

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 782

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 1-19-82
DATE FOR REVIEW 1-28-82
DATE DUE 2-2-82

Adopted w/a hearing _____
Adopted w/o hearing ✓
Temporary rule _____

Approved 2-1-82 Disapproved _____ Returned to Agency 2-1-82

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State 2-1-82 Revisor approved 1/25/85
disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 1.18.82 Date

N/A Notice of Intent to Solicit Outside Opinion

✓ Order for rulemaking
N/A date of Hearing

N/A Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
? Sufficiency Fails to comply with AG. rule .203 G.10

✓ Affidavit of Mailing Notice or rulemaking
12.11.81 At least 30 days prior to ~~hearing~~/adoption

✓ Mailing list Certificate

_____ Publication in State Register copy not submitted
12.14.81 At least 30/~~20~~ days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

✓ Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

N/A Agency's Findings of Fact no changes.

N/A LCRAR Report or agency Affidavit

N/A Certificate of Board's Resolution Adopting Rules

✓ Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

N/A Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General
no requests Rec'd.

SF-00006-02

DEPARTMENT ATTORNEY GENERAL

STATE OF MINNESOTA

Office Memorandum

TO : ROLLIN M. DENNISTOUN, Ph.D.
Deputy Commissioner of Agriculture

DATE: 2/1/82

ATTN : GERALD HEIL, Director-Planning Div.

FROM : JERRY S. ANDERSON
Special Assistant
Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Proposed Adoption of Rules Governing The Shade Tree Program

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State to the last page of the rules;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

JSA:drw

Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT OF AGRICULTURE

Office Memorandum

TO : Judith Wehrwein
Special Assistant Attorney General

DATE: 1/20/82

FROM : Gerald Heil, Director GH
Planning Division

PHONE: 6-1486

SUBJECT: Adoption of Amendments to the Rules Governing the Minnesota Shade Tree Program

The Department has adopted the above-mentioned rules without a public hearing, pursuant to the provisions of Minn. Stat. 15.0412, Subd. 4h. Enclosed are the documents required to be submitted for review; a list of enclosures is attached.

No written comments were received on the proposed amendments. Furthermore, no one requested to be notified when the documents were submitted to the Office of the Attorney General. Consequently, those applicable forms or comments are not included in the record.

If you have any questions, please call me.

GH:dw

Enclosures

cc: Craig Lindeke, Assistant Revisor
Richard Haskett, Director, Shade Tree Program

LIST OF ATTACHED DOCUMENTS

A. Rules as Adopted (Original and 3 copies)

B. Order Adopting Rules (2 copies)

C. Order for Notice of Intent to Adopt Rules Without Public Hearing (1 copy)

D. Notice of Intent to Adopt Rules Without a Public Hearing (1 copy)

E. Affidavit of Mailing Notice of Intent to Adopt Rules Without Public Hearing (1 copy)

F. Mailing List Certificate (1 copy)

G. Rules as Proposed for Adoption (1 copy)

H. Statement of Need and Reasonableness (1 copy)

I. Certificate of Compliance With Rulemaking Procedures (1 copy)

Department of Agriculture
Shade Tree Program

Rules as Adopted

3 MCAR S 1.0109 General.

A. Purpose and authority. Rules 3 MCAR SS 1.0109-1.0113 are prescribed by the commissioner pursuant to Minn. Stat. S 18.023 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.

B. Definitions. For purposes of 3 MCAR SS 1.0109-1.0113, the following definitions, in addition to those in Minn. Stat. S 18.023, shall apply:

1.-9. (Unchanged.)

10. "Population" means the population of a municipality as published by the United States Bureau of Census in the most recent federal census.

3 MCAR S 1.0111 Shade tree disease control program. The shade tree disease control program of a municipality affected by 3 MCAR SS 1.0109-1.0113 must include at least 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 the provisions of 3 MCAR SS 1.0109-1.0113.

A.-E. (Unchanged.)

F. Program review.

1. By December 31 of each year, a municipality must submit to the commissioner its 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.

2. (Unchanged.)

3. (Unchanged.)

G. (Unchanged.)

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.

A. (Unchanged.)

B. Program eligibility. A municipality is eligible to receive sanitation and reforestation grants upon submitting to the commissioner by 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.

1.-5. (Unchanged.)

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

1.-3. (Unchanged.)

APPROVED AS TO LEGALITY

2/1 19 82

WARREN SPANNAUS, ATTORNEY GENERAL

BY _____

SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB 1 1982
Joan Anderson Growe
Secretary of State

2:25 P.M.

Rules as Proposed

3 MCAR S 1.0109 General.

A. Purpose and authority. ~~The~~ Rules ~~contained herein~~ 3 MCAR SS 1.0109-1.0113 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 these set forth in the act itself.~~

B. Definitions. For purposes of ~~these rules~~ 3 MCAR SS 1.0109-1.0113, the following definitions, in addition to those in ~~the act~~ Minn. Stat. S 18.023, shall apply:

1.-9. [Unchanged.]

