

# ALCOHOLIC BEVERAGES

## CHAPTER 78

H. B. No. 734

(Staven, Ruddy, Obie, Schoenwald)

### ALCOHOLIC BEVERAGE SALES

#### AN ACT

To amend and reenact section 5-01-13 of the North Dakota Century Code, relating to the prohibition of the consumption as well as the sale or gift of alcoholic beverages on licensed premises on certain days.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. **Amendment.)** Section 5-01-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**5-01-13. Selling or Permitting the Consumption on Licensed Premises on Certain Days Prohibited.)** Every licensee who sells, gives away, or disposes of any alcoholic beverage, or permits the consumption of alcoholic beverages in or on the licensed premises on Memorial Day, Good Friday, Sunday, after six p.m. on Christmas Eve, on Christmas Day, or on the day of any general, primary, special, or local election, in the village, city or county where held while the polls are open or within one hour thereafter is guilty of a misdemeanor.

Approved March 2, 1965.

## CHAPTER 79

H. B. No. 769

(Gengler, Frank, Miller, Harrison)

## ALCOHOLIC BEVERAGE TAX EXEMPTION

## AN ACT

To amend and reenact section 5-03-06 of the North Dakota Century Code, relating to exemptions from taxes on alcoholic beverages.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 5-03-06 of the 1963 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

**5-03-06. Exemption from Tax.)** The taxes levied by this chapter shall not apply to one wine gallon or less of alcoholic beverages brought into North Dakota from foreign countries by any one person for his personal use and not for resale and which was in his personal possession at the time of his entry.

Approved March 5, 1965.

## CHAPTER 80

S. B. No. 335

(Ringsak, Kautzmann)

## ALCOHOLIC BEVERAGE LICENSEE QUALIFICATIONS

## AN ACT

To amend and reenact subsection 2 of section 5-05-03 of the North Dakota Century Code, relating to the qualifications required for a license to sell alcoholic beverages.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Subsection 2 of section 5-05-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. Applicant shall not have been convicted of a felony, or of pandering or of keeping or maintaining a house of prostitution.

Approved March 20, 1965.

## CHAPTER 81

S. B. No. 331

(Kautzmann, Ringsak, Reichert)

## ALCOHOLIC BEVERAGE CONTROL

## AN ACT

To amend and reenact sections 5-05-14, 54-12-12, 5-01-25 and to repeal section 5-02-09 of the North Dakota Century Code, relating to hours when the sale or consumption of alcoholic beverages is prohibited and fees and mileage for witnesses subpoenaed for liquor hearings and salary limits for the state inspector, his deputies, and the chief clerk, and possession, attempted purchase, and purchase of alcoholic beverages by minors.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 5-05-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**5-05-14. Witnesses—Subpoena—Fees.)** The attorney general or other employee of his office authorized herein to conduct any hearing shall have the power to subpoena witnesses, to compel their attendance, and to administer oaths. Such witness shall receive the same fees and mileage as a witness in a civil case in the district court, such fees and expenses to be paid by the state treasurer on voucher duly approved by the attorney general.

**§ 2. Amendment.)** Section 54-12-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**54-12-12. Licensing Department—Inspectors—Powers and Duties.)** The attorney general shall be authorized to appoint a state inspector, four deputy inspectors and investigators, and a chief clerk who shall be bookkeeper and stenographer, and such other clerks and deputies as may be necessary for the proper administration of the licensing department. All of whom shall hold office during the pleasure of the attorney general, and all of whom shall give bond to the state of North Dakota in the sum of five thousand dollars. Such bond to be issued in the state bonding fund, conditioned for the faithful performance of their duties and the accounting for the license fees collected by them. The attorney general shall fix their salaries within limits as provided by the legislative assembly. The chief clerk under the direction of the attorney general shall have charge of the office, including the receiving and

disbursement of all money. The state inspector under the direction of the attorney general shall have charge of the inspections, investigations, and law enforcements and shall direct the work of the deputy inspectors and investigators, and each inspector and investigator shall possess all the powers of police officers anywhere in the state, shall have authority to visit and inspect any of the places herein mentioned, and as police officers to make arrests for violation of any laws of this state and shall be authorized to investigate and conduct investigations of any immoral or corrupt practices or violation of laws of this state and places being conducted contrary to law or Constitution of this state.

§ 3. **Amendment.)** Section 5-01-25 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**5-01-25. Minors—Possession, Attempted Purchase, or Purchase Unlawful.)** It shall be unlawful for any person under the age of twenty-one years to purchase, attempt to purchase, or have in his or her possession any alcoholic beverage.

§ 4. **Repeal.)** Section 5-02-09 of the North Dakota Century Code is hereby repealed.

Approved March 17, 1965.