

(b) A person who has been convicted of a felony, who is without counsel, whose time for appeal from the judgment of conviction has expired, and who is unable by reason of poverty to pay counsel and the expenses of a post-conviction proceeding.

Subd. 4. A person described in subdivision 3 may file a petition in the supreme court setting forth: (1) The facts relating to the jurisdictional requirements as set forth in subdivision 3; (2) A statement of the facts of the case in which he has been convicted; (3) The grounds upon which he seeks an appeal or writ of error or the grounds upon which he seeks to pursue post-conviction proceedings, as the case may be; (4) A prayer requesting that the supreme court appoint counsel, order the payment of counsel fees and the actual necessary expenses.

Subd. 5. (a) If the supreme court finds that in the case of a person described in subdivision 3 (a) the review is sought in good faith and upon reasonable grounds, it may appoint counsel for such person and direct the payment of such expenses as the supreme court may authorize. The payment of attorneys' fees and expenses shall be in the same manner and by the county as provided for in Minnesota Statutes 1961, Section 611.07, Subdivision 2.

(b) If the supreme court finds that in the case of a person described in subdivision 3 (b) that the post-conviction proceeding is sought in good faith and that there are reasonable grounds for the proceeding, the supreme court may appoint counsel to represent the petitioner in the post-conviction proceeding and order the payment of counsel fees for services and the actual necessary expenses of the post-conviction proceeding from the appropriation to the supreme court for that purpose.

Subd. 6. The supreme court may adopt such rules as are necessary and convenient to the impartial and speedy disposition of the petitions filed pursuant to this section.

Approved May 23, 1963.

CHAPTER 839—H. F. No. 1959

[Not Coded]

An act relating to public buildings and public lands of the state of Minnesota; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; the acquisition by gift, purchase, or condemnation of certain

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real property therefor; the equipping and replacement of equipment of certain said buildings; appropriating moneys therefor, including necessary expenses from the Minnesota state building fund; authorizing the issuance of the sale of bonds under the provisions of the Constitution, Article IX, Section 6, to finance said fund and appropriating moneys in connection therewith.

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

Section 1. **Public lands and buildings; appropriations.** Except as otherwise provided in this act, there is hereby appropriated from the 1963 Minnesota state building fund in the state treasury, which fund is hereby created for the purposes hereinafter stated, the sum of money herein set forth or so much thereof as may be necessary.

Sec. 2. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act:

Subd. 2. At Anoka state hospital:

- (1) Rehabilitate, construct addition to and equip laundry building\$ 275,000
- (2) Rehabilitate and equip all buildings, construct ancillary unit between cottages 6 and 7; construct a central service addition to cottage 10, including medical and surgical equipment .. 549,675

The unexpended balance of moneys appropriated by Extra Session Laws 1957, Chapter 2, Section 2, Subdivision 2 (3) for rehabilitating cottages 1 through 9, to include fire escapes, fire exit doors and detention screens; and Extra Session Laws 1959, Chapter 90, Section 2, Subdivision 2 (7) for rehabilitating and equipping cottages 1, 4, 5, 6, 7, and 8, is hereby combined and the sum of \$250,325 is reappropriated to the commissioner of administration to supplement the 1963 appropriation for rehabilitation of buildings including equipment, construct an ancillary unit between cottages 6 and 7; construct a central service addition to cottage 10, including medical and surgical equipment.

It is further authorized that out of the unexpended balance of moneys heretofore mentioned, the sum of \$120,000 is hereby reappropriated to supplement Extra Session Laws 1961, Chapter 59, Section 2, Subdivision 3 (2) for electrical services, storm and sanitary services and including conversion to purchased electricity.

