

complete the seven-hour national USPAP update course every two years. If the applicant's immediately preceding term of licensing consisted of 12 or more months, but fewer than 24 months, the applicant must provide evidence of completion of 15 hours of instruction during the license period. If the immediately preceding term of licensing consisted of fewer than 12 months, no continuing education need be reported. The credit hours required under this section may be credited to a person for distance education courses that meet Appraiser Qualifications Board criteria.

Sec. 18. **REPEALER.**

(a) Minnesota Statutes 2004, section 82B.221, is repealed.

(b) Minnesota Rules, part 2808.2200, is repealed.

Presented to the governor May 24, 2005

Signed by the governor May 27, 2005, 3:10 p.m.

CHAPTER 101—S.F.No. 1326

An act relating to natural resources; providing for an official map of state and county forest roads as an alternative recording method; proposing coding for new law in Minnesota Statutes, chapters 89; 282.

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

Section 1. [89.715] ALTERNATIVE RECORDING FOR STATE FOREST ROAD.

Subdivision 1. AUTHORIZATION. The commissioner may adopt a recorded state forest road map under this section to record the department's state forest road prescriptive easements. For purposes of this section, "recorded state forest road map" means the official map of state forest roads.

Subd. 2. MAP REQUIREMENTS. The recorded state forest road map must:

- (1) show state forest roads at the time the map is adopted;
 - (2) be prepared at a scale of at least four inches equals one mile;
 - (3) include section numbers;
 - (4) include a north point arrow;
 - (5) include the name of the county and state;
 - (6) include a blank and a description under the blank for the date of public hearing and date of adoption;
 - (7) include blanks for signatures and dates of signatures for the commissioner;
- and

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(8) include a list of legal descriptions of all parcels crossed by state forest road prescriptive easements.

Subd. 3. PROCEDURE TO ADOPT MAP. (a) The commissioner must prepare an official map for each county or smaller geographic area as determined by the commissioner as provided in subdivision 2, and set a time, place, and date for a public hearing on adopting a recorded state forest road map to record roads.

(b) The hearing notice must state that the roads to be recorded will be to the width of the actual use including ditches, backslopes, fills, and maintained rights-of-way, unless otherwise specified in a prior easement of record. The hearing notice must be published once a week for two successive weeks in a qualified newspaper of general circulation that serves the county or smaller geographic areas as determined by the commissioner, the last publication to be made at least ten days before the date of the public hearing. At least 30 days before the hearing, the hearing notice must be sent by certified mail to the property owners directly affected in the county or smaller geographic areas as determined by the commissioner at the addresses listed on the tax assessment notices at least seven days before appearing in the qualified newspaper. The hearing notice may be sent with the tax assessment, but all additional costs incurred shall be billed to the department.

(c) After the public hearing is held, the commissioner may amend and adopt the recorded state forest road map. The recorded state forest road map must be dated and signed by the commissioner and must be recorded with the county recorder within 90 days after the map is adopted.

(d) The recorded state forest road map that is recorded with the county recorder must comply with the standards of the county recorder where the state forest roads are located.

(e) A recorded state forest road map that was prepared by using aerial photographs to establish road centerlines and that has been duly recorded with the county recorder is an adequate description for purposes of recording road easements and the map is the legally constituted description and prevails when a deed for a parcel abutting a road contains no reference to a road easement. Nothing prevents the commissioner from accepting a more definitive metes and bounds or survey description of a road easement for a road of record if the description of the easement is referenced to equal distance on both sides of the existing road centerline.

(f) The commissioner shall consult with representatives of county land commissioners, county auditors, county recorders, and Torrens examiners in implementing this subdivision.

Subd. 4. APPEAL. (a) Before filing an appeal under paragraph (b), a person may seek resolution of concerns regarding a decision to record a road under this section by contacting the commissioner in writing.

(b) A person may appeal a decision to record or exclude recording a road under this section to the district court within 120 days after the date the commissioner adopts the state forest road map.

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Subd. 5. UNRECORDED ROAD OR TRAIL NOT AFFECTED. This section does not affect or diminish the legal status or state obligations of roads and trails not shown on the recorded state forest road map.

Subd. 6. EXEMPTION. Adoption of a recorded state forest road map under this section is exempt from the rulemaking requirements of chapter 14 and section 14.386 does not apply.

Sec. 2. [282.041] ALTERNATIVE RECORDING FOR COUNTY FOREST ROAD.

Subdivision 1. DEFINITION. "County forest road" means a road constructed, acquired, maintained, or administered by the county for the purpose of public access and management of tax-forfeited lands that have been classified as conservation lands under this chapter.

Subd. 2. AUTHORIZATION. A county board may adopt a recorded county forest road map according to section 89.715 to record county forest road prescriptive easements. For purposes of this section, "recorded county forest road map" means the official map of county forest roads.

Subd. 3. UNRECORDED ROAD OR TRAIL NOT AFFECTED. This section does not affect the legal status or county obligations of roads and trails not shown on the recorded county forest road map.

Presented to the governor May 24, 2005

Signed by the governor May 27, 2005, 4:00 p.m.

CHAPTER 102—H.F.No. 42

An act relating to firearms; temporarily authorizing the use of silencers to muffle discharges of firearms for natural resource wildlife control; amending Minnesota Statutes 2004, sections 97B.031, subdivision 4; 609.66, subdivision 1h.

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

Section 1. Minnesota Statutes 2004, section 97B.031, subdivision 4, is amended to read:

Subd. 4. SILENCERS PROHIBITED. Except as provided in section 609.66, subdivision 1h, a person may not own or possess a silencer for a firearm or a firearm equipped to have a silencer attached.

Sec. 2. Minnesota Statutes 2004, section 609.66, subdivision 1h, is amended to read:

Subd. 1h. SILENCERS; AUTHORIZED FOR LAW ENFORCEMENT AND WILDLIFE CONTROL PURPOSES. (a) Notwithstanding subdivision 1a, para-

New language is indicated by underline, deletions by ~~strikeout~~.