

CHAPTER 612—H. F. No. 1048

[Not Coded]

An act relating to apportionment of the consolidated conservation areas fund in Koochiching county.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Koochiching county; consolidated conservation areas fund.** Notwithstanding the provisions of Minnesota Statutes 1957, Section 84A.51, Subdivision 4, of the funds received by Koochiching county from the consolidated conservation areas fund the county auditor of such county shall apportion said funds as follows: 20 percent to the county development fund, to be expended under the direction of the county board for the rehabilitation and development of the portion of the county lying within the conservation area; 60 percent to the capital outlay fund of the school district from which derived and 20 percent to the county revenue fund.

Sec. 2. This act shall become effective upon its approval by the majority of the members of the board of county commissioners of Koochiching county and upon compliance with Laws 1959, Chapter 368.

Approved April 20, 1961.

CHAPTER 613—H. F. No. 1093

An act relating to procedure upon application for a writ of habeas corpus; amending Minnesota Statutes 1957, Section 589.04.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1957, Section 589.04, is amended to read:

589.04 **Statements in petition.** The petition shall state, in substance:

(1) That the person in whose behalf the writ is applied for is imprisoned or restrained of his liberty, the officer or person by whom he is so imprisoned or restrained, and the place where; naming both parties if their names are known, or describing them if they are not;

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

(2) That such person is not committed or detained by virtue of any process, judgment, decree, or execution, as hereinbefore specified;

(3) The cause or pretense of such confinement or restraint, according to the knowledge or belief of the party verifying the petition;

(4) If the confinement or restraint be by virtue of any warrant, order, or process, a copy thereof shall be annexed *to such petition and there shall also be attached to such petition copies of all papers which are attached to or accompany such warrant, order, or process, including in those cases where such confinement results from conviction of a crime and sentence therefor a transcript of the proceedings taken and had at the time of arraignment and sentence in the court which imposed the sentence*, or it shall be averred that, by reason of such prisoner being removed or concealed before application, a demand of such copy could not be made, or that such demand was made, ~~and the legal fees therefor tendered to the officer or person having such prisoner in his custody,~~ and that such copy was refused;

(5) If the imprisonment is alleged to be illegal, the petition shall state in what the illegality consists;

(6) *If the imprisonment which is claimed to be illegal is pursuant to a district court judgment or sentence, the judge before whom such petition is pending may in his discretion examine the official files and records of the court issuing the warrant of commitment, including any official transcript of the proceedings taken and had at the time of the arraignment and sentence, and any such official records or transcript shall be deemed properly before the court when determining the sufficiency of the petition or the propriety of issuing such writ of habeas corpus.*

Approved April 20, 1961.

CHAPTER 614—H. F. No. 1099

[Not Coded]

An act relating to the public employees retirement association; providing retirement benefits for certain eligible members who obtained refunds through error.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.