Subd. 3. At Fergus Falls state hospital:

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- (1) Demolish upper part of administration building, rehabilitate and equip remainder of administration building, and construct and equip offices between corridor and main building .. 75,000
- (2) Construct fuel handling system and add boiler room improvements 25,000

Subd. 4. At Hastings state hospital:

- (1) Rehabilitate sewage disposal plant including demolition of clarifier housing; rehabilitate and improve old buildings and demolition .. 50,000

Subd. 5. At Moose Lake state hospital:

- (1) Rehabilitate bathroom areas in cottages 1, 2, 3, and 4 45,000

The appropriation made by Extra Session Laws 1961, Chapter 72, Section 2, Subdivision 5 (2) for addition to dairy barn and equipment, in the amount of \$4,000 is hereby cancelled.

Subd. 6. At Rochester state hospital:

- (1) Construct service tunnel system 110,000
- (2) Extend well no. 2 400 feet to Dresbach Strata and seal of Jordan Strata 10,000

Subd. 7. At St. Peter state hospital:

- (1) Construct and equip continued treatment building no. 3 1,700,000
- (2) Construct and equip new heating plant 700,000

Subd. 8. At Willmar state hospital:

- (1) Rehabilitate and equip cottages 4 through 16, auditorium and administration building, and install ground lighting system 50,000

Subd. 9. At Ah-Gwah-Ching nursing home:

- (1) *Rehabilitate and equip Hall pavilion and convert to geriatric space* 40,000
- (1) Reconstruct electric service for buildings B, C, E, and Hall pavilion 13,600

Subd. 10. At Brainerd state school and hospital:

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(1)	Construct and equip school and rehabilitation therapies building	1,170,000
Subd. 11.	At Cambridge state school and hospital:	
(1)	Rehabilitate cottages and other buildings ...	200,000
Subd. 12.	At Faribault state school and hospital:	
(1)	Construct and equip new central kitchen and cottage food serving facilities; raze Huron cottage and old laundry building; and install automatic heating controls	1,600,000
Subd. 13.	At Minnesota school for the deaf, Faribault	
(1)	Rehabilitate and equip service building	24,800
Subd. 14.	At Minnesota state prison, Stillwater:	
(1)	Power plant rehabilitation; high voltage transformer in farm machinery factory; rewire cell halls A, B, C, and D	170,000
(2)	State share of sewage disposal plant at village of Bayport, not to exceed	193,410
Subd. 15.	At state reformatory for men, St. Cloud	
(1)	Service building betterments	50,000
(2)	Construct new well, pump and pumphouses or connection to city water mains	30,000
(3)	Rehabilitate cell house E	49,000
(4)	Rehabilitate heating plant	25,000
Subd. 16.	At state training school for boys, Red Wing:	
(1)	Construct and equip 2 new cottages including furniture, recreational area, and conversion to purchased electricity	370,000
(2)	Demolition of Jefferson, Washington, and McKinley cottages	15,000
(3)	Rehabilitate Honor and Scout cottage	70,000
Subd. 17.	At the state reformatory for women, Shakopee:	

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- (1) Rehabilitate and remodel chapel, schoolroom, and gymnasium, Sanford, Anthony, and Shaw buildings to include: modernizing kitchens, new floors, piping and fixtures, and install security screens 23,000

Subd. 18. At Thistledeew youth forestry camp:

- (1) Replace barracks including equipment 105,000
 (2) Complete sanitary sewage system 15,000

Subd. 19. At Minnesota soldiers' home, Minneapolis:

- (1) Rehabilitate and equip buildings 1, 5, and 6 130,000

The appropriation made by Extra Session Laws 1961, Chapter 72, Section 2, Subdivision 23 (1) for constructing and equipping dual purpose domiciliary for approximately 100 patients in the amount of \$792,000 shall not be expended until a study has been made by the legislative building commission and its report filed with the commissioner of administration, which recommendations shall be advisory only.

