

## CHAPTER 5—H. F. No. 208.

*An act to locate the Fourth State Hospital for the Insane upon certain land in Carlton County; providing the necessary funds to acquire the land therefor, and to build and erect permanent improvements thereon; providing for the issuance of tax levy certificates to provide a fund to be known as the Minnesota Fourth State Hospital for the Insane Building Fund, and providing for the converting of the proceeds of such tax levy certificates into the said fund and appropriating moneys from such fund to the payment of the site and the erection of the buildings provided for; authorizing the State Board of Investment to invest the state trust funds in such tax levy certificates, and authorizing the Board of Investment to purchase said certificates of indebtedness; and validating certain acts in connection with the selection of the land therefor; and for other purposes.*

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

**Section 1. Location for fourth state hospital for the insane.**—The fourth state hospital for the insane shall be located at or near the Village of Moose Lake in the County of Carlton, in the State of Minnesota, and shall be known as the fourth state hospital for the insane, and the said asylum is hereby located upon such portion of the following described lands, and any lands adjacent thereto, in the County of Carlton and State of Minnesota as may be selected and acquired by the State Board of Control, towit :

All that part and portion of the United States Government lot three (3) in section twenty-nine (29), township forty-six (46) north of range nineteen (19) west, in Carlton County, Minnesota, lying south and east of United States Government Highway No. 61, and west and south of State Aid Road No. 7, containing seven and one-half ( $7\frac{1}{2}$ ) acres more or less; all that part of United States Government lot four (4) in section twenty-nine (29), township forty-six (46) north of range nineteen (19) west, in Carlton County, Minnesota, described as follows, towit: beginning at the southeast corner of said Government lot No. four (4), thence west to the southwest corner of said lot four (4), thence north to the northeast corner of the southwest quarter ( $SW\frac{1}{4}$ ) of the northeast quarter ( $NE\frac{1}{4}$ ) of section twenty-nine (29), township and range aforesaid, thence east to the west line of Moose Head Lake in township and range aforesaid, thence following the meandered west line of said lake in a southeasterly, southerly and northeast-

erly direction to the northeast corner of said lot four (4), thence south to the place of beginning, containing thirty-one (31) acres more or less; the west half of the east half ( $W\frac{1}{2} E\frac{1}{2}$ ) of section twenty-seven (27), the northwest quarter ( $NW\frac{1}{4}$ ), the north half of the southwest quarter ( $N\frac{1}{2} SW\frac{1}{4}$ ), and United States Government lots one and two (1 and 2), all in section twenty-seven (27), township forty-six (46), north of range nineteen (19), west of the 4th p.m.; the west half of the northeast quarter ( $W\frac{1}{2} NE\frac{1}{4}$ ), the southeast quarter of the northwest quarter ( $SE\frac{1}{4} NW\frac{1}{4}$ ) and United States Government lots one and two (1 and 2), all in section thirty-four (34) township forty-six (46), north of range nineteen (19), west of the 4th p.m.; and United States Government lots one and two (1 and 2), the southwest quarter of the northeast quarter ( $SW\frac{1}{4} NE\frac{1}{4}$ ) and the northwest quarter ( $NW\frac{1}{4}$ ), all in section thirty-three (33), township forty-six (46), north of range nineteen (19), west of the 4th p.m.; and the northeast quarter ( $NE\frac{1}{4}$ ), the north half of the southeast quarter ( $N\frac{1}{2} SE\frac{1}{4}$ ), United States Government lot three (3), the southwest quarter of the southeast quarter ( $SW\frac{1}{4} SE\frac{1}{4}$ ), the southwest quarter ( $SW\frac{1}{4}$ ) and United States Government lots one and two (1 and 2), all in section twenty-eight (28), township forty-six (46), north of range nineteen (19), west of the 4th p.m.; and also the east half of the southeast quarter ( $E\frac{1}{2} SE\frac{1}{4}$ ), the southwest quarter of the northeast quarter ( $SW\frac{1}{4} NE\frac{1}{4}$ ); United States Government lot five (5) excepting public highway and railroad right of way over and across same; all of United States Government lot two (2) lying and being south of Moose River; all of United States Government lot six (6) lying north of the prolongation of the east and west center line of section twenty-nine (29), all in section twenty-nine (29), township forty-six (46), north of range nineteen (19), west of the 4th p.m.; or as much of said lands as the state board of control may deem necessary, not less, however, than six hundred forty (640) acres.

Sec. 2. **Hospital to be erected.**—The state board of control is hereby authorized and directed, in the name of and on behalf of the State of Minnesota, to cause said fourth state hospital for the insane to be erected on said site, patterned in the main from the state hospitals at Rochester, Saint Peter and Fergus Falls; and for this purpose the state board of control is hereby authorized to purchase, take and acquire the said lands and premises, public or private, and to enter into the necessary contracts for the acquisition of the site specified in this act, by gift, purchase or condemnation, and to enter

into the necessary contracts for the erection of such buildings, and in obtaining proper plans and specifications for such state hospital, and to do and perform such other work in connection with the erection of said new hospital on said site as is usual in the letting of such contracts. The amount authorized to be expended for the erection of said fourth state hospital for the insane shall not exceed the sum of \$1,200,000, including the cost of site, buildings and equipment.

