

Subd. 5a. COMPENSATION TO LANDOWNERS INSTEAD OF BRIDGE OR CULVERT REPAIR. In a repair proceeding under sections 103E.701 to 103E.745, if the drainage authority finds that repairs to a private bridge or culvert are more expensive than compensation to landowners for permanent removal of the bridge or culvert, the drainage authority may order an amount of compensation to be paid to all landowners directly benefiting from the bridge or culvert, provided that:

(1) all landowners directly benefiting from the bridge or culvert provide written consent for permanent removal of the bridge or culvert;

(2) all landowners directly benefiting from the bridge or culvert agree in writing to permanently waive any right to repair or reconstruction of the bridge or culvert; and

(3) the compensation and cost of removing the bridge or culvert is less than the cost of repair of the bridge or culvert.

Sec. 2. EFFECTIVE DATE.

This act is effective the day following final enactment.

Presented to the governor May 20, 2003

Signed by the governor May 23, 2003, 3:05 p.m.

CHAPTER 85—H.F.No. 677

An act relating to occupations and professions; modifying licensure requirements for architects, engineers, surveyors, landscape architects, geoscientists, and interior designers; amending Minnesota Statutes 2002, sections 326.10, by adding subdivisions; 326.107, subdivisions 4, 8; repealing Minnesota Statutes 2002, sections 326.10, subdivision 5; 326.107, subdivisions 6, 9.

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

Section 1. Minnesota Statutes 2002, section 326.10, is amended by adding a subdivision to read:

Subd. 8. EXPIRATION AND RENEWAL. All licenses and certificates, other than in-training certificates, issued by the board expire at midnight on June 30 of each even-numbered calendar year if not renewed. A holder of a license or certificate issued by the board may renew it by completing and filing with the board an application for renewal consisting of a fully completed form provided by the board and the fee specified in section 326.105. Both the fee and the application must be submitted at the same time and by June 30 of each even-numbered calendar year. The form must be signed by the applicant, contain all of the information requested, and clearly show that the licensee or certificate holder has completed the minimum number of required professional development hours, has provided a certification under section 326.107,

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subdivision 5, to the board, or has been granted an exemption under section 326.107, subdivision 4. An application for renewal that does not comply with the requirements of this subdivision is an incomplete application and must not be accepted by the board.

Sec. 2. Minnesota Statutes 2002, section 326.10, is amended by adding a subdivision to read:

Subd. 9. REINSTATEMENT OF EXPIRED LICENSE OR CERTIFICATE. A licensee or certificate holder whose license or certificate has expired may reinstate the expired license or certificate by satisfying all prior continuing education requirements, by paying all of the renewal fees due for all prior renewal periods that the license or certificate was expired and the current renewal period, and paying a delayed renewal fee in the amount set by the board. The continuing education requirement must be satisfied with professional development hours completed within the four years immediately prior to reinstatement and may not include any professional development hours that had previously been used to renew the license or certificate being reinstated.

To reinstate an expired license or certificate, the licensee or certificate holder must file with the board an application for reinstatement consisting of a fully completed form provided by the board and the fees specified in this subdivision. The form must be signed, contain all of the information requested, and clearly show that the licensee or certificate holder either has completed the minimum number of required professional development hours, has provided a certification under section 326.107, subdivision 5, to the board, or has been granted an exemption under section 326.107, subdivision 4. An application for reinstatement that does not comply with the requirements of this subdivision is an incomplete application and must not be accepted by the board.

Sec. 3. Minnesota Statutes 2002, section 326.107, subdivision 4, is amended to read:

Subd. 4. EXEMPTIONS. ~~(a) A licensee holder is holders~~ The following licensees or certificate holders are exempt from the continuing education requirements for one of the reasons listed in paragraphs (b) to (d):

~~(b) (1) a new licensee or certificate holder is exempt for the individual's first biennial renewal;~~ or

~~(e) (2) a licensee or certificate holder who has experienced during the biennial renewal a serious illness, injury, or other extenuating circumstances, or who has been called to active duty in the military services for a period of time exceeding 120 consecutive days, as reviewed and approved by the board is exempt. Supporting documentation must be furnished to the board prior to the end of the biennial renewal period, and where such activities restrict compliance with the continuing education requirements, as supported by documentation furnished to the board.~~

~~(d) A licensee or certificate holder is exempt who, for a period of time exceeding 120 consecutive days, serves honorably on active duty in the military services where such activity restricts participation in a continuing education program.~~

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Sec. 4. Minnesota Statutes 2002, section 326.107, subdivision 8, is amended to read:

Subd. 8. **NONCOMPLIANCE.** A licensee or certificate holder who does not satisfy the continuing education requirements for licensure or certification renewal shall be placed on probationary status and shall be promptly notified of that fact. If the board rejects professional development hours reported by a licensee or certificate holder in an amount sufficient to reduce the number of nonrejected professional development hours below the required minimum number, the licensee or certificate holder must be notified of the board's rejection of the hours. The licensee or certificate holder has 180 days after notification to substantiate the original claim validity of the rejected hours or to earn other professional development qualifying hours to meet the minimum requirement. If the deficiencies are not made up ~~The board's rejection of any professional development hours submitted during this 180-day cure period does not extend or expand the cure period. If the board does not reinstate a sufficient number of the rejected professional development hours to meet the required minimum number of professional development hours, or the licensee or certificate holder does not complete or substantiate that the individual has completed other qualifying professional development hours within the specified period of time, the individual's licensure or certification shall be suspended. Professional development hours earned within the probation 180-day cure period and applied to current renewal may not be applied to the requirements for the following biennial renewal.~~

An individual who applies for license or certification renewal after the biennial renewal period has lapsed and has not satisfied the continuing education requirements shall be notified of that fact. The licensee or certificate holder shall have 180 days after notification to substantiate the original claim or to earn other professional development hours to meet the minimum requirement. If the deficiencies are not made up within the specified period of time, the individual's licensure or certification shall be suspended.

Sec. 5. **REPEALER.**

Minnesota Statutes 2002, sections 326.10, subdivision 5; and 326.107, subdivisions 6 and 9, are repealed.

Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 5 are effective the day following final enactment.

Presented to the governor May 20, 2003

Signed by the governor May 23, 2003, 3:10 p.m.

CHAPTER 86—S.F.No. 256

An act relating to crime prevention; making changes related to search warrants; amending Minnesota Statutes 2002, sections 626.11; 626.13.

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