Sec. 3. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act:

Subd. 2. Capitol group of buildings:

- (1) Construct automatic elevators, capitol building 75,000
 (2) Reconstruct skylights and sills in dome, resetting west steps, rehabilitate heating system, tuckpointing capitol and state office building, rewire and improve lighting, new floor for manuscripts reading room, historical building; rehabilitate Oliver H. Kelley home 150,000
 (3) Study of heating, humidity, ventilation and dust controls, historical building 3,000
 (4) Install new stack elevator, historical building 26,250
 (5) To continue and complete installation of new fixtures and rewiring, capitol building 35,000

Sec. 4. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act:

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Subd. 2. For land acquisition including the improvement and the preparation of sites for construction at the state colleges 1,000,000

Of the moneys appropriated to the commissioner of administration for the purchase or condemnation of lands in this subdivision, not to exceed \$50,000 may be expended for the acquisition of lands for future state college needs. None of such \$50,000 shall be expended by the commissioner until he has first consulted the legislative building commission and such commission has made its recommendations thereon, Such recommendations shall be advisory only. Failure or refusal of the commission to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 5. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act:

Subd. 2. At Bemidji state college:

- (1) Construct and equip library building and complete science building 987,000
- (2) Construct heating plant addition and add coal handling equipment 378,000
- (3) Reconstruct electric distribution system in Deputy hall, Sanford hall, Memorial hall, and library 35,000

Subd. 3. At Mankato state college:

- (1) Construct and equip speech-music building .. 1,500,000
- (2) Construct and equip library 1,700,000
- (3) Construct addition to heating plant and utility system 200,000

Subd. 4. At Moorhead state college:

- (1) Construct and equip classroom building for art, music, speech, and dramatics 1,520,000
- (2) Remodel and rehabilitate and equip Weld hall 333,000
- (3) Reconstruct and equip old heating plant to provide special education facilities 65,000

Subd. 5. At St. Cloud state college:

- (1) Construct and equip classroom building for fine arts 1,740,000

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Subd. 6. At Winona state college:

- (1) Construct and equip library addition 750,000

Sec. 6. To the state college board to be expended for the state college dormitory and food service program:

- (1) Twenty-five percent of cost of dormitory and food service facilities with 75 percent to be provided by state college board revenue fund 3,000,000

Sec. 7. Subdivision 1. To the regents of the university of Minnesota to be expended for the purposes and in accordance with the provisions of this act:

Subd. 2. At the university of Minnesota, Minneapolis campus:

- (1) Construct and equip library on west campus . 4,200,000
- (2) Final plans for south unit of auditorium type classroom building 65,000
- (3) Funds to match gifts for addition to Minnesota museum of natural history 140,000
- (4) Construct office connection between main engineering and electrical engineering 128,000
- (5) Complete office buildings on west campus .. 200,000
- (6) Remodel and rehabilitate University hospitals to provide 28 patient bed unit on existing station 22 200,000
- (7) Relocation and construct street, west campus, connecting Fourth Street South with West River Road 126,500
- (8) Construct new boiler 1,020,000
- (9) Land for instructional sites and related uses, west campus : 274,000

Subd. 3. At the university of Minnesota, St. Paul campus:

- (1) Construct and equip Snyder hall addition for agricultural biochemistry 1,450,000
- (2) Construct and equip crop research building, phase II 1,200,000

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(3)	Green hall remodeling, rehabilitation and equipment	250,000
(4)	Install elevators, agronomy and plant pathology building	60,000
(5)	Snyder hall rehabilitation	100,000
(6)	Northwest greenhouses rehabilitation	100,000
(7)	Construct new heating tunnel, including piping	150,000
(8)	Construct sanitary trunk sewer to serve north and east areas of campus	103,500
(9)	Complete construction of road from Cleveland Avenue to machinery building	57,000
Subd. 4. At the university of Minnesota, Duluth:		
(1)	Construct and equip library addition	958,000
(2)	Complete construction and equip education building	200,000
(3)	Equip industrial education building	100,000
(4)	Dormitory space for 176 students (25 percent of cost)	186,000
Subd. 5. At the university of Minnesota, Morris:		
(1)	Construct and equip science building	648,000
(2)	Construct and reconstruct tunnels	69,800
Subd. 6. At the northwest school and experiment station, Crookston:		
(1)	Rehabilitate dairy barn, construct high moisture feed storage, silo, install feed lot equipment, construct concrete slabs for dairy barnyard, rehabilitate sheep barn, construct pole barn for sheep and add to beef feeding shed	60,000
Subd. 7. At the southern school and experiment station, Waseca:		
(1)	Dormitory wing	400,000
Subd. 8. At the Rosemount agricultural experiment station:		

