

(b) Sections 3 to 9 do not affect:

(1) contractual or other civil liability or relief that is not based upon misappropriation of a trade secret; or

(2) criminal liability for misappropriation of a trade secret.

Sec. 10. [325C.08] **SHORT TITLE.** Sections 3 to 9 may be cited as the "Uniform Trade Secrets Act."

Sec. 11. **TIME OF TAKING EFFECT.** Sections 3 to 9 of this act take effect on August 1, 1980, and do not apply to misappropriation occurring prior to the effective date.

Sec. 12. **EFFECTIVE DATE.** Section 1 and section 2, subdivisions 4 and 5, are effective the day following final enactment. Section 2, subdivisions 1 to 3 and 6, are effective January 1, 1981.

Approved April 23, 1980.

CHAPTER 595—S.F.No. 2166

An act relating to the cities of Minneapolis, Bloomington and Winona; authorizing the creation of an economic development and redevelopment agency or department; granting powers of the port authority to the city of Bloomington; providing powers and conditions of debt for the port authority of Winona; providing for hearings for the issuance of industrial revenue bonds; amending Minnesota Statutes 1978, Section 458.192, Subdivision 1, and by adding subdivisions; and Minnesota Statutes, 1979 Supplement, Sections 462C.07, Subdivision 3; and 474.01, Subdivision 7b.

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

Section 1. **MINNEAPOLIS, CITY OF; DEVELOPMENT AND REDEVELOPMENT, PURPOSE.** The legislature of the state of Minnesota finds that the preservation of the quality of life in a major metropolitan city is dependent upon creation of an expanding tax base including commercial and industrial valuation, maintaining economically viable commercial and industrial areas within the city, encouraging private reinvestment within the city, encouraging redevelopment, maintaining and increasing employment opportunities, and providing improved housing opportunities, and that assistance which is provided by local government to accomplish these objectives should be provided as efficiently and effectively as possible, and that a coherent organized structure is necessary to maximize the impact of local government's activities while maintaining local government's involvement at the minimum level necessary, and that the economic development, housing and redevelopment activity of the city of Minneapolis is in need of increased efficiency and improved organization.

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

Sec. 2. MINNEAPOLIS REDEVELOPMENT STRUCTURE. Subdivision 1. Notwithstanding any contrary provision of law or charter, the city council of the city of Minneapolis may, by ordinance:

(a) Establish an independent development and redevelopment agency, corporate and politic, which shall be a governmental subdivision of the state of Minnesota. The agency shall be governed by a board of commissioners. The city council, by ordinance, shall provide for the establishment of the board of commissioners, and shall state the number of commissioners, terms of office, the appointing authority of the commissioners, and other matters relating to the composition of the board and shall designate the name for the agency. Notwithstanding any contrary provisions of the Minneapolis city charter, state statute, veterans preference act, or civil service rule, law, or regulation, all employees of the agency shall be selected and employed by the board of commissioners and shall not by virtue of employment by the agency be employees of the city of Minneapolis, and the terms and conditions of employment, including salary, shall be determined by the board of commissioners, subject only to limitations contained in this act. Throughout this act the term "agency" means the agency established pursuant to this clause.

The passage of the first ordinance establishing an agency, the passage of any ordinance changing the number of commissioners, the term of office of the commissioners, or the appointing authority of the commissioners, shall require affirmative votes of nine members of the city council. The vote of the city council adopting the ordinance shall be subject to mayoral veto and city council override of that veto.

(b) Establish a development and redevelopment department of the city. Notwithstanding any contrary provision of the Minneapolis city charter, statute, veterans preference act, or civil service rule, law or regulation, the ordinance creating the department may provide for a director and three assistant directors, who shall be in the unclassified service of the city of Minneapolis, and may provide for the director to appoint not more than ten employees to perform managerial duties as defined by the director, who shall be in the unclassified service of the city. The ordinance shall establish the appointing authority of the director and assistant directors, and the manner of appointment and term of office, if any, and shall provide for the terms and conditions of employment, including salary, subject only to the limitations contained within this act for all employees of the department, and shall designate the name for the department. The director shall select and appoint all employees of the department. Throughout this act the term "department" means the department established pursuant to this clause.