**Sec. 3. Buildings to be erected as provided by law.**—All buildings and improvements authorized by this act shall be made in the manner now provided for by law for the letting and awarding of public contracts as directed in this act.

**Sec. 4. Tax levy.**—For the purpose of providing funds with which to carry out the provisions of this act, the state auditor is hereby authorized and directed to cause to be levied upon all taxable property in the state, in the manner in which other state taxes are levied, for the taxable year commencing in the year 1938, and for each of the next succeeding nine years, a tax sufficient to produce the sum of \$120,000.00 each year, together with such additional sum each year as may be necessary to pay the interest upon certificates of indebtedness issued pursuant to the provisions of this act.

**Sec. 5. Proceeds to be credited to special fund.**—The proceeds from such tax levy shall be credited to a special fund to be known as the Minnesota Fourth Hospital for the Insane Building Fund, which fund is hereby created and is hereby appropriated for the purpose of acquiring the site and erecting the fourth hospital for the insane, and making the improvements provided for in this act.

**Sec. 6. Certificates of indebtedness may be issued.**—Pending the levy and collection of said taxes, the state auditor is hereby authorized and empowered to issue and sell at not less than par, as funds are needed for the purposes of this act, certificates of indebtedness of the State of Minnesota in the aggregate amount of \$1,200,000, to be known as the Minnesota Fourth Hospital for the Insane Building Fund Certificates, which certificates shall mature at such time, not exceeding ten years from the date thereof, and shall bear such rate of interest, not exceeding four (4) per cent per annum, payable semi-annually, and shall be in such form, as the state auditor may determine; such certificates shall be signed by the state treasurer and by the state auditor under their official seals, and the treasurer and the auditor shall keep due record of each thereof. The proceeds from the sale of such certificates shall

be credited to the fund hereby created, and such certificates and the interest thereon shall be paid out of said fund, provided that such interest as may become due on said certificates, until said taxes have been collected to meet the same, shall be paid out of the revenue fund, and the amount necessary for such purpose is hereby appropriated.

**Sec. 7. Proceeds for sale of certificates.**—The amounts obtained from the sale of said certificates and credited to the Minnesota Fourth Hospital for the Insane Building Fund, is hereby appropriated to the state board of control to be used by the state board of control for the acquisition of the land for said site and the construction and erection of the buildings hereinbefore specified and provided.

**Sec. 8. Board of Control may negotiate for grants.**—The state board of control is hereby authorized and directed to negotiate with the Federal Government, or any agency, bureau or department thereof, for the purpose of securing any grants or aid in acquiring the said site and in the construction and erection of the buildings, and/or making of improvements, authorized by this act. Any grants or aid thus secured are hereby appropriated to the state board of control and made available for the uses and purposes set forth in this act, and shall be used in conjunction with the appropriations hereinbefore provided.

**Sec. 9. May purchase certificates with trust funds.**—The state board of investment is hereby authorized to invest the state trust funds in said tax levy certificates, and said state investment board is hereby authorized to purchase said certificates of indebtedness at the rate of not less than three per cent interest in such sums and amounts as said state investment board may, from time to time, have available funds for that purpose, and said state investment board, for this purpose, is authorized to purchase said certificates of indebtedness at a rate of interest not less than three per cent, any law to the contrary notwithstanding, but this rate of interest shall not apply to the state investment board for other loans.

**Sec. 10. Proceedings ratified.**—Any act performed, or money expended, by the state board of control previous to the passage of this act and in connection with the site for the fourth state hospital for the insane, as in this act provided, and any obligation incurred pursuant to the provisions of laws of 1935, chapter 383, in connection with the selection of the site for the fourth state hospital for the insane, are hereby ratified and confirmed, and sufficient money to care for any such

obligations or expenditures is hereby appropriated from the fund created by this act.

Sec. 11. **Provisions severable.**—If any clause, sentence, section, provision or part of this act shall be adjudged to be unconstitutional or invalid for any reason by any court of competent jurisdiction, such judgment shall not impair the effect or invalidate the remainder of this act which shall remain in full force and effect thereafter.

Sec. 12. **Inconsistent acts repealed.**—All acts, or parts of acts, inconsistent herewith, are hereby repealed, and all reference to the erection of the fourth state hospital for the insane or for a new hospital for the insane, referred to and provided for in Laws 1935, Chapter 383, are hereby repealed in so far as such provisions apply to the acquisition of the site and the erection of the buildings and improvements for the fourth state hospital for the insane.

Approved January 11, 1936.

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#### CHAPTER 6—H. F. No. 11.

*An act to authorize cities of the first class operating under home rule charter to transfer and convey for a nominal consideration to the University of Minnesota any tract or parcel of land with water power rights and facilities, the public use of which land and power rights shall have been discontinued.*

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

Section 1. **Cities may convey property to the University of Minnesota in certain cases.**—Any city of the first class operating under a home rule charter, and having and owning the fee title to any tract or piece of land with water power rights and facilities running with such land, the public use of which shall have been discontinued, shall, in addition to all other powers granted such city, have the power and authority to sell, transfer, quit claim and convey such land and water power rights to the University of Minnesota for a nominal consideration in any case where the city council of such city shall deem such land and power rights of no further public use and such transfer and conveyance to the best interest of the city. Provided, however, that such transfer and conveyance shall require two-thirds vote of all members of the city council.

Approved January 13, 1936.