

1 IN THE SENATE

BY SENATORS ROBISON +
Snider by Request

2 SENATE BILL NO. 115

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regulation of the
7 sale and use of intoxicating liquors; and
8 amending sub-section (B) of Section 35-4-17
9 ACLA 1949 as amended, ^{by S.B. 111} sub-section (1) of
10 Section 35-4-15 ACLA 1949 as amended, and
11 Section 35-4-18 ACLA 1949."

12 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

13 Section 1. Sub-section (B) of Section 35-4-17 ACLA 1949, as
14 amended by Chapter 16 of the Session Laws of Alaska 1951, is
15 amended by adding thereto sub-paragraph (1) as follows:

16 (1) Election Outside of Incorporated Towns. Provided,
17 however, that whenever 35% of the total number of voters in
18 the last general election in any precinct outside of an
19 incorporated city or town shall petition the Court so to do
20 the Court shall order an election to be held within the
21 precinct which order shall fix a date not less than 30 days
22 from the date of the order and the polling place and name
23 judges and clerks of the election and shall set forth the
24 proposition to be voted on at such election. The order shall
25 further provide for notice by publication in the manner
26 deemed by the Court to be most likely to properly appraise
27 the voters of such election. The forms of oath and Cer-
28 tificates of Election results shall be provided in the order
29 of the Court authorizing the election.

1 Petitions for local option elections under this section
2 may request an election on the issue as to whether or not
3 any establishment shall be licensed for the sale of in-
4 toxicating liquor under the provisions of this article and
5 in the event the sale of intoxicating liquor is to be per-
6 mitted in the precinct, whether establishments for the sale
7 of intoxicating liquor shall be limited to those to be
8 licensed under any one or more of the specific types of
9 licenses such as beverage dispensary, restaurants, retail
10 establishments, etc., as defined in this article.

11 All the cost and expense incidental to the conduct of
12 any election held under the provisions of this subsection
13 shall be defrayed by the petitioners.

14 It is hereby provided, however, that no existing lic-
15 ense shall be forfeited or terminated by operation of the
16 provisions of this subsection and that licenses may be re-
17 newed or reissued to the holders of existing licenses who
18 otherwise comply with the provisions of this article.

19 Section 2. Sub-section (1) of Section 35-4-15 ACLA 1949, as
20 amended by Chapter 54 of the Session Laws of Alaska 1951, is
21 amended to read as follows:

22 (1) Sale, etc., to Minors, Intoxicated Persons or
23 Drunkards: Credit Sales: Classification of Premises. It
24 shall be unlawful for any licensee, employee or patron of
25 any liquor dispensing establishment to give, barter or sell
26 any intoxicating liquors, including beer and wine, to any
27 person under the age of twenty-one years, to any intoxicated
28 person, or to any habitual drunkard; and it shall be unlawful
29 for any licensee to permit the giving, selling, bartering or

1 drinking of any intoxicating liquor within the premises
2 covered by any license to or by any of the forbidden classes
3 nor shall such licensee permit the drinking of hard or dis-
4 tilled liquors by any person upon the premises covered by
5 his license, unless the same is permitted under the classi-
6 fication of his license. All sales of intoxicating liquor
7 made within the Territory of Alaska for consumption on the
8 premises (or under any retail license) shall be for cash and
9 it shall be unlawful to make any such sale on any time or
10 credit basis.

11 (Revocation of License: Persons deemed Minors.) The
12 drinking of intoxicating liquors on the premises covered
13 by any license by any of the forbidden classes, or the
14 presence of any intoxicated person on such premises, shall
15 be cause for revocation of any such license, and further,
16 that any person attending any grade or high school shall be
17 considered less than twenty-one years of age, and the burden
18 of determining the age shall be on the licensee.

19 (Sales on Election Day.) It shall be unlawful to give,
20 barter, sell or in any way dispose of any intoxicating
21 liquor, including beer and wine, upon any day on which any
22 general, special, or Primary Election is held in the Terri-
23 tory or to so dispose of liquor in any Municipality or other
24 Political Subdivision thereof when an election is being held
25 therein until the polls have been closed on such day.

26 Section 3. Section 35-4-18 ACLA 1949 is amended to read
27 as follows:

28 Section 35-4-18. Municipal Regulations. Incorporated
29 municipalities, in the Territory of Alaska may, by ordinance

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duly enacted, provide such additional rules and regulations governing the barter, sale and possession of intoxicating liquor within such municipalities as may be deemed necessary to the orderly conduct of the business of selling intoxicating liquor; provided, however, that such ordinances or ordinance^s shall not be inconsistent with this Act, and that no municipality shall impose any additional taxes, nor shall any municipality limit the hours of furnishing liquor other than as set forth in this Act, nor shall any municipality establish or impose punishments for violation of any municipal ordinance or of this Act beyond the amount of punishment set forth in this Act.