(c) Any time up to six months after the passage of the first ordinance implementing the provisions of this section, transfer any employee of the city of Minneapolis or the Minneapolis housing and redevelopment authority or the Minneapolis industrial development commission to the employment of the agency or the department or the Minneapolis housing and redevelopment authority or the Minneapolis industrial development commission. An employee who is in the clas-

sified service of the city of Minneapolis whose position is being transferred pursuant to this clause, may elect to remain in the classified service and exercise the rights provided by the Minneapolis civil service commission to an employee as if the position held by the employee had been eliminated. Any employee who is transferred from employment with one employer pursuant to this clause to another employer shall retain rights and benefits accumulated including seniority, accumulated vacation and sick leave, and length of service for the purposes of calculating benefits, layoffs, seniority rating for promotions and merit increases, emoluments or rewards. Notwithstanding any contrary provisions of law or city charter, any employee of the Minneapolis industrial development commission who is not in the classified service of the city of Minneapolis, and any person employed as a director or deputy director of the Minneapolis housing and redevelopment agency shall either be transferred to employment of the agency or department, or the city of Minneapolis, or shall remain an employee of the commission or authority, as determined by the city council, and the city council may transfer the person into the classified service of the city of Minneapolis and into a position for which the person is qualified as determined by the city council.

Following implementation of this act, all existing employees of the Minneapolis housing and redevelopment authority except the director and deputy directors shall either be transferred to employment of the agency or department or shall continue to be employed by the Minneapolis housing and redevelopment authority or shall be transferred to employment of the city, as determined by the city council. In the event of transfer of employment to the city of Minneapolis, the city council may transfer the person into the classified service into a position for which the employee is qualified. In any event:

(a) the employee's salary shall not be diminished as a result of implementation of this act;

(b) the employee's job responsibilities shall not be substantially diminished as a result of implementation of this act;

(c) the employee shall not be required to change residence as a result of this legislation; and

(d) the employee shall have the right to apply and be considered for positions with the agency or department on an equal basis with the other employees of the agency or department. Length of service with the Minneapolis housing redevelopment authority shall count on the same basis as length of service is counted for existing employees of the city of Minneapolis.

The director and deputy directors shall be considered employees for the purposes of clauses (c) and (d).

If a person employed as an employee of the agency or as a director or assistant director or as a managerial employee of the department or as an employee of the Minneapolis housing and redevelopment authority is, at the time of agency employment or department employment or Minneapolis housing and redevelopment authority employment, a member of the classified service of the

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

city of Minneapolis, the employee shall be deemed to be on leave of absence during his tenure in the employment, and upon termination of service, shall be returned to his permanent civil service classification. If no vacancy is available in his permanent civil service classification position, seniority shall prevail, and the person most recently certified to the position shall be returned to the permanent civil service classification held by him prior to certification.

Subd. 2. The ordinance which creates the agency or department shall establish procedures for including citizen input when the agency or department establishes policies and programs. The city council shall provide for an advisory role for citizens in the establishment of citizen participation procedures to be included in the ordinance which creates the agency or department.

The citizen participation procedures established by the ordinance must meet the following standards:

(a) All citizen participation must be done openly;

(b) An advisory role for citizens, including project area residents and other affected persons, if any, must be provided in all stages of the activities of the agency or department, including policy establishment and implementation, assessment of performance and policy amendment;

(c) Reasonable efforts must be included to ensure the continuity of involvement of citizens throughout the activities of the agency or department;

(d) Public hearings with adequate notice must be provided prior to the establishment of policies and as the policies are implemented;

(e) A method for providing proposed policies and proposals for implementing the policies to interested citizens must be provided;

(f) Citizens must be encouraged to submit their views and proposals for policies and the implementation of policies to the department or agency; and

(g) A technical assistance policy for citizen organizations and affected groups must be developed.

Subd. 3. Notwithstanding any contrary provision of the public employees labor relations act, the several employee groups in the department as identified by the city council who are not supervisory or confidential employees shall be designated as appropriate bargaining units. The designation conferred by this subdivision shall expire October 1, 1981.

Subd. 4. All employees of the agency shall be considered employees of the city of Minneapolis for the purposes of membership in the public employee retirement association. An employee of the Minneapolis housing and redevelopment authority who is transferred to employment of the department or agency or the Minneapolis industrial development commission shall elect one of the following options with respect to retirement programs within six months after the date of transfer:

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

(a) The employee may continue as a member of the retirement program established by the Minneapolis housing and redevelopment authority and in effect on the date of transfer, and the agency or department shall make the necessary employer contributions to the program instead of becoming a member of the public employees retirement association.

(b) The employee may become a member of the public employees retirement association.

An employee of the city of Minneapolis who is transferred to employment of the Minneapolis housing and redevelopment authority shall remain a member of the retirement fund to which the employee belonged prior to the transfer, during the employment. An employee of the city of Minneapolis who is a member of the Minneapolis municipal employees retirement fund who is transferred to employment of the agency shall remain a member of the fund during the employment.