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

3 MCAR S 1.0111 Shade tree disease control program. The shade tree disease control program of ~~all municipalities~~ a municipality affected by ~~these rules shall~~ 3 MCAR SS 1.0109-1.0113 must include ~~as a minimum~~ at least 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~~ the provisions of 3 MCAR SS 1.0109-1.0113.

A.-E. [Unchanged.]

F. Program review.

1. By ~~November 15~~ December 31 of each year, ~~municipalities shall~~ a municipality must submit to the commissioner ~~their~~ its 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.

2. [Unchanged.]

3. [Unchanged.]

G. [Unchanged.]

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:
Craig E. Swedeke

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.

A. [Unchanged.]

B. Program eligibility. ~~Any~~ A 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.

1.-5. [Unchanged.]

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

1.-3. [Unchanged.]

APPROVED IN THE
REVISOR OF STATUTES
OFFICE BY:

11-20-81

OFFICE OF THE REVISOR OF STATUTES
PROPOSED RULES

Agency Department of Agriculture

Division Shade Tree Program

Agency Contact Gerald Heil Phone Number 296-1486

Title: Proposed Rules Governing the Shade Tree Disease Control Program and Amending Rules 3 MCAR SS 1.0109, 1.0111, and 1.0112

Type of Rules: Permanent X Temporary_____

Incorporations by References:

Rule Number	Material Incorporated
3 MCAR S 1.0109 B.10.	Author Title Federal Census (1980) Place Publisher United States Bureau of Census Date Cost Places Available St. Paul Public Library

See Additional references on back Yes___ No___

Duplication of Statutory Language

Rule Number	Statutory Section Duplicated

The attached rules are approved as to form.

Steven C. Cross
Revisor of Statutes

Name: Craig E. Lindeke
Craig E. Lindeke

Title: Assistant Revisor

Phone: 296-0946

DEPARTMENT OF AGRICULTURE
SHADE TREE PROGRAM

In the Matter of the Proposed
Adoption of Rules Governing
The Shade Tree Program

ORDER ADOPTING
RULES

Notice of the Commissioner's intent to adopt the above-entitled rules without a public hearing was published in the State Register on December 14th, 1981, and was sent by United States mail to all persons on the list maintained by the department pursuant to Minnesota Statutes, section 15.0412, subdivision 4, on December 10th, 1981. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, receiving fewer than seven written requests for a public hearing within the 30 day comment period, reviewing and considering the comments, and determining the need for and reasonableness of the above-captioned rules,

NOW, THEREFORE, IT IS ORDERED that these rules identified as the Rules Governing the Shade Tree Program be adopted this 18th day of January, 1982, pursuant to authority vested in me by Minnesota Statutes, section 18.023 as amended.

STATE OF MINNESOTA

Rollin M. Dennistoun

ROLLIN M. DENNISTOUN, Ph.D.
DEPUTY COMMISSIONER

Department of Agriculture

Shade Tree Program

In the Matter of the Proposed Adoption of Amendments to the Rules of the Department Governing the Shade Tree Program.

Notice of Intent to Amend Rules Without a Public Hearing

Notice is hereby given that the Minnesota Department of Agriculture proposes to adopt Amendments to the above-entitled rules without a public hearing. The Commissioner of Agriculture has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes section 15.0412, subdivision 4h (1980). 2

Persons interested in these rules shall have 30 days to submit comment on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language. 3 4

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minnesota Statutes section 15.0412, subdivisions 4-4f. 5 7

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to: Gerald Heil, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, MN 55107, (612) 296-1486. If a public hearing is requested, identification of the particular objection, the suggested modifications to proposed language, and the reasons or data relied on to support the suggested modification is desired. 6

Authority to adopt these rules is contained in Minn. Stat. Sec. 18.023. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available upon request from: Gerald Heil, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, MN 55107, (612) 296-1486.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Gerald Heil, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, MN 55107, (612) 296-1486.

Please be advised that Minnesota Statutes Chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he or she commences lobbying. A lobbyist is defined in Minnesota Statutes section 10A.01, subdivision 11 (Supp. 1979) as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250.00, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 40 State Office Building, St. Paul, MN 55155, (612) 296-5615.

Copies of this Notice and proposed rules are available and may be obtained by contacting Gerald Heil, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, Minnesota 55107, (612) 296-1486.

