

general funds, and in that case the city's share either shall be added to the amount of the certificates to be issued and sold under section 430.12, or shall be provided by the issue of general obligation permanent improvement bonds and the city council shall from year to year levy a sufficient tax upon the taxable property of the city to pay the same with interest. In such case the amount provided to be paid out of the general funds shall not be assessed.

Approved April 7, 1953.

CHAPTER 265—S. F. No. 1185

[Not Coded]

An act authorizing counties having more than 300,000 and less than 450,000 inhabitants to use proceeds from sale or condemnation of fair grounds and buildings to acquire another site and erect buildings thereon.

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

Section 1. **Ramsey county, county fair grounds.** In any county having more than 300,000 and less than 450,000 inhabitants, if the county-owned land with buildings thereon used for county fair purposes is condemned or purchased by another political subdivision of the state, the board of county commissioners of such county may use the moneys paid for such fair grounds and buildings for the acquisition of another site for such fair grounds and for the erection of buildings thereon.

Approved April 7, 1953.

CHAPTER 266—S. F. No. 1243

An act relating to opening of voting machines; amending Minnesota Statutes 1949, Section 209.20.

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

Section 1. Minnesota Statutes 1949, Section 209.20, is amended to read:

209.20 Machines; locked, sealed; close of polls Subdivision 1. As soon as the polls of the election are closed, the judges shall immediately lock or lock and seal each voting machine against voting. The judges shall then sign a certificate

stating that each machine has been locked against voting or locked and sealed; the number of voters as shown on the public counter; the number on the seal; the number registered on the protective counter. The judges shall then open the counter compartment in the presence of the watchers and any other persons who may lawfully be present in the polling place, giving full view of all the counter numbers. One of the judges shall, under the scrutiny of the judge of a different political party, if such there be, if more than three judges be serving in such district, in the order of the offices as their titles are arranged on the machine, read and announce in distinct tones the designating number and letter, if any, on each counter for each candidate's name, the result as shown by the counter numbers, and shall then read the votes recorded for each office on the irregular ballots. He shall also in the same manner announce the vote on each constitutional amendment, proposition or other question. As each vote total is announced from the counter of the machine, it shall immediately be entered on the duplicate statements of canvass, in figures only, in ink, by two judges of different political parties, if such there be, in the same order on the space which has the same designating number and letter, if any, after which the figures shall be verified by being called off from the counters in the same manner as herebefore by a judge who recorded the totals on a statement of canvass during the original canvass of the results. If more than three judges are serving in such district, the other judge who recorded the totals on a statement of canvass during the original canvass shall act as watcher at the machine counters during the verification of the results. Each judge shall then sign a certificate which shall be a part of the statement of canvass stating that the results as shown on the statement of canvass are the true and correct results of the election, that the canvass has been completed in accordance with the law as herein provided. After the proclamation of the vote, ample opportunity shall be given to any person lawfully present to compare the results so announced with the counter dials of the machine and any necessary corrections shall then and there be made by the judges. If absent voters' ballots have been voted, such ballots shall be canvassed and counted, the vote thereon for each candidate announced and added to the vote as recorded on the statement of canvass of votes cast by machine. Absent voters' ballots and irregular ballots, enclosed in properly sealed packages respectively, and properly endorsed, shall be filed with the original statement of canvass. The judge filing the returns shall deliver to the board or officer from whom they were received, the keys to each voting machine, enclosed in a sealed envelope having endorsed thereon a certificate of the judges stating the number of each machine, the district where it has

been used, the number of the seal, if any, and the number of the protective counter.

Subd. 2. In each district where voting machines are used, statements of canvass shall be printed to conform with the type of voting machine used. The designating number and letter, if any, on the counter for each candidate shall be printed next to the candidate's name on the statements of canvass. The arrangement of the names on the statement of canvass for each district shall conform exactly with the arrangement of the names on the voting machines to be used in such district. Such statements of canvass shall provide for the entry of the number of votes for each candidate and the "yes" and "no" of each question as shown on each machine used in the district; also for the absent voters' ballots and total number of votes, by such ballots and by machine, for each candidate and upon each question. Upon completion of the canvass the election judges shall enclose the statements of canvass in sealed envelopes without sewing with twine or sealing with wax. Such official statements of canvass may be opened by the authorities in charge of elections before the official canvass for the purpose of checking additions and compiling the unofficial returns and preparing the official records. Such official statements of canvass shall be used in lieu of the summary sheets which shall be dispensed with when voting machines are used.

Subd. 3. The voting machines shall remain locked against use for a period of at least 30 days and as much longer as may be necessary or advisable because of any existing or threatened contest over the results of the election, except that any voting machine may be opened and all data and figures therein examined upon the order of any judge of a court having jurisdiction; provided, that any voting machine used at a primary election may be opened ten days following such primary election if such opening becomes necessary in order to prepare the voting machine so used at such primary election for an election which is to be held on a day which is within 40 days after the day upon which such primary election is held; *provided, further, that any voting machine used at a primary election, or a general election, in a village may be opened 10 days following such primary election and 20 days following such general election if such opening becomes necessary in order to prepare the voting machines so used at such primary election or general election for a village election which is to be held on a day which is within 30 days after the day upon which such primary or general election is held.*

Subd. 4. Irregular ballots shall be preserved for six months after such election and the packages thereof may be

opened and the contents thereof examined only upon an order of a judge of a court having jurisdiction, and after the expiration of such time, such ballots may be disposed of in the discretion of the officer or board having charge of them.

Subd. 5. The municipal corporation adopting the machines shall have the custody thereof when not in use at an election and shall preserve and keep them in repair. All keys for voting machines shall be securely preserved under lock and key by the officer having them in charge. A public officer, who by any provision of law is entitled to the custody of the machine for any period of time, shall be entitled to the keys thereof of such machines in his charge. It shall be unlawful for an unauthorized person to have in his possession any keys of any voting machine; and all election officers or persons entrusted with such keys for election purposes or in preparation of the machine therefor shall not retain them longer than necessary to use them for such legal purpose.

Approved April 7, 1953.

CHAPTER 267—S. F. No. 1257

An act relating to old age assistance; amending Minnesota Statutes 1949, Section 256.26, Subdivision 9.

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

Section 1. Minnesota Statutes 1949, Section 256.26, Subdivision 9, is amended to read:

Subd. 9. **Release.** When the county agency of the county granting assistance to a recipient is satisfied that the collection of the amount paid him as old age assistance will not be jeopardized or that the release of the lien against his property, in whole or in part, is necessary for the maintenance or support of the recipient, his spouse, minor or incapacitated children, or when the county agency is satisfied by competent evidence that the major portion of the investment in the recipient's homestead was made by the children or grandchildren of the recipient by personal services in the home or otherwise and that substantial justice can only be done by the release of the lien, it may, with the approval of the state agency, release such lien with respect to all or part of the real property of the recipient, and such release, or a certified copy thereof, shall be filed with the register of deeds of each county where the lien certificate is filed.

Approved April 7, 1953.