

Section 1. **Lake county; road and bridge bonds.** Solely to provide moneys for the construction of a new county garage or for other road and bridge purposes, as matching funds, provided that an equal amount is furnished by some agency of the state or federal government, the county board of Lake county may, by a unanimous vote of the members thereof, authorize the issue and sale of general obligations bonds of the county in an amount not to exceed \$150,000, in accordance with the provisions of Minnesota Statutes 1961, Chapter 475, but without an election as provided therein and in Minnesota Statutes 1961, Section 375.20. To provide the moneys for the payment of such bonds, the county board is authorized to levy annually upon all taxable property in the county a tax in such amount as may be necessary to provide for the payment of the bonds as they become due and payable, which levy may be in excess of and over and above all taxing limitations.

Sec. 2. This act shall become effective only after its approval by a majority of the governing body of Lake county and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved April 26, 1963.

CHAPTER 380—S. F. No. 1603

An act relating to voting machines; amending Minnesota Statutes 1961, Sections 206.18, 206.19, and 206.21, Subdivision 1.

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

Section 1. Minnesota Statutes 1961, Section 206.18, is amended to read:

206.18 **Voting machines; canvassing board to inspect machines.** It shall be the duty of the canvassing board in any municipality of this state wherein voting machines shall be used in any election, at the time it convenes to canvass the election returns of any election wherein voting machines shall have been used within such municipality, or as soon thereafter as it conveniently can do so, and before it proceeds to canvass such returns, to inspect the registering counter, or other ~~mechanical~~ recording device on any such voting machine showing the number of votes cast for any candidate or proposition voted on at any such election and any irregular ballots recorded thereon or therein and to compare the number of votes so shown by such voting machines to have been cast for each candidate voted for on and by such voting machines and each proposition submitted to the voters voting thereon or thereby with the

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returns made by the election officers of the several precincts in which the voting machines were used at such election and in case there is a discrepancy between the returns so made by such election officers and the number of votes shown by such voting machines on such inspection then and in such case it shall be the duty of such canvassing board to correct such returns as to all candidates and propositions, the returns with reference to which are to be canvassed by it, so made by such precinct election officers, so as to make such election returns conform to the vote so shown by such machines on such inspection as aforesaid and such corrected returns shall thereupon and thereafter be regarded and deemed by such canvassing board as the true and correct return of the number of votes cast for each candidate voted for and each proposition voted on, in the precinct the returns from which shall have been so corrected by such canvassing board. After correcting such returns the canvassing board shall proceed to the performance of its duties as now provided by law.

In case of any election contest the returns of the election officers, as corrected by the canvassing board as aforesaid, shall be prima facie evidence of the vote cast for each candidate and on each proposition voted on at any election, to the same extent and in the same manner and not otherwise, as is the return of the election officers in precincts where voting machines are not used. For the purpose of inspecting such voting machines such canvassing board may adjourn its sessions from time to time as occasion may require and may hold its sessions at any place within the county where the voting machines are usually kept and stored.

Sec. 2. Minnesota Statutes 1961, Section 206.19, is amended to read:

206.19 Instructions to judges. Not more than 21 days before each election and primary at which a voting machine is to be used, there shall be held under the direction of the proper authority having charge of the conduct of the elections, a meeting or meetings for the purpose of instructing the judges about the operation of the voting machine and the duties of election officials when voting machines are used. Each judge serving in a precinct where voting machines are used, shall attend one such meeting preceding each election at which such judge is to serve, and shall receive a certificate showing that he has attended such instruction meeting and has been found qualified to serve. Each judge, who shall attend such instruction meeting and shall qualify and serve at an election, shall receive the sum of \$1 for the time spent in receiving such instruction, in addition to car or railroad fare in going to or returning from such meeting, which shall be paid at the same time and in the same manner

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as the payment for serving on election day. Such certificate shall not be issued to any person unless he has attended an instruction meeting and been found qualified and no person shall be eligible to serve as judge unless he has first received a certificate as herein provided. In case of emergency, when an insufficient number of certified judges is available for the proper conduct of the election, there shall be appointed a sufficient number of judges to conduct such election, although such judges have not received the required certificate; provided that no person shall be appointed a judge who is not a qualified voter in the precinct to which he is appointed as such judge, except as otherwise provided by law.

The authorities in charge of elections shall provide adequate facilities for the instruction of voters prior to an election and cause to be placed in one or more convenient locations a voting machine with sample ballot labels affixed for the purpose of instructing voters in the operation of the machine. If the ballot labels that are used for this purpose are the same that will be used for the succeeding election the counting mechanism of the machine shall be concealed from view until the machine is prepared for the election and if the machine or machines are not used at the election the counting mechanism shall remain concealed from view until after the election.

The judges of each precinct shall meet at the polling place at least one hour before the time for opening the polls. The keys to the voting machines shall be delivered to one of the judges at least *one hour before the time set for opening the polls in a sealed envelope* on which shall be recorded the location and number of the voting machine, the number of the seal, and the number registered on the protective counter as reported by the custodian. The envelope containing the keys shall not be opened until the election officers of the precinct have examined the same to see that it has not been opened and shall have ascertained that the number registered on the protective counter and the numbers on the seals with which the machine is sealed correspond with the numbers recorded on the envelope containing the keys. If the envelope appears to have been opened, or if the numbers do not agree, or if the numbered metal seal is broken or has been tampered with, or if any other discrepancy is found, the judges shall immediately notify the custodian or other authorized person who shall present himself at the polling place and *reexamine such machine and if found to be properly arranged and in order to so certify.* If the numbers on the seals and on the protective counter are found to agree with the numbers on the envelope, the judges shall then open the door concealing the registering counters, and carefully examine every counter to see that it registers zero (000) and shall also allow the watchers to examine them, *pro-*

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vided that if the machine is equipped with a device for printing, embossing, or photographing the registering counters, in lieu of opening the machine, the judges shall operate the machine to produce a printed, embossed, or photographed record to see that every counter registers zero (000) and shall allow the watchers to examine such record. The judges shall then compare the ballot labels on the voting machine with the statements of canvass furnished, and see that the names and numbers, and letters, if any, thereon agree. The judges shall then sign a certificate showing the delivery of the keys in a sealed envelope, the number on the seal or seals, the number registered on the protective counter, that all the registering counters are set at zero (000), and that the ballot labels are properly placed in the machine.

Sec. 3. Minnesota Statutes 1961, Section 206.21, Subdivision 1, is amended to read:

206.21. Machines; locking; opening; custody and care.
Subdivision 1. Reading and recording results. 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 numbered 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, *or if the machine is equipped with a device for printing, embossing, or photographing the registering counters, the judges shall operate the machine to produce a printed, embossed, or photographed record of said counters.* 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 precinct, 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, *or a printed, embossed, or photographed record thereof,* 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

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figures shall be verified by being called off from the counters in the same manner as heretofore 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 precinct, 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, *or the printed, embossed, or photographed record thereof*, 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. *In precincts using only one voting machine, if such machine is equipped with a device for printing, embossing, or photographing the registering counters, two copies of the printed, embossed, or photographed record made by such machine of the voting counters, signed by the judges, together with a statement of votes cast for persons not nominated and absentee votes, if any, may constitute the statement of canvass of the precinct.* 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, 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.

Approved April 26, 1963.

CHAPTER 381—H. F. No. 604

An act relating to conservation; providing for removal of lands from state forests; amending Minnesota Statutes 1961, Section 89.01, Subdivision 5.

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

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