

Subd. 2. QUADRUPLE THE FINE. For offenses under sections 169.09, 169.121, 169.129, 518B.01, 609.2231, subdivision 2, 609.224, 609.487, and 609.525, the maximum cash bail that may be required for a person charged with a misdemeanor or gross misdemeanor violation is quadruple the highest cash fine that may be imposed for the offense.

Sec. 21. REVISOR'S INSTRUCTION.

In the next and subsequent editions of Minnesota Statutes the revisor of statutes shall change laws that provide for a maximum fine of \$100 as a penalty for a petty misdemeanor violation to provide for a maximum fine of \$200. The change must be consistent with sections 3 and 4. The maximum fines for a petty misdemeanor under section 152.15, subdivision 2, clause (5), and chapters 168 and 169, must remain \$100 and must not be changed under this section.

Sec. 22. EFFECTIVE DATE.

Sections 1 to 20 are effective August 1, 1987, and apply to crimes committed on or after that date.

Approved May 29, 1987

CHAPTER 330—H.F.No. 391

An act relating to crimes; increasing penalties for distributing controlled substances to a minor or employing a minor to distribute controlled substances; defining measurement and purity requirements of controlled substances for criminal and tax law purposes; amending Minnesota Statutes 1986, sections 152.15, subdivision 1; 297D.01, subdivision 3; and 297D.07; repealing Minnesota Statutes 1986, section 152.15, subdivision 4.

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

Section 1. Minnesota Statutes 1986, section 152.15, subdivision 1, is amended to read:

Subdivision 1. Any person who violates section 152.09, subdivision 1, clause (1) with respect to:

(1) ~~Seven or more grams or ten or more dosage units, when the substance is not sold by weight, of Any controlled substance classified in schedule I or II which is a narcotic drug, or of phencyclidine or any hallucinogen listed in section 152.02, subdivision 2, clause (3), or Minnesota Rules, part 6800.4210, item C, except marijuana or tetrahydrocannabinols, is guilty of a crime and upon conviction may be imprisoned for not more than 20 years or fined not more than \$60,000, or both for a first violation, and for a second or subsequent violation, upon conviction, shall be imprisoned for not less than two years nor more than 30 years or fined not more than \$100,000, or both if:~~

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(i) the mixture contains three grams or more of cocaine base;

(ii) the offender sells or distributes a total of ten grams or more of the controlled substance, regardless of purity, on one or more occasions within a 90-day period;

(iii) the controlled substance is phencyclidine or any hallucinogen listed in section 152.02, subdivision 2, clause (3), or Minnesota Rules, part 6800.4210, item C, except marijuana or tetrahydrocannabinols, is packaged in dosage units, and equals ten or more dosage units;

(iv) the controlled substance is a schedule I or II narcotic drug, is packaged in dosage units, and equals 50 or more dosage units;

(v) the offender sells or distributes any quantity of the controlled substance to a person under the age of 18; or

(vi) the offender conspires with or employs a person under the age of 18 to sell or distribute any quantity of the controlled substance;

(2) Any other amount of any controlled substance classified in schedule I or II which is a narcotic drug, is guilty of a crime and upon conviction may be imprisoned for not more than 15 years or fined not more than \$40,000, or both for a first violation, and for a second or subsequent violation, upon conviction, shall be imprisoned for not less than one year nor more than 30 years or fined not more than \$50,000, or both;

(3) Any other controlled substance classified in schedule I, II, or III, is guilty of a crime and upon conviction may be ~~imprisoned for not more than five years, fined not more than \$30,000, or both for a first violation, and for a second or subsequent violation, upon conviction, shall be imprisoned for not less than one year nor more than ten years or fined not more than \$45,000, or both~~ sentenced as follows:

(i) if the offender sells or distributes the controlled substance to a person under the age of 18, or conspires with or employs a person under the age of 18 to sell or distribute the controlled substance, to imprisonment for not more than ten years or to payment of a fine of not more than \$30,000, or both; or

(ii) in all other cases, to imprisonment for not more than five years or to payment of a fine of not more than \$30,000, or both.

