. Minnesota Statutes 1978, Section 150A.09, Subdivision 3, is amended to read:

Subd. 3. CHANGE OF ADDRESS AND DUPLICATE CERTIFICATES. Every licensed dentist upon changing his location of practice, every dental hygienist and every registered dental assistant, upon changing his address shall, within ~~ten~~ 30 days thereafter, furnish the board with his new address. Duplicate licenses or duplicate annual certificates of license renewal may be issued by the board upon satisfactory proof being furnished to the board of the need for such duplicates and upon the payment of the fee established by the board.

Sec. 5. Minnesota Statutes 1978, Section 150A.11, Subdivision 1, is amended to read:

150A.11 UNLAWFUL ACTS. Subdivision 1. UNLAWFUL PRACTICE. It shall be unlawful for any person to: enable an unlicensed person to practice dentistry; or to practice or attempt to practice dentistry without a license; or to practice dentistry under the name of a corporation ~~or company or association, or trade name,~~ or under any name except his own proper name, which shall be the name used in his license as issued by the state board of dentistry; or to practice under any name that may tend to deceive the public or imply professional superiority to or greater skill than that possessed by another dentist. If a dentist practices under his own name, any public display or cards shall include the initials of his dental degree, such as D.D.S. or D.M.D., following the name. If a dentist practices under a name other than his own, the name shall include some designation which makes clear that the person is practicing dentistry or some specialty thereof; and that the names of all of the participating dentists practicing under the name be clearly identified on letterheads and building or office signs that display a name other than the dentist's own name. Any communication between dentist and patient shall clearly indicate the name of the dentist treating the patient. The board may promulgate rules regarding the name under which a dentist may practice. No corporation shall practice dentistry or engage therein, or hold itself out as being entitled to practice dentistry, or furnish dental services or dentists, or advertise under or assume the title of dentists or dental surgeons or equivalent title. No corporation shall furnish dental advice, or advertise or hold itself out with any other person or alone, that it has or owns a dental office or can furnish dental service, dentists, or dental surgeons, or solicit, through itself, or its agents, officers, employees, directors or trustees, dental patronage for any dentist or dental surgeon. The provisions of this section:

(1) Shall not apply to any licensee while acting as an instructor in or under the University of Minnesota including the Mayo graduate school of medicine, or any other school in the state recognized by the state board of dentistry;

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(2) Shall not prohibit any dentist from incorporating his practice of dentistry for business purposes under the special provisions of a corporate practice act for dentistry;

(3) Shall not be construed to change or amend the right of licensed dentists to provide dental care under any form of organization that is now or hereafter lawful under the laws of this state, or to contract to sell their services in any manner that is now or hereafter lawful under the laws of this state.

Sec. 6. Minnesota Statutes 1978, Chapter 214, is amended by adding a section to read:

[214.15] TRADE REGULATION. Notwithstanding any other law to the contrary, members of occupations regulated by the licensing boards may advertise, but advertisements must not be inconsistent with rules relating to advertising format and substance which each board is herewith empowered to adopt if that board had statutory advertising limitations on the effective date of the rules. A board may adopt rules relating to minimum fees, splitting of fees, referral fees, compensation, hours of practice, or other practice limitations, but only if (a) the governor or the board had specific statutory limitations or specific statutory authority to adopt the rules on the effective date of the rules, (b) the rules are not inconsistent with other law and (c) the rules are immediately and directly related to the protection of the safety and well-being of citizens of the state.

Sec. 7. Minnesota Statutes 1978, Section 60A.17, is amended by adding a subdivision to read:

Subd. 2b. TEMPORARY LICENSE FOR QUALIFIED PERSON. The commissioner shall grant a temporary license to act as an insurance agent to a person satisfying the requirements of subdivision 2, clauses (2) and (3).

Such person shall receive a temporary license to act as an insurance agent no later than the date upon which he receives notification from the commissioner that he has passed the examination required by subdivision 2, clause (2).

The temporary license authorized by this subdivision shall be issued for the insurance company which has endorsed the person's application for license. It shall be limited to the line or lines of insurance for which the applicant has satisfactorily completed the written examination and it shall be valid until the license required by subdivision 1 is obtained from the commissioner. In no event shall the temporary license be valid for a period in excess of 90 days.

Sec. 8. Minnesota Statutes 1978, Section 62F.01, Subdivision 2, is amended to read:

Subd. 2. Sections 62F.01 to 62F.14 expire September 1, ~~1980~~ 1982.

Sec. 9. Minnesota Statutes 1978, Section 62F.06, Subdivision 1, is amended to read:

62F.06 POLICY FORMS AND RATES. Subdivision 1. A policy issued by the association shall provide for a continuous period of coverage beginning with

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its effective date and terminating automatically at 12:01 a.m. on September 1, 1978 1982, or sooner as provided in sections 62F.01 to 62F.14. The policy shall be issued subject to the group retrospective rating plan and the stabilization reserve fund authorized by section 62F.09. The policy shall be written to apply to injury which results from acts or omissions during the policy period. No policy form shall be used by the association unless it has been filed with the commissioner, and the commissioner may disapprove the form within 30 days if he determines it is misleading or violates public policy.

Sec. 10. Sections 1 to 5 are effective July 1, 1981. Section 7 is effective June 1, 1980. Section 6 is effective January 1, 1981. Sections 8 and 9 are effective the day following final enactment.

Approved April 23, 1980

CHAPTER 597—H.F.No. 1047

An act relating to county and county regional jails; providing for establishment and use of county jails and county regional jails and the financing thereof by county contributions and bonds and municipal revenue bonds and leases; amending Minnesota Statutes 1978, Sections 385.18, Subdivision 3; 474.01, Subdivisions 7a and 8, and by adding a subdivision; 474.02, by adding a subdivision; 641.23; 641.24; 641.262, Subdivision 1; 641.263, Subdivision 2; 641.264, Subdivision 1; 641.265; and 642.04.

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

Section 1. Minnesota Statutes 1978, Section 375.18, Subdivision 3, is amended to read:

Subd. 3. **COURTHOUSE, JAIL.** Each county board may erect, furnish, and maintain a suitable court house ~~and jail~~, but no indebtedness shall be created for such purpose in excess of one and two-thirds mills on each dollar of assessed valuation without the approval of a majority of the voters of the county voting on the question of issuing the obligation at an election.

Sec. 2. Minnesota Statutes 1978, Section 474.01, Subdivision 7a, is amended to read:

Subd. 7a. No municipality shall undertake any project authorized by this chapter, except a project referred to in section 474.02, subdivision 1d, until the commissioner of securities has approved the project, on the basis of preliminary information which the commissioner may require, as tending to further the purposes and policies of this chapter. Approval shall not be deemed to be an approval by the commissioner of securities or the state of the feasibility of the project or the terms of the revenue agreement to be executed or the bonds to be issued therefor, and the commissioner shall state this in communicating approval.

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