

## CHAPTER 868—H. F. No. 2002

[Not Coded]

*An act relating to the 1962 gubernatorial election contest; providing for the payment of the expenses thereof; and appropriating moneys therefor.*

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

Section 1. **Elections; gubernatorial recount expense; appropriations.** *The sum of \$150,000 is appropriated to the state auditor from the general revenue fund in the state treasury in payment of 1962 gubernatorial election contest expenses to be disbursed by the state auditor to the persons entitled thereto in accordance with the provisions of this act.*

Sec. 2. For the purposes of this act, the terms hereinafter set forth have the meanings given them:

(a) "Contestant" means any one of the persons who commenced an election contest in behalf of the successful candidate for governor, and against the unsuccessful candidate for governor to determine the duly elected governor of Minnesota at the general election of 1962.

(b) "Contestee" means the unsuccessful candidate for governor in the 1962 general election, or his duly designated representative.

(c) "Parties" means the contestant and the contestee.

The successful candidate for the office of governor shall designate in writing the name of the person authorized to file verified lists in the office of the state auditor as a "contestant", and such designation shall be filed in said office. He shall also designate in a like manner the particular person to whom a state warrant made payable to the Rolvaag recount committee shall be delivered.

The unsuccessful candidate for the office of governor shall designate in writing the name of the person authorized to file verified lists in the office of the state auditor as a contestee, and such designation shall be filed in said office. He shall also designate in a like manner the particular person to whom a state warrant made payable to the Andersen recount committee shall be delivered.

Sec. 3. Payment of the moneys appropriated by section 1 shall be made by the state auditor to the person or organization entitled thereto, after there have been filed in his office verified lists of the names, addresses, nature of the claims, and the amounts

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

to be paid to the persons or organizations entitled thereto, and in accordance with the other provisions of this act.

Sec. 4. So much thereof as may be necessary of the amount appropriated in section 1 shall be paid by the state auditor to the individuals or organizations designated in this section:

(a) Partisan ballot inspectors of each of the parties, and neutral ballot inspectors, at the rate of \$15 per day for each calendar day in which duties were performed, plus an additional \$10 per night for each night neutral ballot inspectors were required to spend away from home in the performance of such official duties. A jointly verified list shall be filed in the office of the state auditor by the parties. Payment shall be made under this clause notwithstanding any waivers of payment which any of such ballot inspectors may have heretofore made.

(b) Witness fees of witnesses who either testified at the election contest trial or who were available for that purpose whether called as witnesses or not for either of the parties. Separate verified lists shall be filed in the office of the state auditor by each of the parties. Payment is to be made to the Andersen recount committee for witnesses of the contestee, and payment is to be made to the Rolvaag recount committee for witnesses of the contestant.

(c) The clerk of district court of Ramsey county for unpaid taxable costs, fees, and expenses, and also for all actual additional costs and expenses incurred by his office for extra or overtime clerical help, postage, and other items of actual expense in connection with the gubernatorial election contest, including the cost of returning all exhibits, disputed ballots, and other election materials to the respective auditors of the contest where they originated, but not including any charges or expenses of Ramsey county in safeguarding election materials originating in said county. The clerk of said district court shall file his verified list in the office of the state auditor, and payment shall then be made. The total amount to be paid under this clause, however, shall not exceed \$2,500.

(d) Court reporter services, and including the cost of reproducing records of the trial in the gubernatorial election contest. The parties shall file in the office of the state auditor a jointly verified list of the payments made by them for these purposes. Payment for the expenses of the contestant shall be made to the Rolvaag recount committee, and payment for the expenses of the contestee shall be made to the Andersen recount committee.

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

Sec. 5. The balance of the amount appropriated in section 1 and not expended pursuant to the provisions of section 4 shall be paid to the organizations designated in this section to cover expenses of the parties in the gubernatorial recount contest, not covered by the items enumerated in section 4. These items include, but are not limited to expenses, fees, costs, indebtedness, paid or incurred in connection with the gubernatorial recount contest, stationery, postage, printing, mailing, telephone, salaries, attorneys' fees, rentals, transportation, and similar expenses. \$4,366.15 thereof, supported by a verified list jointly filed by the parties in the office of the state auditor shall first be paid to the Rolvaag recount committee in behalf of the contestant. Of the remainder, 50 percent thereof shall be paid to the Andersen recount committee in behalf of the contestee, and 50 percent thereof shall be paid to the Rolvaag recount committee in behalf of the contestant. Such latter payments shall be based on the separate verified lists of each of the parties.

Sec. 6. The payment of the various sums of money in the respective amounts to the persons and organizations entitled thereto under the terms of this act is in full satisfaction of all claims of the contestant against the contestee, and the contestee against the contestant, and of the contestant or contestee against any municipality, arising out of the 1962 gubernatorial election contest and all taxable costs and disbursements arising out of such proceedings, either against the contestee or the contestant, the state of Minnesota, any municipality, or otherwise, are thereby fully paid and satisfied.

Upon certification of the state auditor that all payments have been made as provided for in this act, and upon proper application duly made, the statutory bond heretofore posted by the contestants in the judicial proceeding referred to in this act shall be released by the district court of Minnesota, and the principal and sureties therein are discharged from liability thereunder.

Sec. 7. This act is in effect from and after its final enactment.

Approved May 24, 1963.

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CHAPTER 869—H. F. No. 1943

[Not Coded]

*An act appropriating money to the state department of business development to defray partial cost of planning, constructing,*

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