

# INITIATED MEASURES, APPROVED

## CHAPTER 469

### EMPLOYEES OF RAILROADS

An initiated measure to permit railroads to conform to settlement of issues relating to the number of employees on freight trains and self-propelled equipment by: repealing statutes requiring the employment of specified numbers of men; providing for continuation of job guarantees to certain brakemen; and authorizing job and pay protection for affected North Dakota employees in the manner provided by Arbitration Board No. 282 appointed by President John F. Kennedy, supplemental awards and collective bargaining agreements. Passenger trains are not affected.

*Be It Enacted by the People of the State of North Dakota:*

§ 1.) The object of this measure is to permit the railroads in the state of North Dakota to operate their trains and equipment and provide job protection for employees in conformity with the settlement of issues relating to the number of employees on freight trains and self-propelled equipment resulting from the procedures prescribed by the Congress in Public Law 88-108 and the Railway Labor Act, including the award of Arbitration Board No. 282 appointed by President John F. Kennedy, subsequent supplemental awards and collective bargaining agreements.

§ 2.) Sections 49-13-09, 49-13-10, 49-13-13, and 49-13-14 are hereby repealed, provided, however, no brakeman shall be deprived of the job protection now afforded by the last paragraph of section 49-13-09.

§ 3.) Any person employed as an engineer, fireman, conductor, brakeman or flagman on any railroad in this state with service of more than two years prior to January 25, 1964, whose job is eliminated by reason of the enactment of this measure, shall be offered a comparable job at equivalent pay by his employer in accordance with the award of Arbitration Board No. 282.

Approved November 3, 1964.

157,823 to 87,164

**Note:** This was measure No. 3 on the general election ballot.

## CHAPTER 470

SERVING FOOD ON PREMISES WHERE ALCOHOLIC  
BEVERAGES ARE SOLD

An initiated measure to amend and reenact sections 5-05-04, 5-05-05, and 5-05-10 of the North Dakota Century Code, relating to alcoholic beverages in places where food and other commodities are sold, offered for sale, or served, and repealing sections 5-05-07 and 5-05-08 of the North Dakota Century Code.

*Be It Enacted by the People of the State of North Dakota:*

§ 1. **Amendment.)** Section 5-05-04 of the North Dakota Century Code as amended is hereby amended and reenacted to read as follows:

**5-05-04. Separation of Bar—Minors Prohibited.)** No licensee authorized to sell alcoholic beverages shall operate or maintain a bar on or over which alcoholic beverages are sold, furnished, or distributed in any room or rooms wherein food is served at tables for consumption on the premises. It shall be unlawful for any person under twenty-one years of age to be in or to be permitted in any room wherein is operated or maintained a bar on or over which alcoholic beverages are sold, furnished, or distributed. Alcoholic beverages may be sold, furnished or distributed by a licensee authorized to sell alcoholic beverages, in any room or rooms wherein food is served at tables for consumption on the premises, subject to the following conditions:

1. Such licensee must have gross sales of food during the current calendar year in an amount at least equal to the gross sales of alcoholic beverages sold under an on sale license in such room or rooms;
2. A person under twenty-one years of age may not be in or permitted in such room or rooms unless accompanied by one of his or her parents or legal guardian.

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

**5-05-05. Unlawful to Sell or Consume Alcoholic Beverages Where Certain Other Commodities Are Sold.)** It shall be unlawful to sell, offer for sale, give away, barter, or consume alcoholic beverages in any place where is sold or offered for sale any commodity other than tobacco, tobacco products, soft drinks, peanuts, pretzels, potato chips, and related sundries, except as permitted under section 5-05-04.

**§ 3. Amendment.)** Section 5-05-10 of the North Dakota Century Code as amended is hereby amended and reenacted to read as follows:

**5-05-10. Enforcement by Attorney General.)** The inspectors appointed by the attorney general as authorized by law shall assist in the enforcement of the laws of this state relating to the sale of alcoholic beverages, and the other laws of this state under the jurisdiction of the attorney general. They shall frequently visit all licensed premises and shall give particular attention to the operation and conduct of retail premises to the end that such premises shall be conducted in a lawful and orderly manner and in strict compliance with the laws relating to such business. In the performance of the duties hereby imposed upon them, such inspectors shall have all the powers and duties conferred by law upon peace officers.

**§ 4. Repeal.)** Sections 5-05-07 and 5-05-08 of the North Dakota Century Code are hereby repealed.

Approved November 3, 1964.

133,216 to 106,701

**Note:** This was measure No. 6 on the general election ballot.