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(1)	Construct three bedroom cottage to be located on north beef farm	14,000
Subd. 9. At the Cloquet experimental forest:		
(1)	Construct wood processing building and install sawmill and planer	10,000
Subd. 10. At the forestry and biological station, Itasca:		
(1)	Construct addition to research laboratory no. 47 and construct faculty cabin	8,900
Sec. 8. Subdivision 1. To the state auditor to be expended for the purposes and in accordance with the provisions of this act:		
Subd. 2. Expenses incidental to the sale, printing, execution, and delivery of the bonds authorized by this act, including, but without limitation, actual and necessary travel and subsistence expenses of state officers and employees for such purposes, not to exceed		
		51,000

Of the above amount so much as is necessary is appropriated to reimburse the general revenue fund for such expenses heretofore incurred pursuant to Laws 1963, Chapter 1, Section 5.

Sec. 9. The regents of the university of Minnesota are hereby designated the state agency empowered to accept any and all moneys provided for or made available to this state by the United States of America or any department or agency thereof for the construction and equipping of any building for university or college purposes in accordance with the provisions of federal law and any rules or regulations promulgated thereunder and are further authorized to do any and all things required of this state by such federal law and the rules and regulations promulgated thereunder in order to obtain such federal moneys.

Sec. 10. [16.068] **Federal aid acceptance.** The commissioner of administration is hereby designated the state agency empowered to accept any and all moneys provided for or or made available to this state by the United States of America or any department or agency thereof for the construction and equipping of any building for state purposes, other than university of Minnesota buildings, in accordance with the provisions of federal law and any rules or regulations promulgated thereunder and is further authorized to do any and all things required of this state by such federal law and the rules and regulations promulgated thereunder in order to obtain such federal moneys.

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Sec. 11. Lands or sites for public buildings the acquisition of which is included in the appropriations made by this act may be acquired by gift, purchase, or condemnation proceedings by the regents of the university in case of lands for the university and by the commissioner of administration in the case of other lands. Condemnation proceedings shall be pursuant to Minnesota Statutes, Chapter 117.

Sec. 12. Subdivision 1. Upon the awarding of final contracts for the completion of any projects enumerated in section 2, the commissioner of administration may transfer any unexpended funds in said project account to any other project therein enumerated.

Subd. 2. Upon the awarding of final contracts for the completion of any projects enumerated in section 3, the commissioner of administration may transfer any unexpended funds in said project account to any other project therein enumerated.

Subd. 3. Upon the awarding of final contracts for the completion of any projects enumerated in section 5, the commissioner of administration may transfer any unexpended funds in said project account to any other project therein enumerated.

Subd. 4. Upon the awarding of final contracts for the completion of any projects enumerated in section 7, the regents of the university of Minnesota may transfer any unexpended funds in said project account to any other project therein enumerated.

Subd. 5. The moneys which may be transferred pursuant to this section are hereby appropriated for the purposes for which transferred.

Subd. 6. The commissioner of administration and the regents of the university of Minnesota shall report to the legislative building commission on any transfer of funds made pursuant to this section.

Sec. 13. There is appropriated to the commissioner of administration from the 1963 state building fund the sum of \$80,000 which may be expended by him for the administration of the building program covered by this appropriation, including the employment of personnel. Any person so employed shall be in the unclassified service.

