

(b) "team" includes any group leader, coach, official or athlete who comprise the official delegation of the United States to world or olympic competition.

Subd. 2. A public employee who qualifies as a member of the United States team for athletic competition on the world, Pan American or olympic level, in a sport contested in either Pan American or olympic competitions, shall be granted a leave of absence without loss of pay or other benefits or rights for the purpose of preparing for and engaging in the competition. In no event shall the paid leave under this section exceed the period of the official training camp and competition combined or 90 calendar days a year, whichever is less.

Subd. 3. If the public employee granted the leave is an employee of a school district or other political subdivision, the state shall reimburse the employer for the actual cost to the employer of employing a substitute. There is appropriated the sum of \$17,596 to the department of finance for the purpose of this act, and shall be available during the biennium ending June 30, 1979.

Sec. 2. **EFFECTIVE DATE.** This act is effective the day following final enactment.

Approved June 2, 1977.

CHAPTER 355—H.F.No.82

An act relating to crimes; raising the amount of pecuniary gain which must be received by a person incident to a violation of law before the violation is categorized as a felony; increasing the penal fine of misdemeanors; directing a court to require as a condition of a stay of imposition or execution of sentence restitution for property damage or loss or compensation for personal injuries; amending Minnesota Statutes 1976, Sections 412.231; 609.02, Subdivision 3; 609.03; 609.031; 609.032; 609.135, Subdivision 1; 609.27, Subdivision 2; 609.551, Subdivision 1; 609.563, Subdivision 1; 609.576, Subdivision 1; 609.595, Subdivision 1; 609.615; and 609.785.

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

Section 1. Minnesota Statutes 1976, Section 412.231, is amended to read:

412.231 **CRIMES; FELONIES; MISDEMEANORS; PENALTIES.** The council shall have the power to declare that the violation of any ordinance shall be a penal offense and to prescribe penalties therefor. No such penalty shall exceed a fine of ~~\$300~~ \$500 or imprisonment in a city or county jail for a period of 90 days, or both, but in either case the costs of prosecution may be added.

Sec. 2. Minnesota Statutes 1976, Section 609.02, Subdivision 3, is amended to read:

Subd. 3. **MISDEMEANOR.** "Misdemeanor" means a crime for which a sentence of not more than 90 days or a fine of not more than ~~\$300~~ \$500, or both, may be imposed.

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Sec. 3. Minnesota Statutes 1976, Section 609.03, is amended to read:

609.03 PUNISHMENT WHEN NOT OTHERWISE FIXED. If a person is convicted of a crime for which no punishment is otherwise provided he may be sentenced as follows:

(1) If the crime is a felony, to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both; or

(2) If the crime is a gross misdemeanor, to imprisonment for not more than one year or to payment of a fine of not more than \$1,000, or both; or

(3) If the crime is a misdemeanor, to imprisonment for not more than 90 days or to payment of a fine of not more than ~~\$300~~ \$500, or both; or

(4) If the crime is other than a misdemeanor and a fine is imposed but the amount is not specified, to payment of a fine of not more than ~~\$500~~ \$750, or to imprisonment for a specified term of not more than six months if the fine is not paid.

Sec. 4. Minnesota Statutes 1976, Section 609.031, is amended to read:

609.031 INCREASED MAXIMUM PENALTY FOR MISDEMEANORS. Any law of this state which provides for a maximum fine of ~~\$400~~ \$300 or imprisonment for 90 days as a penalty for a violation shall, after ~~July 1, 1969~~ August 1, 1977, be deemed to provide for a maximum fine of ~~\$300~~ \$500 or imprisonment for 90 days, or both.

Sec. 5. Minnesota Statutes 1976, Section 609.032, is amended to read:

609.032 INCREASED MAXIMUM PENALTY FOR ORDINANCE VIOLATIONS. Any law of this state or city charter which limits the power of any city, town, county, or other political subdivision to prescribe a maximum fine of ~~\$400~~ \$300 or imprisonment for 90 days for an ordinance violation shall, after ~~July 1, 1969~~ August 1, 1977, be deemed to provide that such city, town, county, or other political subdivision has the power to prescribe a maximum fine of ~~\$300~~ \$500 or imprisonment for 90 days, or both.

Sec. 6. Minnesota Statutes 1976, Section 609.135, Subdivision 1, is amended to read:

609.135 STAY OF IMPOSITION OR EXECUTION OF SENTENCE. Subdivision 1. Except when a sentence of life imprisonment is required by law, any court, including a justice of the peace to the extent otherwise authorized by law, may stay imposition or execution of sentence and place the defendant on probation with or without supervision and on such terms as the court may prescribe, including restitution when practicable. The court may order the supervision to be under the probation officer of the court, or, if there is none and the conviction is for a felony, by the commissioner of corrections, or in any case by some other suitable and consenting person.

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Sec. 7. Minnesota Statutes 1976, Section 609.27, Subdivision 2, is amended to read:

Subd. 2. **SENTENCE.** Whoever violates subdivision 1 may be sentenced as follows:

(1) To imprisonment for not more than 90 days or to payment of a fine of not more than \$300, or both if neither the pecuniary gain received by the violator nor the loss suffered by the person threatened or another as a result of the threat exceeds ~~\$100~~ \$300, or the benefits received or harm sustained are not susceptible of pecuniary measurement; or

(2) To imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, if such pecuniary gain or loss is more than ~~\$400~~ \$300 but less than \$2,500; or

(3) To imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both, if such pecuniary gain or loss is \$2,500, or more.

