

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.

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

Sec. 3. Minnesota Statutes 1986, section 115A.50, is amended to read:

**115A.50 ELIGIBLE RECIPIENTS.**

Eligible recipients for assistance under the program shall be limited to cities, counties, ~~and~~ solid waste management districts established pursuant to sections 115A.62 to 115A.72, and sanitary districts. Eligible recipients may apply for assistance under sections 115A.52 and 115A.53 on behalf of other persons.

Approved April 14, 1988

**CHAPTER 525—H.F.No. 2216**

*An act relating to natural resources; ratifying and affirming the settlement agreement arising from litigation concerning certain treaty related claims of Chippewa Indians; prescribing powers and duties of the commissioner of natural resources in relation to the settlement agreement; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 97A.*

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

**Section 1. [97A.157] 1854 TREATY AREA AGREEMENT.**

Subdivision 1. PURPOSE. The purpose of this section is to effectuate resolution of issues in dispute between the state of Minnesota and the Grand Portage, Bois Forte, and Fond du Lac Bands of Chippewa Indians that relate to hunting, fishing, trapping, and gathering in the ceded area described in the September 30, 1854, treaty between the Lake Superior Chippewa and the government of the United States. This treaty was ratified by the United States Senate on January 10, 1855, and was recognized and affirmed in a subsequent treaty between the Bois Forte Band of Chippewa Indians and the government of the United States dated April 7, 1866, and ratified by the United States Senate on April 26, 1866. The enforcement of certain rights claimed by Lake Superior Chippewas under these treaties has been sought in a civil action brought in the United States District Court for the District of Minnesota, Fourth Division, that is entitled Grand Portage Band of Chippewas, et al. v. State of Minnesota, et al., Civ. No. 4-85-1090. The state of Minnesota desires to settle all outstanding matters relating to the above dispute.

Subd. 2. SETTLEMENT AGREEMENT. The parties to the above named civil action have negotiated a settlement of the dispute and have filed an executed copy of their "Memorandum of Agreement" with the court on February 16, 1988.

Subd. 3. RATIFICATION OF SETTLEMENT AGREEMENT. The state of Minnesota, by the enactment of this section, ratifies and affirms the Memo-

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