Subd. 5. The terms of a collective bargaining agreement which are not in conflict with any applicable rules or regulations of the Minneapolis civil service commission, which is in effect between a governmental subdivision and its employees, whose employees, some or all of whom are transferred to the department or agency shall be binding upon the department or agency for the length of the term of the contract with respect to the employees transferred from the contracting subdivision.

Sec. 3. AUTHORITY. Subdivision 1. Notwithstanding any contrary law or provision of the Minneapolis city charter, the city council may exercise the powers presently, or hereafter granted to a governmental agency or subdivision by Minnesota Statutes, Chapters 458 and 462 except the power to operate and maintain public housing as provided in Minnesota Statutes, Chapter 462. The city council shall not exercise the powers contained in Minnesota Statutes, Chapter 462 prior to the initial adoption of an ordinance provided for in section 2, subdivision 1, or this subdivision. Notwithstanding any contrary law or provision of the Minneapolis city charter, the agency or the Minneapolis housing and redevelopment authority or the Minneapolis industrial development commission may after approval by the city council by ordinance exercise any of the powers presently or hereafter granted to a governmental subdivision by Minnesota Statutes, Chapters 458, 462, 472, 472A, and 474. The city council or the agency or the Minneapolis housing and redevelopment authority or the Minneapolis industrial development commission may exercise the powers granted by this subdivision and any other development or redevelopment powers authorized by other laws, independently or in conjunction with each other as though all of the powers had been granted to a single entity, provided, however, that any project undertaken pursuant to authority granted by Minnesota Statutes, Chapter 458, 462, 472, 472A, or 474 is subject to all of the limitations contained within that chapter.

Subd. 2. In addition to any other powers granted to the city of Minneapolis, and not in limitation thereof, the city council may by ordinance divide economic development, housing, and redevelopment powers granted to the city between the agency or department created pursuant to this act, and any

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

authority or commission established pursuant to statute or the Minneapolis city charter for the purposes of economic development, or housing, or redevelopment.

Subd. 3. The city council may, upon the request of the department, levy a general ad valorem tax for any purpose for which a housing and redevelopment authority pursuant to Minnesota Statutes, Chapter 462 may levy an ad valorem tax. The agency may levy a general ad valorem tax upon all taxable property in the city of Minneapolis for any economic development, housing, or redevelopment purpose for which the city council may levy a tax, or for which a housing and redevelopment authority pursuant to Minnesota Statutes, Chapter 462 may levy a tax. The levy of this tax shall be in the same manner as for a tax levied by the city council. The tax levied by the agency pursuant to this subdivision shall not exceed three mills levied upon all taxable property in the city of Minneapolis, provided that this limitation shall not apply to any levy for the repayment of bonds or obligations of the agency.

Subd. 4. The agency may pledge the full faith and credit of the agency for the repayment of any bonds which the agency is authorized to issue pursuant to any statute or charter provision. The agency may pledge any reserves or anticipated revenues to the repayment of any bonds which the agency may be authorized to issue pursuant to this act. The city council may pledge any anticipated revenues of or reserves accumulated by the department for the repayment of any bonds issued by the city for economic development, housing or redevelopment purposes.

Subd. 5. The city council may, by ordinance upon request of the agency, pledge the full faith and credit of the city of Minneapolis for the repayment of bonds to be issued by the agency. The pledge of the full faith and credit of the city of Minneapolis shall not be subject to the provisions of Minnesota Statutes, Section 475.58, or to any limitations of the Minneapolis city charter. The amount of bonds issued by the agency and outstanding at any one time for which the full faith and credit of the city of Minneapolis is pledged shall not exceed six percent times the market value of all taxable real and personal property within the city of Minneapolis and shall not be included in any debt limitations imposed upon the city of Minneapolis.

Subd. 6. Notwithstanding any contrary law or provision of the Minneapolis city charter, the city council may, by resolution, transfer the control, authority, and operation of any project as defined in Minnesota Statutes, Section 273.73, Subdivision 8, or any other program or project authorized by Minnesota Statutes, Chapter 462 for the purpose of rehabilitation of housing units or for the purpose of providing public housing as provided in Minnesota Statutes, Chapter 462, located within the city of Minneapolis, from the governmental agency or subdivision which established the project to any other governmental agency or subdivision established in whole or in part for the purpose of economic development housing or redevelopment within the city of Minneapolis, including the city council. The city council may also require acceptance of control, authority, and operation of the project by the governmental entity to which the transfer is intended. The governmental agency or subdivision to which the control, authority,

and operation of the project is transferred, may exercise all of the powers and only the powers which the governmental unit which established the project could exercise with respect to the project.