Sec. 8. Minnesota Statutes 1976, Section 609.551, Subdivision 1, is amended to read:

609.551 RUSTLING AND LIVESTOCK THEFT; PENALTIES. Subdivision 1. Whoever intentionally and without claim of right shoots, kills, takes, uses, transfers, conceals or retains possession of live cattle, swine or sheep or the carcasses thereof belonging to another without his consent and with the intent to permanently deprive the owner thereof may be sentenced as follows:

(a) If the value of the animals which are shot, killed, taken, used, transferred, concealed or retained exceeds \$2,500, the defendant may be sentenced to imprisonment for not more than ten years, and may be fined up to \$10,000;

(b) If the value of the animals which are shot, killed, taken, used, transferred, concealed or retained exceeds ~~\$100~~ \$300 but is less than \$2,500, the defendant may be sentenced to imprisonment for not more than five years, and may be fined up to \$5,000;

(c) If the value of the animals which are shot, killed, taken, used, transferred, concealed, or retained is ~~\$400~~ \$300 or less, the defendant may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$300 or both.

Sec. 9. Minnesota Statutes 1976, Section 609.563, Subdivision 1, is amended to read:

609.563 ARSON IN THE THIRD DEGREE. Subdivision 1. Whoever unlawfully by means of fire or explosives, intentionally destroys or damages any personal property belonging to another may be sentenced to imprisonment for not more than five years or to a fine of \$5,000 or both, if:

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(a) The property intended by the accused to be damaged or destroyed had a value of ~~\$100~~ \$300 or more; or

(b) Property of the value of ~~\$100~~ \$300 or more was unintentionally damaged or destroyed but such damage or destruction could reasonably have been foreseen; or

(c) The property specified in clauses (a) and (b) in the aggregate had a value of ~~\$100~~ \$300 or more.

Sec. 10. Minnesota Statutes 1976, Section 609.576, Subdivision 1, is amended to read:

609.576 NEGLIGENT FIRES. Whoever is culpably negligent in causing a fire to burn or get out of control thereby causing damage or injury to another, and as a result thereof:

(a) A human being is injured and great bodily harm incurred, is guilty of a crime and may be sentenced to imprisonment of not more than three years or to a fine of not more than \$3,000, or both; or

(b) Property of another is injured, thereby, is guilty of a crime and may be sentenced as follows:

(1) To imprisonment for not more than 90 days or to payment of a fine of not more than \$300, or both, if the value of the property damage is under ~~\$100~~ \$300;

(2) To imprisonment for not less than 90 days, nor more than one year, or to a fine of \$1,000 or both, if the value of the property damaged is at least ~~\$100~~ \$300 and under \$2,500;

(3) To imprisonment for not more than one year, or to a fine of \$1,000, or both, if the value of the property damaged is \$2,500 and under \$10,000;

(4) To imprisonment for not more than three years or to a fine of \$3,000 or both, if value of property damaged is \$10,000 or greater.

Sec. 11. Minnesota Statutes 1976, Section 609.595, Subdivision 1, is amended to read:

609.595 DAMAGE TO PROPERTY. Subdivision 1. **AGGRAVATED CRIMINAL DAMAGE TO PROPERTY.** Whoever intentionally causes damage to physical property of another without the latter's consent may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, if:

(1) The damage to the property caused a reasonably foreseeable risk of bodily harm; or

(2) The property damaged belongs to a public utility or a common carrier and the

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damage impairs the service to the public rendered by them; or

(3) The damage reduces the value of the property by more than ~~\$100~~ \$300 measured by the cost of repair or replacement, whichever is less.

Sec. 12. Minnesota Statutes 1976, Section 609.615, is amended to read:

609.615 **DEFEATING SECURITY ON REALTY.** Whoever removes or damages real property which is subject to a mortgage, mechanic's lien, or contract for deed, with intent to impair the value of the security, without the consent of the security holder, may be sentenced as follows:

(1) If the value of the property is impaired by ~~\$100~~ \$300 or less, to imprisonment for not more than 90 days or to payment of a fine of not more than \$300, or both; or

(2) If the value of the property is impaired by more than ~~\$100~~ \$300, to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both.

Sec. 13. Minnesota Statutes 1976, Section 609.785, is amended to read:

609.785 **FRAUDULENT LONG DISTANCE TELEPHONE CALLS.** Whoever obtains long distance telephone service by intentionally requesting of the operator that the cost thereof be charged to a false or non-existent telephone or credit card number or to the telephone or credit card number of another without his authority may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$300, or both, when the value of the telephone service obtained is not more than ~~\$100~~ \$300; and by imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both, if the value of the telephone service obtained in a single transaction, or in separate transactions within any six month period, is more than ~~\$100~~ \$300.

Sec. 14. **EFFECTIVE DATE.** This act shall be effective August 1, 1977, and shall apply to all crimes committed on or after that date.

Approved June 2, 1977.

CHAPTER 356—H.F.No.83

An act relating to crime victims reparations; raising the amount of reparations paid to claimants suffering economic loss; appropriating money; amending Minnesota Statutes 1976, Section 299B.04.

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

Section 1. Minnesota Statutes 1976, Section 299B.04, is amended to read:

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