

CHAPTER 681—H. F. No. 271

An act relating to taxation; providing for an increase in gasoline excise tax for motor vehicles; amending Minnesota Statutes 1961, Section 296.02, Subdivision 1 and Subdivision 5.

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

Section 1. Minnesota Statutes 1961, Section 296.02, Subdivision 1, is amended to read:

296.02 **Gasoline, excise tax.** Subdivision 1. **Tax imposed for motor vehicle use.** There is hereby imposed an excise tax of ~~five~~ *six* cents per gallon on all gasoline used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by persons specified in this chapter.

Sec. 2. Minnesota Statutes 1961, Section 296.02, Subdivision 5, is amended to read:

Subd. 5. **Tax to apply to storage.** The additional one-cent excise tax shall apply to all gasoline in storage on July 1, ~~1949~~ *1963*.

Approved May 13, 1963.

CHAPTER 682—H. F. No. 1295

[Coded in Part]

An act relating to election contests; amending Minnesota Statutes 1961, Section 209.02, Subdivision 1.

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

Section 1. Minnesota Statutes 1961, Section 209.02, Subdivision 1, is amended to read:

209.02. **Election contests.** Subdivision 1. **Contest, who may institute, grounds.** Any voter, including a candidate, may contest the nomination or election of any person for whom he had the right to vote, who is declared nominated or elected *to the senate or the house of representatives of the United States*, to a state, county, legislative, or municipal, or district court office, or the declared result of a constitutional amendment or other question voted upon at an election by proceeding as provided in this chapter. The contest may be brought over an irregularity in the conduct of an election or can-

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

vass of votes or on the grounds of deliberate, serious, and material violations of the provisions of the Minnesota election law.

Sec. 2. [209.12] **Federal legislative offices.** *When the contest relates to the office of senator or a member of the house of representatives of the United States, the only question to be tried by the court, notwithstanding any other provision of law, shall be the question as to which of the parties to the contest received the highest number of votes legally cast at the election, and as to who is entitled to receive the certificate of election. The judge trying the proceedings shall make findings of fact and conclusions of law upon the question so tried. Further evidence upon the points specified in the notices, including but not limited to the question as to the right of any person to nomination or office on the ground of deliberate, serious, and material violation of the provisions of the Minnesota election law, shall be taken and preserved by the judge trying the contest, or under his direction by some person appointed by him for that purpose, but the judge shall make no findings or conclusion thereon. After the time for appeal has expired, or in case of an appeal, after the final judicial determination of the contest, upon application of either of the parties to the contest, the clerk of the district court shall, without unnecessary delay, certify and carefully seal and immediately forward all the files and records of the proceedings with all the evidence taken, by mail or by express, addressed to the presiding officer of the senate or of the house of representatives as the case may be of the United States, Washington, District of Columbia; and shall also endorse upon the envelope or container in which the same are transmitted the name of the case in which the same were taken, together with the name of the party in whose behalf the same were taken, and shall subscribe such endorsement.*

Approved May 13, 1963.

CHAPTER 683—H. F. No. 1400

[Not Coded]

An act relating to the village of Island View, Koochiching county; authorizing the issuance of an additional license for the sale of intoxicating liquor.

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

Section 1. **Island View, village of; additional liquor license.** In addition to the liquor licenses now authorized by law the village of Island View, Koochiching county, may issue one additional "on

Changes or additions indicated by italics, deletions by strikeout.