

IN THE MATTER OF THE PROPOSED)
ADOPTION OF AMENDMENTS TO THE)
RULES OF THE DEPARTMENT OF)
AGRICULTURE GOVERNING THE)
SHADE TREE PROGRAM)

Statement of
Need and
Reasonableness

Amendments as Proposed

Introduction

Provisions enacted by the 1981 regular and special sessions created the need to amend the rules governing the Shade Tree Program.

Justification for Amendments

S 1.0109 General.

A. Purpose and authority. The rules contained herein are prescribed by the commissioner pursuant to Minn. Stat. S 18.023, as amended, to implement a program to control Dutch elm disease and oak wilt by local units of government and to include procedures and criteria for three grant-in-aid programs. The provisions of these rules are in addition to those set forth in the act itself.

B. Definitions. For purposes of these rules, the following definitions, in addition to those in the act, shall apply:

10. "Population" means the population of a municipality as published ~~in~~ by the U. S. Bureau of Census, ~~1970-Census-~~ in the most recent federal census.

This change is necessary due to the revision of Minnesota Statute 18.023, Subd. 3a. (c) enacted during the 1981 Regular Session and is important for determining accurate apportionment of grant-in-aids based on statutory population provisions and limits. Ch. 261, § 2

S 1.0111 Shade tree disease control program. The shade tree disease control program of all municipalities affected by these rules shall include as a minimum the following elements. However, the ordinances or resolutions adopted by the municipality regarding the local shade tree disease control program may be more stringent than these rules.

F. Program review.

1. By ~~November-15~~ December 31 of each year, municipalities shall submit to the commissioner their shade tree disease control and replanting programs for the following calendar year. The commissioner shall review these programs to determine if the requirements of the law and the applicable rules have been met.

This change is necessary due to the revision of Minnesota Statute 18.023, Subd. 13, enacted during the 1981 Special Session and is a reasonable change to make with the concurrent reduction in funding.

3 MCAR S 1.0112 Grants-in-aid to municipalities for sanitation and reforestation program. The commissioner may, in the name of the state and within the limits of appropriations provided, make grants-in-aid to a municipality with an approved disease control program for the partial funding of municipal sanitation and reforestation programs. One grant shall be made for all eligible sanitation and reforestation costs.

B. Program eligibility. Any municipality is eligible to receive sanitation and reforestation grants upon submitting to the commissioner by ~~November-15~~ December 31 a completed program application form provided by the commissioner, and upon receiving notice of an approved disease control program designation. Extensions shall be granted for good cause shown.

C. Program application. To receive a sanitation and reforestation grant, a municipality shall submit to the commissioner by ~~November-15~~ December 31 a completed program application form provided by the commissioner.

This change is necessary due to the revision of Minnesota Statute 18.023, Subd. 13, enacted during the 1981 Special Session and is a reasonable change to make with the concurrent reduction in funding.