

§ 22. SHAREHOLDERS LIABILITY: LIMITATION: PUBLICATION OF NOTICE.] The additional liability imposed upon shareholders in state banking associations organized under Section 22 of Chapter 96 of the Session Laws of 1931, shall not apply with respect to shares in any such association issued after July 1, 1939. Any association which was engaged in the business of banking on July 1, 1939 may terminate such additional liability as to shares in such association theretofore issued by publishing notice of intention to terminate liability once each week for four successive weeks in a newspaper published in the county in which the association is located, and such additional liability shall be terminated as of the date six months subsequent to the final publication of the notice herein described.

Approved March 13, 1941.

BEVERAGES

CHAPTER 104

S. B. No. 70—(Brant)

BEER LAW AMENDMENT

An Act to amend and re-enact Sections 5 and 11 of that certain Initiated Law adopted by the voters of the State of North Dakota at a special election held September 22, 1933 and as amended and re-enacted by Chapter 97 of the Session Laws for the year 1935, relating to the manufacture, sale, and distribution of beer.

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

§ 1. AMENDMENT.] Section 5 of the Initiated Measure for the manufacture, sale, and distribution of beer, enacted and approved September 22, 1933, as amended, is hereby amended and re-enacted to read as follows:

§ 5. FEES FOR LICENSE.] In order to effect the changing of the licensing period to a calendar year basis all state retail licenses expiring October 22, 1941, which are renewed and all new licenses issued for the period from October 23, 1941, to January 1, 1943, shall be in the sum of \$59.50 for each place in rural districts or in towns, villages, or cities of less than 500 population and in the sum of \$119.00 for each place in towns, villages or cities over 500 population. Effective January 1, 1943, and thereafter on the first day of each succeeding year the license fees for the retailing of beer in the State of North Dakota shall be as follows:

Each place in rural districts or in towns, villages, or cities
of less than 500 population ----- \$ 50.00

Each place in towns, villages or cities over 500 population_ 100.00

Such retail licenses issued after March 1 of any year shall be issued to cover the balance of the current year and the fee shall be prorated from the first of the month in which said license is issued.

§ 2. AMENDMENT.] Section II of the Initiated Measure for the manufacture, sale, and distribution of beer, enacted and approved September 22, 1933, as amended, is hereby amended and re-enacted to read as follows:

§ II. WHOLESALERS AND DISTRIBUTORS AUTHORIZED TO DISTRIBUTE BEER. LICENSE AND RESTRICTIONS.] Any person, firm, corporation, partnership, or association regularly engaged in legitimate wholesale business within the State may be licensed to distribute beer by wholesale. They shall be licensed for that purpose by the State Tax Commissioner upon submitting to said Commissioner an application in writing, on such forms as the Commissioner shall require, showing such information as shall be required to bring them under the provisions of this Act. No distributor, licensed to do business in this State, shall ever be licensed to retail the sale of beer within the State, in quantities less than a case. No applicant for wholesaler's or distributor's license shall be eligible therefor, unless the applicant has established both a warehouse for handling the beer under such license and a bona fide office in which is kept a complete set of records, correspondence, and files relative to all beer transactions, within the State of North Dakota.

No wholesale license shall be issued until the applicant therefor shall file a bond, to be approved by the State Tax Commissioner, which bond shall be payable to the State of North Dakota and shall be in an amount of not less than \$1,000.00 and conditioned upon the faithful observance of all the provisions of this Act, including the payment of all taxes, fines, penalties, and costs herein provided for. Said bond shall be signed by the obligor as principal, and by a surety company authorized to do business in this state. In order to effect the changing of the licensing period to a calendar year basis all wholesale licenses expiring on October 22, 1941, which are renewed and all new licenses issued for the period from October 23, 1941, to January 1, 1943, shall be in the sum of \$238.00 and thereafter on the first day of January of each succeeding year the State wholesale license shall be in the sum of \$200.00.

Approved February 15, 1941.

CHAPTER 105

S. B. No. 188—(Committee on Delayed Bills)

LIQUOR CONTROL ACT, AMENDMENT

An Act to amend and re-enact Section 9 of Chapter 259 of the Session Laws of 1937; being an act to authorize, regulate, and control the transportation, importation, handling, possession, purchase, sale and dispensing of alcohol, and alcoholic beverage in the State of North Dakota; defining alcoholic beverages, providing the method of taxing and licensing the same, providing the manner of expending and distributing the revenues from such licenses and taxes; providing penalties for violations of the provisions of said Act, providing for a saving clause as to the constitutionality of any part of the Act; and repealing all Acts and parts of Acts in conflict therewith.

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

§ 1. AMENDMENT.] That Section 9 of Chapter 259 of the Session Laws of 1937 be and the same is hereby amended to read as follows:

§ 9. The stamps herein provided for shall be prepared and printed by the State Treasurer in such form and denominations as may be necessary for the carrying out of the provisions of this Act, and shall be issued to and sold to all wholesale dealers upon requisition thereof from time to time; and it is hereby made the duty of such wholesaler under this Act to attach to or cause to be attached to each package or container in the proper amounts such stamps as are provided for in this Act before the same are delivered, shipped to, or consigned to any retail dealer, and to keep a record thereof, designating the County, City and/or Village to which the same are shipped, and report to the State Tax Commissioner the location of the retailer, to whom said sale, delivery, or consignment is made.

For the purpose of reimbursing the State for the expenses of carrying out the provisions of this Act, the State Treasurer is hereby authorized and directed to credit to the General Fund of the State on the 1st day of July of each year, the sum of \$19,637.50 from the monies received from the sale of such stamps. The remainder thereof shall be placed in three special funds to be known respectively as The Institutional Support Fund, Insane; The Institutional Support Fund, Grafton State School; The Institutional Support Fund, Tubercular; said funds to be established in the offices of the State Treasurer and State Auditor as special revolving funds in the manner herein provided and expenditures therefrom to be made by State Auditor's warrant by similar authority and in the same manner as expenditures from other institutional funds.

The distribution of the funds from the sale of said stamps, among the various counties, shall be in proportion to the total amount of Institutional Care charged against each county for the care and

treatment of patients in said three institutions during the preceding quarter year. The allocation of said funds to the three institutions shall be made and determined by the Board of Administration.

On September 1, December 1, March 1, and June 1, each year after the effective date of this act, the State Treasurer shall certify to the Board of Administration the amount available on such date for distribution to the Institutional Support Funds and deliver a copy of such certificate to the State Auditor. The Board of Administration shall on or before September 30, December 31, March 31, and June 30, of each year certify to the State Treasurer, State Auditor, and to each of said three Institutions the amount to be placed to the credit of the fund for the care of Insane, Feebleminded, and Tubercular respectively, in proportion to the amount certified as due from the counties to each Institution for the said preceding quarter.

The amount certified to each institution by the Board of Administration shall be credited by each institution to the several counties in the state in proportion to the number of patients each county has in said institution.

Approved March 17, 1941.