Upon the transfer of a project or program, the receiving agency or body shall covenant and pledge to perform the terms, conditions, and covenants of bond indenture or other agreement executed for the security of any bonds issued by the governmental subdivision which initiated the project or program. The receiving governmental subdivision is granted by this act all powers necessary to perform the terms, conditions, and covenants of any indenture or other agreement executed for the security of bonds on which it shall become obligated by operation of this subdivision.

The powers authorized by this subdivision may be exercised only after either (a) the city council adopts the first ordinance exercising the powers granted pursuant to section 2, subdivision 1, or (b) the city council adopts the first ordinance granting to the Minneapolis housing and redevelopment authority or the Minneapolis industrial development commission powers authorized pursuant to section 3, subdivision 1.

Subd. 7. Notwithstanding any contrary law or provision of the Minneapolis city charter, the city council may, by resolution, require any governmental subdivision which is conducting a project as defined in Minnesota Statutes, Section 273.73, Subdivision 8, or any other program or project authorized by Minnesota Statutes, Chapter 462, for the purpose of rehabilitation of housing units or for the purpose of providing public housing as provided in Minnesota Statutes, Chapter 462, within the city of Minneapolis, to contract for services for administration of the project or any portion of the project with any other governmental subdivision established in whole or in part for the purpose of economic development or redevelopment or housing within the city of Minneapolis, including the city council. The city council may also require the acceptance of the contract for services by the governmental subdivision intended to provide the service for administration.

The powers authorized by this subdivision may be exercised only after either (a) the city council adopts the first ordinance exercising the powers granted pursuant to section 2, subdivision 1, or (b) the city council adopts the first ordinance granting to the Minneapolis housing and redevelopment authority or the Minneapolis industrial development commission powers authorized pursuant to section 3, subdivision 1.

Subd. 8. Except when otherwise prohibited by law or when the reserves are pledged for the repayment of bonds issued by the agency, the city council may, by resolution, require the agency to transfer any portion of the reserves generated by activities of the agency which the city council determines is not necessary for the successful operation of the agency, to the city of Minneapolis general fund. The city council may transfer funds so received to any account and may expend the funds for any purpose.

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

Subd. 9. Notwithstanding any contrary provisions of law, if the city council grants any additional powers to the Minneapolis housing and redevelopment authority by the ordinance exercising any of the powers authorized by section 3, subdivision 1, at that time or any subsequent time the city council may, by ordinance approved by nine members of the city council, change or modify the terms, number, and the appointing authority of the commissioners of the Minneapolis housing and redevelopment authority and the city council, by ordinance approved by seven members of the city council, may also impose any of the limitations authorized in section 4 upon the Minneapolis housing and redevelopment authority. The vote of the city council adopting the ordinance shall be subject to mayoral veto and city council override.

Whenever the authority granted by this subdivision to modify the terms, numbers or appointing authority of the commissioners is first implemented, it shall be implemented only upon approval of a majority of the commissioners. No subsequent ordinance exercising the powers to modify the terms, number or appointing authority of the commissioners shall be adopted by the city council until 12 months after the approval of the first implementation of the powers granted by this subdivision to modify the terms, numbers or appointing authority of the commissioners by the commissioners.

Subd. 10. Notwithstanding any contrary provision of law or city charter, if the city council by ordinance grants any additional powers to the Minneapolis industrial development commission pursuant to section 3, subdivision 1, at that time or any subsequent time the city council may, by ordinance approved by nine members of the city council, change or modify the number, the terms and the appointing authority of the commissioners of the Minneapolis industrial development commission and the city council may, by ordinance approved by seven members of the city council, impose any of the limitations authorized in section 4 upon the Minneapolis industrial development commission. The vote of the city council adopting the ordinance shall be subject to mayoral veto and city council override.

Subd. 11. The city council may also by ordinance grant to the Minneapolis housing and redevelopment authority or the Minneapolis industrial development commission all of the powers granted to the agency pursuant to subdivisions 3 and 4, and may apply the powers granted pursuant to subdivisions 5 and 8 to the Minneapolis housing and redevelopment authority or the Minneapolis industrial development commission.

Sec. 4. LIMITATIONS. The city council may, by ordinance, impose the following limitations upon the actions of the agency:

(a) That the sale of any or all bonds or obligations issued by the agency be approved before issuance by the city council by resolution.

(b) That the agency must follow the budget process for city departments as provided in the Minneapolis city charter and as implemented by the city council and mayor.

(c) That all official actions of the agency be consistent with the adopted comprehensive plan of the city of Minneapolis, and any official controls implementing the comprehensive plan.