A person convicted under this clause a second or subsequent time shall be sentenced to imprisonment for not less than one year nor more than ten years or to payment of a fine of not more than \$45,000, or both;

(4) A substance classified in schedule IV, is guilty of a crime and upon conviction may be ~~imprisoned for not more than three years, fined not more than \$20,000, or both for a first violation, and for a second or subsequent violation, upon conviction, shall be imprisoned for not less than six months nor~~

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~~more than six years or fined not more than \$35,000; or both sentenced as follows:~~

(i) if the offender sells or distributes the controlled substance to a person under the age of 18, or conspires with or employs a person under the age of 18 to sell or distribute the controlled substance, to imprisonment for not more than six years or to payment of a fine of not more than \$20,000, or both; or

(ii) in all other cases, to imprisonment for not more than three years or to payment of a fine of not more than \$20,000, or both.

A person convicted under this clause a second or subsequent time shall be sentenced to imprisonment for not less than six months nor more than six years or to payment of a fine of not more than \$35,000, or both;

(5) A substance classified in schedule V, is guilty of a crime and upon conviction may be ~~imprisoned for not more than one year, fined not more than \$3,000, or both sentenced as follows:~~

(i) if the offender sells or distributes the controlled substance to a person under the age of 18, or conspires with or employs a person under the age of 18 to sell or distribute the controlled substance, to imprisonment for not more than two years or to payment of a fine of not more than \$3,000 or both; or

(ii) in all other cases, to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both;

(6) The distribution of a small amount of marijuana for no remuneration, shall be treated as provided in subdivision 2, clause (5).

Sec. 2. Minnesota Statutes 1986, section 297D.01, subdivision 3, is amended to read:

Subd. 3. "Dealer" means a person who in violation of Minnesota law manufactures, produces, ships, transports, or imports into Minnesota or in any manner acquires or possesses more than 42-1/2 grams of marijuana, or seven or more grams of any controlled substance, or ten or more dosage units of any controlled substance which is not sold by weight. A quantity of marijuana or other controlled substance is measured by the weight of the substance whether pure or impure or dilute, or by dosage units when the substance is not sold by weight, in the dealer's possession. A quantity of a controlled substance is dilute if it consists of a detectable quantity of pure controlled substance and any excipients or fillers.

Sec. 3. Minnesota Statutes 1986, section 297D.07, is amended to read:

297D.07 MEASUREMENT.

For the purpose of calculating the tax under section 297D.08, ~~an ounce a~~ quantity of marijuana or other controlled substance is measured by the weight of the substance whether pure or impure or dilute, or by dosage units when the substance is not sold by weight, in the dealer's possession. A quantity of a controlled substance is dilute if it consists of a detectable quantity of pure controlled substance and any excipients or fillers.

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Sec. 4. **REPEALER.**

Minnesota Statutes 1986, section 152.15, subdivision 4, is repealed.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective August 1, 1987, and apply to crimes committed on or after that date.

Approved May 29, 1987

CHAPTER 331—H.F.No. 706

An act relating to juveniles; clarifying certain recent changes to the juvenile court act; clarifying the hearing and records procedures of the juvenile court; providing for the enforcement of juvenile court restitution orders; permitting administrative docketing of certain unpaid county reimbursements; clarifying certain crime victim notification and protection laws; amending Minnesota Statutes 1986, sections 260.155, subdivisions 1 and 1a; 260.156; 260.161; 260.185, by adding a subdivision; 548.091, subdivision 1; 595.02, subdivision 4; 609.115, subdivision 1; 609.3471; 611A.031; and 611A.035; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 1986, sections 609.115, subdivisions 1b and 1c; and 636.08.

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

Section 1. Minnesota Statutes 1986, section 260.155, subdivision 1, is amended to read:

Subdivision 1. **GENERAL.** Except for hearings arising under section 260.261, hearings on any matter shall be without a jury and may be conducted in an informal manner. The rules of evidence promulgated pursuant to section 480.0591 and the law of evidence shall apply in adjudicatory proceedings involving a child alleged to be delinquent, a habitual truant, a runaway, a juvenile petty offender, or a juvenile alcohol or controlled substance offender, and hearings conducted pursuant to section 260.125 except to the extent that the rules themselves provide that they do not apply. Hearings may be continued or adjourned from time to time and, in the interim, the court may make any orders as it deems in the best interests of the minor in accordance with the provisions of sections 260.011 to 260.301. The court shall exclude the general public from these hearings and shall admit only those persons who, in the discretion of the court, have a direct interest in the case or in the work of the court; except that, the court shall open the hearings to the public in delinquency proceedings where the child is alleged to have committed an offense or has been proven to have committed an offense that would be a felony if committed by an adult and the child was at least 16 years of age at the time of the hearing. In all delinquency cases a person named in the charging clause of the petition as a person directly damaged in person or

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