

~~or a subsequent offense subdivision 2 is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year, or to payment of a fine of not more than \$3,000, or both.~~

Subd. 4. SECOND OR SUBSEQUENT VIOLATIONS. Whoever violates the provisions of subdivision 2 within five years of a previous conviction under that subdivision is guilty of a felony and may be sentenced to imprisonment for not more than two years, or to payment of a fine of not more than \$10,000, or both.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective June 1, 1988, and applies to crimes committed on or after that date.

Approved March 10, 1988

---

CHAPTER 407—S.F.No. 1184

*An act relating to state lands; authorizing the conveyance of certain lands in Pine county to the Amherst H. Wilder Foundation; amending Laws 1981, chapter 354, section 1, subdivisions 1 and 5; repealing Laws 1981, chapter 354, section 1, subdivisions 2, 3, and 4.*

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

Section 1. Laws 1981, chapter 354, section 1, subdivision 1, is amended to read:

Subdivision 1. **AUTHORIZATION.** Notwithstanding the provisions of Minnesota Statutes, Section 92.45, upon recommendation of the commissioner of administration, the commissioner of natural resources, and the commissioner of corrections, the governor may transfer and convey, in the name of the state of Minnesota, to the Amherst H. Wilder Foundation, for purposes of operating a youth conservation camp residential human service facility serving individuals referred to the facility by court order, county or other social service agencies only, the real estate now being leased from the state and operated as a youth conservation camp by the Amherst H. Wilder Foundation and situated in the consisting of approximately 81 acres including all improvements located in sections 27 and 28, Wilma township, county of Pine in the St. Croix state forest. The consideration to be paid for the property shall be \$200,000.

Sec. 2. Laws 1981, chapter 354, section 1, subdivision 5, is amended to read:

Subd. 5. **STATE OPTION TO PURCHASE.** If the property conveyed to the Amherst H. Wilder Foundation pursuant to this section is not used for the purpose of operating a youth conservation camp residential human service facility serving individuals referred to this facility by court order, county or other

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

social service agencies, the foundation shall offer to the ~~commissioner of natural resources~~ state an option to acquire the property at the ~~appraised value as certified pursuant to subdivision 3 for \$200,000~~ or the value as appraised in the manner provided in Minnesota Statutes, Section 94.10, Subdivision 1, at the time the option is offered, whichever value is less. The state must exercise the option to purchase within 18 months from the date upon which it receives written notice of the option.

### Sec. 3. MILLE LACS COUNTY LAND SALE.

Notwithstanding the provisions of Minnesota Statutes, section 92.45 or 282.018, Mille Lacs county may sell the west one-half of the west one-half of the southwest one-fourth of section 21, township 37 north, range 26 west. The county and the state shall provide a proper conveyance of the property. The sale shall be conducted in accordance with the provisions of Minnesota Statutes, sections 282.01 to 282.132.

### Sec. 4. REPEALER.

Laws 1981, chapter 354, section 1, subdivisions 2, 3, and 4, are repealed.

### Sec. 5. EFFECTIVE DATE.

Sections 1 to 4 are effective the day following final enactment.

Approved March 10, 1988

---

## CHAPTER 408—S.F.No. 537

*An act relating to public safety; imposing mandatory minimum penalties on habitual DWI offenders; requiring a report; amending Minnesota Statutes 1986, section 169.121, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1986, section 169.121, is amended by adding a subdivision to read:

Subd. 3a. HABITUAL OFFENDER PENALTIES. If a person has been convicted under this section, section 169.129, an ordinance in conformity with either of them, or a statute or ordinance from another state in conformity with either of them, and if the person is then convicted of violating this section or an ordinance in conformity with it (1) once within five years after the first conviction or (2) two or more times within ten years after the first conviction, the person must be sentenced to a minimum of 30 days imprisonment or to eight hours of community work service for each day less than 30 days that the person is ordered to serve in jail.

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