(d) That the agency submit to the city council for approval by resolution any proposed project as defined in Minnesota Statutes, Section 273.73, Subdivision 8.

(e) That the agency submit all planned activities for influencing the action of any other governmental agency, subdivision, or body to the city council for approval by resolution.

(f) That the agency submit its administrative structure and management practices to the city council for approval by resolution.

(g) That the levy of any tax by the agency be approved by the city council by ordinance prior to the levy of the tax.

(h) Any other limitation or control established by the city council by ordinance.

Limitations imposed pursuant to this section shall not be applied in a manner which impairs the security of any bonds issued prior to the imposition of the limitation. The city council shall not amend any limitations in effect at the time any bonds or obligations are issued pursuant to this act to the detriment of the holder of the bonds or obligations. A determination by the city council that the limitations imposed pursuant to this section have been complied with by the agency shall be conclusive.

Sec. 5. CITY OF BLOOMINGTON. The city of Bloomington is hereby granted all those powers of a port authority contained in Minnesota Statutes, Chapter 458.

Sec. 6. Minnesota Statutes, 1979 Supplement, Section 462C.07, Subdivision 3, is amended to read:

Subd. 3. Upon approval of the housing plan as provided in section 462C.01, clause (c), any port authority referred to in chapter 458 may, until July 1, ~~1980~~ 1982, issue revenue bonds of the port authority to finance multifamily housing developments undertaken in accordance with the provisions of section 462C.05, and for such purpose the port authority may exercise any and all powers set forth in chapters 458 and 474, provided that nothing herein shall be construed as authorizing a port authority to finance any housing program other than that authorized by section 462C.05. After July 1, ~~1980~~ 1982, the port authority may issue revenue bonds solely in accordance with the provisions of Laws 1979, Chapter 306, Sections 1 to 16.

Sec. 7. Minnesota Statutes 1978, Section 458.192, Subdivision 1, is amended to read:

458.192 ADDITIONAL POWERS. Subdivision 1. In addition to all powers conferred on such port authority under sections 458.09 to 458.19, such port

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

authority, or any city authorized by any general or special law to exercise the powers of a port authority, to accomplish the purposes set forth in section 458.191, subdivision 1, shall have such additional powers as provided in subdivisions 2 to ~~4~~ 15.

Sec. 8. Minnesota Statutes 1978, Section 458.192, is amended by adding subdivisions to read:

Subd. 14. Wherever the Winona port authority is authorized to use its powers for industrial development or the establishment of industrial development districts, and wherever the term "industrial" is used with relation to such purposes pursuant to chapter 458, the term or terms shall be understood to include and encompass the terms "economic" and "economic development".

Subd. 15. It may exercise and apply any and all of the powers and duties assigned to redevelopment agencies pursuant to chapter 474, in order to further any of the purposes and objectives of sections 458.09 to 458.1991 and 462.411 to 462.711, and may also exercise and apply any and all of the powers and duties set forth in sections 458.09 to 458.1991 and 462.411 to 462.711, in order to further the purposes and policies set forth in chapter 474.

Sec. 9. Minnesota Statutes, 1979 Supplement, Section 474.01, Subdivision 7b, is amended to read:

Subd. 7b. Prior to submitting an application to the commissioner of securities requesting approval of a project pursuant to subdivision 7a, the governing body or a committee of the governing body of the municipality or redevelopment agency shall conduct a public hearing on the proposal to undertake and finance the project. Notice of the time and place of hearing, and stating the general nature of the project and an estimate of the principal amount of bonds or other obligations to be issued to finance the project, shall be published at least once not less than 15 days nor more than 30 days prior to the date fixed for the hearing, in the official newspaper and a newspaper of general circulation of the municipality or redevelopment agency. The notice shall state that a draft copy of the proposed application to the commissioner of securities, together with all attachments and exhibits thereto, shall be available for public inspection following the publication of such notice and shall specify the place and times where and when it will be so available. At the time and place fixed for the public hearing, the governing body of the municipality or the redevelopment agency shall give all parties who appear at the hearing an opportunity to express their views with respect to the proposal to undertake and finance the project. Following the completion of the public hearing, the governing body of the municipality or redevelopment agency shall adopt a resolution determining whether or not to proceed with the project and its financing and may thereafter apply to the commissioner of securities for approval of the project.

Sec. 10. **EFFECTIVE DATE.** Sections 1 to 4 of this act shall become effective on the day following the filing of a certificate of approval by the chief clerical officer of the city of Minneapolis pursuant to Minnesota Statutes, 1979 Supplement, Section 645.021, Subdivision 3. Section 5 of this act shall become effective

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

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

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