

CHAPTER 72—S.F.No. 198

An act relating to criminal procedure; specifying that the prosecution has the right to reply in rebuttal to the closing argument of the defense; amending Minnesota Statutes 1998, section 631.07.

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

Section 1. Minnesota Statutes 1998, section 631.07, is amended to read:

631.07 ORDER OF FINAL ARGUMENT.

When the giving of evidence is concluded in a criminal trial, unless the case is submitted on both sides without argument, the prosecution may make a closing argument to the jury. The defense may then make its closing argument to the jury. ~~The court shall permit the prosecution to reply in rebuttal, which shall be limited to a response to any misstatement of law or fact or a statement that is inflammatory or prejudicial made by the defense in its closing argument. The prosecution shall then have the right to reply in rebuttal to the closing argument of the defense.~~

Sec. 2. RULE SUPERSEDED.

Minnesota Rules of Criminal Procedure, rule 26.03, subdivision 11, is superseded to the extent it conflicts with section 1.

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective August 1, 1999, and apply to crimes committed on or after that date.

Presented to the governor April 16, 1999

Signed by the governor April 20, 1999, 9:12 a.m.

CHAPTER 73—S.F.No. 1176

An act relating to the environment; making technical changes to the Waste Management Act; amending Minnesota Statutes 1998, sections 115A.15, subdivision 5; 115A.411, subdivision 1; 115A.52; and 115A.551, subdivision 2a; repealing Minnesota Rules, parts 9200.0100; 9200.0200; 9200.0300; 9200.0400; 9200.0500; 9200.0600; 9200.0700; 9200.0800; 9200.0900; 9200.1000; 9200.1100; 9200.1200; 9200.1300; 9200.1400; 9200.1500; 9200.1600; 9200.1700; 9200.1800; 9200.1900; 9200.2000; 9200.2100; 9200.2200; 9200.2210; 9200.2220; 9205.0600; 9205.0601; 9205.0602; 9205.0603; 9205.0604; 9205.0605; 9205.0606; 9205.0607; and 9205.0608.

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

Section 1. Minnesota Statutes 1998, section 115A.15, subdivision 5, is amended to read:

Subd. 5. **REPORTS.** (a) By January 1 of each odd-numbered year, the commissioner of administration shall submit a report to the governor and to the environment and natural resources committees of the senate and house of representatives, the finance divi-

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sion of the senate committee on environment and natural resources, and the house of representatives committee on environment and natural resources finance summarizing past activities and proposed goals of the program for the following biennium. The report shall include at least:

- (1) a summary list of product and commodity purchases that contain recycled materials;
- (2) the results of any performance tests conducted on recycled products and agencies' experience with recycled products used;
- (3) a list of all organizations participating in and using the cooperative purchasing program; and
- (4) a list of products and commodities purchased for their recyclability and of recycled products reviewed for purchase.

(b) By July 1 of each even-numbered year, the ~~commissioner of the pollution control agency~~ director of the office of environmental assistance and the commissioner of public service shall submit recommendations to the commissioner regarding the operation of the program.

Sec. 2. Minnesota Statutes 1998, section 115A.411, subdivision 1, is amended to read:

Subdivision 1. **AUTHORITY; PURPOSE.** The director with assistance from the commissioner shall prepare and adopt a report on solid waste management policy. The report must be submitted by the director to the environment and natural resources committees of the senate and house of representatives, the finance division of the senate committee on environment and natural resources, and the house of representatives committee on environment and natural resources finance by July 1 ~~December 1~~ of each odd-numbered year and shall include reports required under sections 115A.55, subdivision 4, paragraph (b); 115A.551, subdivision 4; 115A.557, subdivision 4; 473.149, subdivision 6; 473.846; and 473.848, subdivision 4.

Sec. 3. Minnesota Statutes 1998, section 115A.52, is amended to read:

115A.52 TECHNICAL ASSISTANCE FOR PROJECTS.

The director shall ensure the delivery of technical assistance for projects eligible under the program. The director may contract or issue grants for the delivery of technical assistance by any state or federal agency, a regional development commission, the metropolitan council, or private consultants and may use program funds to reimburse the agency, commission, council, or consultants. The director shall prepare and publish an inventory of sources of technical assistance, including studies, publications, agencies, and persons available. The director shall ensure statewide benefit from projects assisted under the program by developing exchange and training programs for local officials and employees and by using the experience gained in projects to provide technical assistance and education for other solid waste management projects in the state.

