

CHAPTER 131

AN ACT

[H. B. 100]

To amend Secs. 35-4-13, 35-4-14 (5) and 35-4-17(B) ACLA 1949 as amended pertaining to liquor licenses.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. That Sec. 35-4-13 ACLA 1949 is hereby amended to read as follows:

Consent of resident citizens required.

Sec. 35-4-13. Application for license: Consent of citizens: Proceedings and hearings on application: Posting license: Transfer of license: Refund of fees: Renewals. Before any license is granted, as provided in this Act, it shall be shown to the satisfaction of the Court that two-thirds of the citizens over the age of twenty-one years, residing within one mile of the place where intoxicating liquor is to be manufactured, bartered, sold and exchanged, or bartered, sold or exchanged, have in good faith consented to the manufacture, barter, sale and exchange, or the barter, sale and exchange of the same; and the burden shall be upon the applicant or applicants to show to the satisfaction of the Court that two-thirds of the citizens over twenty-one years of age have consented thereto and no license shall be granted in the absence of such evidence; provided, that when it is made to appear that two-thirds of said citizens over the age of twenty-one years of any one place outside the corporate boundaries of an incorporated town have consented to the manufacture, barter, sale and exchange or the barter, sale and exchange of intoxicating liquor, no further proof of the consent of the citizens of the place where such intoxicating liquor is to be manufactured, bartered, sold and

Burden of proof upon applicant.

Renewal without further proof.

exchanged, or bartered, sold and exchanged, will be required for a renewal upon application approved by the Court of said license from year to year so long as the licensee shall not have been found guilty of an infraction of the Territorial liquor laws; provided applicant shall file a sworn statement to the effect that applicant has not been convicted of any infraction of the Territorial Liquor Laws.

Statement by applicant.

Provided, however, that any application for a license coming from within an incorporated town shall have attached thereto in lieu of two-thirds of the citizens of that district, a list of at least five references as to the integrity of the applicant and the desirability of the issuing of a license for the premises mentioned therein. The Clerk of the Court, upon receipt of each application from within an incorporated town, shall notify the city council of that town of the necessity for action on the application by the council, in regular or special meeting and the filing with the Clerk of the Court of a certificate showing the action taken. A failure of the municipal officers to act upon applications for licenses within the period specified in the notice furnished them shall be considered a default and shall subject the city to the penalty of losing its right to a refund as herein provided. At the time set for the hearing, the Court shall consider the application and any protests that may be filed against the same, and shall also hear the applicant or others appearing in connection with the matter, and give its judgment, which shall be final. If the application is rejected the fee accompanying the same shall be returned. The licensee shall cause the license to be posted in a conspicuous position in his place of busi-

References in lieu of consent within cities.

Action by City Council.

Court hearing on application.

Posting of license

ness, so that anyone entering the premises may easily read it. No license issued under the provisions of this Act shall be transferred except after first securing the consent of the Court. No refund of license fees will be allowed after the issuance of license.

No refund after issuance.

Section 2. That Sec. 35-4-14(5) ACLA 1949 is hereby amended to read as follows:

Consent of resident citizens.

(5) Together with the consent of two-thirds of citizens over the age of twenty-one years, residing within one mile of the place where the intoxicating liquor or liquors are to be manufactured, bartered, sold and exchanged, or bartered, sold and exchanged; provided, however, that as pertaining to applicants for licenses outside the corporate boundaries of an incorporated town, said consent shall not be required for a renewal of said license from year to year so long as the licensee shall not have been found guilty of an infraction of the Territorial liquor laws. That if any false material statement is made in any part of such application the applicant or applicants shall be deemed guilty of perjury and upon conviction thereof shall be subject to the penalty provided by law for the crime of perjury.

Consent for renewal not required.

False statements constitute perjury.

Section 3. That Sec. 35-4-17(B) ACLA 1949 as amended by Chapter 16 SLA 1951 is hereby amended to read as follows:

Consent of residents outside cities.

(B) Consent of residents outside incorporated cities or towns. No licenses for the sale of intoxicating liquor shall be issued under this Act in precincts outside of incorporated cities or towns unless a petition having signatures of two-thirds of the bona fide residents residing within one mile of the place where intoxicating

liquor is to be sold, and over the age of twenty-one years, is filed with the Clerk of the District Court asking that licenses be issued within the said precinct; provided, however, that such petition shall not be required for a renewal of said license from year to year so long as the licensee shall not have been guilty of an infraction of the Territorial liquor laws.

Renewal consent
not required.

Approved March 30, 1953.

CHAPTER 132

AN ACT

[H. B. 108]

Amending Sec. 42-1-4 (f), ACLA 1949, defining Motor Vehicle Insurance.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. That Sec. 42-1-4 (f) ACLA 1949, is hereby amended to read as follows:

(f) Motor vehicle insurance. Being insurance on motor vehicles operated by power generated within or without such vehicles, except those operating on water or on rails, against any or all loss, expense and liability, including an obligation of the insurer to pay medical, hospital, surgical and disability benefits to injured persons and funeral and death benefits to dependents, beneficiaries or personal representatives of persons who are killed, irrespective of legal liability of the insured, resulting from the ownership, maintenance or use of a motor vehicle.

Motor vehicle
insurance defined.

Approved March 30, 1953.