

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Laws 1981, chapter 354, section 1, subdivisions 2, 3, and 4, are repealed.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

Notwithstanding section 609.135, the above sentence must be executed, unless prior to sentencing the prosecutor files a motion to have the defendant sentenced without regard to the mandatory minimum sentence established by this subdivision. The motion must be accompanied by a statement on the record of the reasons. When presented with the motion and if it finds that substantial mitigating factors exist, the court shall sentence the defendant without regard to the mandatory minimum term of imprisonment established by this subdivision. When any portion of the sentence required by this subdivision is not executed, the court should impose a sentence that is proportional to the extent of the offender's prior criminal and moving traffic violation record.

### Sec. 2. STUDY OF MANDATORY MINIMUM SENTENCING PROVISION.

The state planning agency shall monitor the implementation and use of the mandatory minimum sentencing provisions contained in section 169.121, subdivision 3a, and shall report to the legislature by January 1, 1990, with its findings and recommendations, if any.

### Sec. 3. EFFECTIVE DATE.

Section 1 is effective August 1, 1988, and applies to crimes committed on or after that date. Section 2 is effective August 1, 1988.

Approved March 16, 1988

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## CHAPTER 409—S.F.No. 1715

*An act relating to local government; providing conditions for certain county contracts; amending Minnesota Statutes 1986, section 471.345, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1986, section 471.345, is amended by adding a subdivision to read:

Subd. 5a. COUNTY RENTAL CONTRACTS. If the amount of a county contract for the rental of equipment is estimated to be \$60,000 or less, the contract may, in the discretion of the county board, be made by direct negotiation by obtaining two or more quotations for the rental when possible and without advertising for bids or otherwise complying with the requirements of competitive bidding. All quotations shall be kept on file for a period of at least one year after their receipt.

Approved March 16, 1988

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