Sec. 4. Minnesota Statutes 1998, section 115A.551, subdivision 2a, is amended to read:

Subd. 2a. **SUPPLEMENTARY RECYCLING GOALS.** (a) By December 31, 1996, each county will have as a goal to recycle the following amounts:

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(1) for a county outside of the metropolitan area, 35 percent by weight of total solid waste generation;

(2) for a metropolitan county, 50 percent by weight of total solid waste generation.

Each county will develop and implement or require political subdivisions within the county to develop and implement programs, practices, or methods designed to meet its recycling goal. Nothing in this section or in any other law may be construed to prohibit a county from establishing a higher recycling goal.

(b) For a county that, by January 1, 1995, is implementing a solid waste reduction program that is approved by the director, the director shall apply up to three percentage points toward achievement of the recycling goals in this subdivision. In addition, the director shall apply demonstrated waste reduction that exceeds three percent reduction toward achievement of the goals in this subdivision.

(c) No more than five percentage points may be applied toward achievement of the recycling goals in this subdivision for management of yard waste. The five percentage points must be applied as provided in this paragraph. The director shall apply three percentage points for a county in which residents, by January 1, 1996, are provided with:

(1) an ongoing comprehensive education program under which they are informed about how to manage yard waste and are notified of the prohibition in section 115A.931; and

(2) the opportunity to drop off yard waste at specified sites or participate in curbside yard waste collection.

The director shall apply up to an additional two percentage points toward achievement of the recycling goals in this subdivision for additional activities approved by the director that are likely to reduce the amount of yard waste generated and to increase the on-site composting of yard waste.

Sec. 5. REVISOR'S INSTRUCTION.

(a) The revisor of statutes shall change "office," where it refers to the office of waste management, to "agency" in Minnesota Statutes, sections 115A.902, 115A.906, 115A.912, 115A.913, and 115A.914.

(b) The revisor of statutes shall make the following changes in Minnesota Rules:

(1) change "waste management board" to "environmental quality board" in parts 9200.3600, 9200.3700, 9200.4800, 9200.5000, and 9205.0500;

(2) change "office of waste management" to "office of environmental assistance" in part 9210.0100;

(3) change "board," where it refers to the waste management board, to "office"; "chair," where it refers to the chair of the waste management board, to "director"; and "waste management board" to "office of environmental assistance" in parts 9210.0200 to 9210.0380; and

(4) change "board," where it refers to the waste management board, to "agency"; "waste management board" to "pollution control agency"; and "chair," where it refers to the chair of the waste management board, to "commissioner" in chapter 9220.

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Sec. 6. REPEALER.

Minnesota Rules, parts 9200.0100; 9200.0200; 9200.0300; 9200.0400; 9200.0500; 9200.0600; 9200.0700; 9200.0800; 9200.0900; 9200.1000; 9200.1100; 9200.1200; 9200.1300; 9200.1400; 9200.1500; 9200.1600; 9200.1700; 9200.1800; 9200.1900; 9200.2000; 9200.2100; 9200.2200; 9200.2210; 9200.2220; 9205.0600; 9205.0601; 9205.0602; 9205.0603; 9205.0604; 9205.0605; 9205.0606; 9205.0607; and 9205.0608, are repealed.

Presented to the governor April 16, 1999

Signed by the governor April 20, 1999, 9:17 a.m.

CHAPTER 74—S.F.No. 129

An act relating to family law; enacting the Uniform Child Custody Jurisdiction and Enforcement Act; proposing coding for new law as chapter 518D; repealing Minnesota Statutes 1998, sections 518A.01; 518A.02; 518A.03; 518A.04; 518A.05; 518A.06; 518A.07; 518A.08; 518A.09; 518A.10; 518A.11; 518A.12; 518A.13; 518A.14; 518A.15; 518A.16; 518A.17; 518A.18; 518A.19; 518A.20; 518A.21; 518A.22; 518A.23; 518A.24; and 518A.25.

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

**UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT
(1997)****ARTICLE 1****GENERAL PROVISIONS****Section 1. [518D.101] SHORT TITLE.**

This chapter may be cited as the Uniform Child Custody Jurisdiction and Enforcement Act.

Sec. 2. [518D.102] DEFINITIONS.

(a) The definitions in this section apply to this chapter.

(b) "Abandoned" means left without provision for reasonable and necessary care or supervision.

(c) "Child" means an individual who has not attained 18 years of age.

(d) "Child custody determination" means a judgment, decree, or other order of a court providing for the legal custody, physical custody, or visitation with respect to a child. The term includes a permanent, temporary, initial, and modification order. The term does not include an order relating to child support or other monetary obligation of an individual.

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