Sec. 14. Subdivision 1. For the purpose of providing the moneys appropriated by this act to the state agencies herein designated, for the acquisition and betterment of the public lands and buildings and other public improvements of a capital nature herein designated, the state auditor is directed to issue and sell bonds of the state of Minnesota in the amount of \$33,990,000 for the prompt

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and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are hereby irrevocably pledged. The proceeds of such bonds shall be credited to the 1963 Minnesota state building fund created by section 1; except that accrued interest and any premium received on sale of the bonds shall be credited to the state bond fund created by the Constitution, Article IX, Section 6, Subdivision 4.

Subd. 2. The bonds shall be issued and sold on competitive bids upon such notice, in such number of series, at such times, in such form and denominations, bearing interest at such rate or rates, maturing on such dates, either without option of prior redemption or subject to prepayment upon such notice and at such times and prices, payable at such bank or banks, within or without the state, with such provisions for registration, conversion, and exchange for the issuance of notes in anticipation of the sale and delivery of definitive bonds, and in accordance with such further regulations as the auditor shall determine subject to the limitations stated in this act (but not subject to the provisions of Minnesota Statutes, Sections 15.0411 to 15.0422). Each bond shall mature within 20 years from its date of issue, shall be sold at not less than par plus accrued interest, and shall be executed by the state auditor and attested by the state treasurer under their official seals. The signature of one of these officers on the face of any bond, and their seals, and the signatures of both officers on the interest coupons appurtenant to any bond, may be printed, lithographed, stamped, or engraved thereon. The auditor is authorized and directed to ascertain and certify to purchasers of the bonds the performance and existence for all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota in accordance with their terms.

This act shall constitute complete authority for the issuance of such bonds and such bonds shall not be subject to the restrictions or limitations contained in any other law.

Subd. 3. In accordance with the provisions of the Constitution, Article IX, Section 6, Subdivision 4, the state auditor shall levy each year on all taxable property within the state a tax sufficient, with the balance then on hand in the state bond fund, to pay all principal and interest on the bonds herein authorized and all other bonds issued under said section 6, due and to become due within the then ensuing year and to and including July 1 in the second ensuing year. Such tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of Minnesota Statutes, Section 273.13, Subdivisions 6 and 7, and shall be and remain subject to no limitation of rate or amount until the bonds and all interest thereon are fully paid. The

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proceeds of such taxes shall be credited to the state bond fund and the principal and interest on the bonds herein authorized shall be payable from the proceeds of such taxes and so much thereof as may be necessary is hereby appropriated for such payments; provided that such principal and interest, if any, as may become due at any time when there is not on hand a sufficient amount from the proceeds of such taxes to pay the same, shall be paid out of the general revenue fund in the state treasury, and the amount necessary therefor is hereby appropriated, to be reimbursed from the proceeds of such taxes when received.

Sec. 15. Notwithstanding any provision of law to the contrary, all moneys appropriated herein shall be deemed for construction or other permanent improvement and shall be available until the purposes for which such appropriation was made shall have been accomplished or abandoned. None of such moneys shall be cancelled. When the purposes of the appropriations have been accomplished or abandoned, as provided for in this act, the authority to whom the appropriation is made shall so certify to the state auditor.

Thereupon, the unexpended balances of such appropriations or any transfer thereof as provided in this act shall be transferred and credited to the state bond fund in the state treasury, and added to the proceeds of the taxes levied by section 14, subdivision 3 of this act. Amounts so transferred and credited to the state bond fund are hereby appropriated in accordance with the provisions of the Constitution, Article IX, Section 6, Subdivision 4, for the purpose of reducing the amount of tax otherwise required to be levied by section 14, subdivision 3 of this act.

Sec. 16. This act is in effect from and after its final enactment.

Approved May 23, 1963.

CHAPTER 840—H. F. No. 1971

[Coded in Part]

An act relating to state parks; providing funds therefor and for related purposes; appropriating moneys with certain restrictions therefor; repealing Minnesota Statutes 1961, Sections 85.05, Subdivision 2, and 296.421, Subdivision 4.

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

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