

annual meetings, and be incorporated under the laws of the state before they are entitled to a delegate. The societies and associations must file with the secretary of state, on or before December 20, a report showing that the society or association has held a regular annual meeting for that year, a summary of its financial transactions for the current year, and an affidavit of the president and secretary that it has a paid-up membership of at least 25. On or before December 31, the secretary of state shall certify to the secretary of the state agricultural society the names of the societies or associations that have complied with these provisions.

(f) The members of the board of managers of the state agricultural society are members of the society and entitled to one vote each.

Approved April 14, 1988

CHAPTER 523—H.F.No. 2059

An act relating to crime; children; clarifying the defenses to a charge of deprivation of parental rights; requiring defendant to prove elements of defenses; amending Minnesota Statutes 1987 Supplement, section 609.26, subdivision 2.

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

Section 1. Minnesota Statutes 1987 Supplement, section 609.26, subdivision 2, is amended to read:

Subd. 2. **DEFENSES.** ~~No person violates~~ It is an affirmative defense if a person charged under subdivision 1 if the action proves that:

(1) ~~is the person reasonably believed the action taken was necessary~~ to protect the child from physical or sexual assault or substantial emotional harm;

(2) ~~is the person reasonably believed the action taken was necessary~~ to protect the person taking the action from physical or sexual assault;

(3) the action taken is consented to by the parent, stepparent, or legal custodian seeking prosecution, but consent to custody or specific visitation is not consent to the action of failing to return or concealing a minor child; or

(4) the action taken is otherwise authorized by a court order issued prior to the violation of subdivision 1.

The defenses provided in this subdivision are in addition to and do not limit other defenses available under this chapter or chapter 611.

Sec. 2. **ORIGINAL INTENT CLARIFIED.**

To the extent that it states that Minnesota Statutes, section 609.26, subdivi-

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

sion 2 creates affirmative defenses to a charge under Minnesota Statutes, section 609.26, section 1 clarifies the original intent of the legislature in enacting Laws 1984, chapter 484, section 2; does not change the substance of Minnesota Statutes, section 609.26; and does not modify or alter any convictions entered under that section before the effective date of section 1.

Sec. 3. EFFECTIVE DATE.

Except as provided in section 2, section 1 is effective August 1, 1988, and applies to crimes committed on or after that date.

Approved April 14, 1988

CHAPTER 524—H.F.No. 2092

An act relating to environment; authorizing sanitary districts to apply for and receive assistance from the waste management board for certain solid waste programs; amending Minnesota Statutes 1986, sections 115A.03, by adding a subdivision; and 115A.50; and Minnesota Statutes 1987 Supplement, section 115A.49.

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

Section 1. Minnesota Statutes 1986, section 115A.03, is amended by adding a subdivision to read:

Subd. 28b. SANITARY DISTRICT. "Sanitary district" means a sanitary district with the authority to regulate solid waste.

Sec. 2. Minnesota Statutes 1987 Supplement, section 115A.49, is amended to read:

115A.49 ESTABLISHMENT; PURPOSES AND PRIORITIES.

There is established a program to encourage and assist cities, counties, ~~and~~ solid waste management districts, and sanitary districts in the development and implementation of solid waste management projects and to transfer the knowledge and experience gained from such projects to other communities in the state. The program must be administered to encourage local communities to develop feasible and prudent alternatives to disposal, including waste reduction; waste separation by generators, collectors, and other persons; and waste processing. The program must be administered by the board in accordance with the requirements of sections 115A.49 to 115A.54 and rules promulgated by the board pursuant to chapter 14. In administering the program, the board shall give priority to areas where natural geologic and soil conditions are especially unsuitable for land disposal of solid waste; areas where the capacity of existing solid waste disposal facilities is determined by the board to be less than five years; and projects serving more than one local government unit.

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