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IN THE *Senate* BY *Senator Syng*  
*Senate* BILL NO. 145

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

TWENTY-SECOND SESSION

A BILL

For an Act entitled: "An Act to amend Subsection (A) of Section 35-4-21 ACIA 1949, pertaining to the sale of intoxicating liquors; and declaring an emergency."

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

Section 1. Subsection (A) of Section 35-4-21 ACIA 1949 is hereby amended to read as follows:

(A) Beverage dispensary licenses: (Bond: Penalties: Revocation: Employees: Existing licenses:) A Beverage Dispensary license shall give to the holder thereof the right to sell or serve on the premises beer, wine and hard liquors for consumption on the premises only. Provided, however, that the premises for which such license is issued shall not be connected by doors or otherwise with premises covered by any other license issued under these regulations; and provided further, that the sales under Beverage Dispensary Licenses are limited to less than five wine gallons to any one person in any one day. A Beverage Dispensary License Fee shall be Five Hundred Dollars (\$500.00) in all towns, villages, settlements and places of population not exceeding fifteen hundred persons and One Thousand Dollars (\$1,000.00) in all towns, villages and incorporated cities having the population in excess of fifteen hundred persons and all applicants desiring a Beverage Dispensary License, at the

1 time of filing with the District Court, <sup>encl</sup> (?) the applicant  
2 for such license shall also file a bond, either in cash or  
3 a surety company bond, to be approved by the court, the  
4 condition of such bond or undertaking shall be, that the  
5 licensee or licensees are the sole owners and that no other  
6 persons are financially interested either directly or  
7 indirectly and will conduct said business in accordance  
8 with the existing laws pertaining to the manufacture and  
9 sale of intoxicating liquor in Alaska. Such bond shall be  
10 in the penal sum of Twenty-five Hundred Dollars (\$2500.00).  
11 Upon conviction for violation of the laws of Alaska per-  
12 taining to the manufacture and sale of intoxicating liquor  
13 or upon revocation of a license, said bond shall be for-  
14 feited and covered into the Territorial Treasury.

15 The Judge of the District Court for the Territory of  
16 Alaska is hereby empowered and authorized to revoke any  
17 license hereafter granted, as well as those now issued.  
18 Complaints for revocation of licenses under this Act shall  
19 be filed by the U. S. Attorney, his assistants or any  
20 Federal or any Territorial Enforcement Officer. Such com-  
21 plaints shall be filed with the Clerk of the U. S. District  
22 Court. Upon such complaint being filed, duly verified, the  
23 U. S. District Judge shall issue an order to show cause  
24 against the licensee and upon hearing the same, or upon  
25 default of the licensee, the said Judge shall issue his  
26 judgment and order in the matter.

27 Penalty for violation of any of the provisions of this  
28 Act shall be as follows:

29 For the first violation, the licensed premises shall

1           be closed for a period of forty-five (45) days;

2           For the second violation, the licensed premises shall  
3           be closed for a period of ninety (90) days;

4           For the third violation, the bond shall be forfeited,  
5           the license cancelled and the premises abated for one year  
6           for use as a beverage dispensary.

7           The holder of any license which has been revoked as  
8           herein provided shall not be entitled to apply for and  
9           receive another license under this Act for a period of  
10          five years from the date of the Order of Revocation.

11          All employees serving intoxicating liquor in a Bever-  
12          age Dispensary shall be male citizens of the United States,  
13          over the age of 21 years and of good moral character [.]  
14          ; provided, however, that nothing herein shall prohibit any  
15          employee from serving intoxicating liquors in a Beverage  
16          Dispensary where meals are furnished or served in good  
17          faith to guests and patrons. Any such employee of [ SUCH  
18          PLACE / a Beverage Dispensary violating the provisions of  
19          this Act shall be equally guilty with the holder of the  
20          license and shall be punished accordingly. The Treasurer  
21          of Alaska is empowered and directed, with respect to exist-  
22          ing licenses, to make any and all adjustments necessary by  
23          extending credit on new licenses or making refunds to the  
24          licensees for the unused portion of the licenses heretofore  
25          issued at the option of the licensee.

26          Provided that such beverage dispensary licensee shall  
27          be permitted to continue in operation during the period for  
28          which his present license is effective, if he shall so elect.  
29          Provided, however, such license shall not be extended to

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include intoxicating liquor other than beer or wine unless  
he first obtain a new license and post bond as provided  
hereinbefore.

Sec. 2. An emergency is hereby declared to exist and this  
Act shall take effect immediately upon its passage and approval.