STATE OF MINNESOTA

Dated: November 23, 1981

Deputy Commissioner for
Commissioner of Agriculture

DEPARTMENT OF AGRICULTURE

SHADE TREE PROGRAM

In the Matter of the Proposed Adoption of Amendments to the Rules of the Department Governing the Minnesota Shade Tree Program (MCAR 1.0109-1.0113)	)))))	ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

IT IS ORDERED this 23rd day of November, 1981, that a Notice of Intent to Adopt Rules Without Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Department for that purpose and be published in the State Register.

STATE OF MINNESOTA

Robin W Densmore

Deputy Commissioner for
COMMISSIONER OF AGRICULTURE

LAND OF QUALITY FOODS

STATE OF MINNESOTA

DEPARTMENT OF AGRICULTURE
90 WEST PLATO BOULEVARD
SAINT PAUL, MINN. 55107
TELEPHONE: (612) 296-1486

Notice as Mailed

December 10, 1981

TO: Individuals and Firms on the Minnesota Department of Agriculture Rule-Making List

FROM: Gerald Heil, Director GH
Planning Division

SUBJ: Proposed Amendments to the Rules Governing the Minnesota Shade Tree Program

Enclosed you will find a "Notice of Intent to Repeal Rules Without A Public Hearing" regarding the above matter. The Notice explains the procedures that will be followed in repealing the rule, including opportunities for public comment.

The Notice will be published in the Minnesota State Register on Monday, December 14th, 1981. The 30 day comment period provided for by the Administrative Procedures Act will extend from that date through January 13th, 1982.

If you wish to receive copies of either the rule or the statement of need and reasonableness, or have any other questions, please call me at (612) 296-1486.

GH:gj

Enclosure

Department of Agriculture

Shade Tree Program

In the Matter of the Proposed Adoption of Amendments to the Rules of the Department Governing the Shade Tree Program.

Notice of Intent to Amend Rules Without a Public Hearing

Notice is hereby given that the Minnesota Department of Agriculture proposes to adopt Amendments to the above-entitled rules without a public hearing. The Commissioner of Agriculture has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes section 15.0412, subdivision 4h (1980).

Persons interested in these rules shall have 30 days to submit comment on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minnesota Statutes section 15.0412, subdivisions 4-4f.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to: Gerald Heil, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, MN 55107, (612) 296-1486. If a public hearing is requested, identification of the particular objection, the suggested modifications to proposed language, and the reasons or data relied on to support the suggested modification is desired.

Authority to adopt these rules is contained in Minn. Stat. Sec. 18.023. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available upon request from: Gerald Heil, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, MN 55107, (612) 296-1486.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Gerald Heil, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, MN 55107, (612) 296-1486.

Please be advised that Minnesota Statutes Chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he or she commences lobbying. A lobbyist is defined in Minnesota Statutes section 10A.01, subdivision 11 (Supp. 1979) as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250.00, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 40 State Office Building, St. Paul, MN 55155, (512) 296-5615.

Copies of this Notice and proposed rules are available and may be obtained by contacting Gerald Heil, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, Minnesota 55107, (612) 296-1486.

STATE OF MINNESOTA

Dated: November 23, 1981

Deputy Commissioner for
Commissioner of Agriculture

In the Matter of the Proposed Adoption of

Rules of the Minnesota Department of Agriculture Governing the Minnesota Shade Tree Program (MCAR 1.0109 - 1.0113)

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)

) ss.

COUNTY OF RAMSEY)

Diane Windham, being first duly sworn, deposes and says:

That on the 11th day of December, 19 81, at the City of St. Paul, County of Ramsey, State of Minnesota, he/she served the attached Notice of Intent to Adopt Rules Without Public Hearing by depositing in the State of Minnesota Central Mail System for United States mailing at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, to all persons and associations who have requested that their names be placed on file with the Minnesota Department of Agriculture for the purpose of receiving notice of the proposed adoption of rules by this Department.

Diane M. Windham

Subscribed and sworn to before me

this 11th day of December, 19 81.

Christine Canaday

Christine Canaday
NOTARY PUBLIC — MINNESOTA
RAMSEY COUNTY
My commission expires June 25, 1986

STATE OF MINNESOTA)

) ss.

COUNTY OF RAMSEY)

CERTIFICATE

In the Matter of the Proposed Adoption of Amendments to the Rules of the Department of Agriculture Governing the Minnesota Shade Tree Program (MCAR 1.0109-1.0113)

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minnesota Statutes 15.0412, subdivision 4, that their names be placed on file with and maintained by the Minnesota Department of Agriculture for the purpose of receiving notice of the proposed adoption of rules by this Department is accurate and complete as of 9:00 A.M., this 11th day of December, 1981.

Gerald Heil, Director
Planning Division

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.

STATEMENT OF COMPLIANCE WITH

RULEMAKING PROCEDURES

I, Special Assistant Attorney General Jon Murphy, do hereby declare that I have examined the proposed rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Special Assistant Attorney General

Date: 1/19/82