

after the expiration of the term or terms. Within 60 days after the occurrence of any vacancy in the board, the Minnesota state dental association shall recommend to the governor not less than two dentists qualified to serve on the board and from the list of persons so recommended the governor, within 30 days after receiving such list of persons, may appoint one member to the board for the unexpired term occasioned by such vacancy, and *such appointee shall be eligible to serve two more consecutive terms*; any appointment to fill a vacancy shall be made within 90 days after the occurrence of such vacancy; provided, that each board member shall have been lawfully in active practice in this state for five years immediately preceding his appointment; and no board member shall serve more than two consecutive terms.

Approved March 28, 1957.

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CHAPTER 232—H. F. No. 686

[Not Coded]

*An act legalizing affidavits of publication heretofore made and delivered by or on behalf of any publisher or printer or agent thereof.*

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

**Section 1. Affidavits of publication legalized.** All affidavits, as to the fact of the publication of any summons, notice, order, resolution or other advertisement which by law is required or authorized to be published in any newspaper, which have been heretofore, or may hereafter and before July 1, 1957, be made and delivered by or on behalf of any publisher or printer or agent thereof, which affidavit purported to state that for at least one year the said newspaper had complied with the various requirements for a qualified legal newspaper in Minnesota Statutes, Section 331.02, are hereby declared to be legal and valid, notwithstanding that any such affidavit shall have failed to state that a copy of each issue of the newspaper had been filed with the State Historical Society, or any other fact required to constitute a qualified legal newspaper under said section. The record of such affidavit or any certified copy thereof shall be in all respects legal and valid and shall have the same force and effect in all respects for the purpose of legal notice and evidence and otherwise as may be provided by law for affidavits of publication.

**Sec. 2. Application.** The provisions of this act shall

not apply to any action or proceeding now pending in any of the courts of this state.

Approved March 28, 1957.

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CHAPTER 233—H. F. No. 698

*An act relating to the excise tax on intoxicating liquor, providing penalties for violations thereof; amending Minnesota Statutes 1953, Section 340.47, Subdivision 1; Sections 340.52, 340.55, 340.56, 340.601; and repealing Minnesota Statutes 1953, Section 340.48.*

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

Section 1. Minnesota Statutes 1953, Section 340.47, Subdivision 1, is amended to read:

**340.47 Excise tax. Subdivision 1. On intoxicating liquors.** There shall be levied and collected on all intoxicating liquors *manufactured, imported, sold or in possession of any person* in this state, *except as herein provided by Sections 340.50 and 340.601, and except the natural fermentation of fruit juices in the home for family use* the following excise tax:

(1) On all unfortified wines, the sum of 20 cents per gallon;

(2) On all fortified wines from 14 to 21 percent of alcohol by volume, the sum of 60 cents per gallon;

(3) On all fortified wines from 21 to 24 percent of alcohol by volume, the sum of \$1.20 per gallon;

(4) On all fortified wines containing more than 24 percent of alcohol by volume, the sum of \$2.50 per gallon;

(5) On all natural and artificial sparkling wines containing alcohol, the sum of \$2.50 per gallon;

(6) On all other distilled spirituous liquors, liqueurs, cordials, and liquors designated as specialites regardless of alcoholic content, the sum of \$2.50 per gallon, but not including ethyl alcohol; provided, that in computing the tax on any package of spirits a proportional tax at a like rate on all fractional parts of a gallon shall be paid except that all fractional parts of a gallon less than one-sixteenth shall be taxed at the same rate as shall be taxed for one-sixteenth of a gallon; pro-