

CHAPTER 116—S.F.No. 437

An act relating to agriculture; changing the shade tree disease and wood use programs; amending Minnesota Statutes 1990, sections 18.023, subdivisions 10a and 11; and 18.024, subdivision 1.

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

Section 1. Minnesota Statutes 1990, section 18.023, subdivision 10a, is amended to read:

Subd. 10a. **EXPERIMENTAL PROGRAMS.** The commissioner may establish experimental programs for sanitation or treatment of shade tree diseases and for research into tree varieties most suitable for municipal reforestation. The research must include considerations of disease resistance, energy conservation, and other factors considered appropriate. The commissioner may make grants to municipalities, or enter into contracts with ~~municipal~~, municipalities, nurseries, colleges, universities, or state or federal agencies in connection with experimental shade tree programs including research to assist municipalities in establishing priority designation areas in an approved disease control program for shade tree disease control and energy conservation.

Sec. 2. Minnesota Statutes 1990, section 18.023, subdivision 11, is amended to read:

Subd. 11. **REPORT TO THE LEGISLATURE.** On or before January 31 of each odd-numbered year, the commissioner shall report to the legislature on the preceding year's approved community shade tree disease and insect control programs and any experimental programs conducted pursuant to under subdivision 10a during the previous fiscal biennium. ~~The commissioner, with the assistance of the commissioner of trade and economic development and the director of public service, shall investigate and evaluate the potential uses of wood infected with shade tree disease, including the uses as an alternative energy source and as a component in the construction or manufacture of new products.~~

Sec. 3. Minnesota Statutes 1990, section 18.024, subdivision 1, is amended to read:

Subdivision 1. **RECOMMENDATIONS WOOD UTILIZATION.** ~~The department~~ departments of agriculture, ~~in cooperation and~~ natural resources, after consultation with the commissioner of trade and economic development, the director of public service, and the Minnesota shade tree advisory committee and the commissioners of public service, and trade and economic development, shall draft recommendations for investigate, evaluate, and make recommendations to the legislature concerning the potential uses of wood from community trees removed due to disease or other disorders. These recommendations shall include maximum resource recovery through recycling, use as an alternative energy source, or use in construction or the manufacture of new products. ~~Wood utilization or disposal systems as defined in section 18.023. These recommenda-~~

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

tions shall encourage must be included to ensure maximum utilization of diseased shade trees: ~~In addition to ensuring maximum utilization, the recommendations must be designed with designs and procedures~~ to ensure public safety and to assure compliance with approved disease control programs.

Presented to the governor May 16, 1991

Signed by the governor May 19, 1991, 7:18 p.m.

CHAPTER 117—S.F.No. 531

An act relating to waste; authorizing a water or sewer commission to issue bonds; amending Minnesota Statutes 1990, section 116A.24, subdivisions 2 and 3.

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

Section 1. Minnesota Statutes 1990, section 116A.24, subdivision 2, is amended to read:

Subd. 2. Subject to the approval of the board or boards except to the extent that approval is waived by the board or boards in an order filed with and confirmed by order of the district court, the water or sewer or water and sewer commission or when a multicounty system is involved a county board may do all things necessary to establish, construct, operate and maintain a system including but not limited to the following:

(a) Employ on such terms as it deems advisable, persons or firms performing engineering, legal or other services of a professional nature; require any employee to obtain and file with it an individual bond or fidelity insurance policy; and procure insurance in such amounts as it deems necessary against liability of the board or its officers and employees or both, for personal injury or death and property damage or destruction, with the force and effect stated in chapter 466, and against risks of damage to or destruction of any of its facilities, equipment, or other property as it deems necessary.

(b) Construct or maintain its systems or facilities in, along, on, under, over, or through public streets, bridges, viaducts, and other public rights-of-way without first obtaining a franchise from any local government unit having jurisdiction over them; but such facilities shall be constructed and maintained in accordance with the ordinances and resolutions of any such government unit relating to construction, installation, and maintenance of similar facilities in such public properties and shall not obstruct the public use of such rights-of-way.

(c) Enter into any contract necessary or proper for the exercise of its powers or the accomplishment of its purposes.

(d) Have the power to adopt rules and regulations relating to the establish-

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