

STATE ALCOHOLIC CONTROL COMMISSION

BULLETIN NO. 1

1. Enclosed is approved copy of application for retail license for (a) Plenary Retail Consumption License (b) Plenary Retail Distribution License. The same application may be used for either license and is applicable to person, corporation or partnership.
2. (a) License fee for Plenary Retail Consumption License is to be fixed by the Governing Body or Controlling Authority of your municipality at not less than \$350.00 and not more than \$1500.00 per annum.
(b) License fee for Plenary Retail Distribution License is to be fixed by the Governing Body or Controlling Authority of your municipality at not less than \$200.00 and not more than \$1,000.00 per annum.

A temporary two months license may be issued and the fee to be charged therefor shall be the pro-rated portion of the yearly license fees enumerated above. Instructions on how to pro-rate will be embodied in temporary rules and regulations No. 1.
3. License fees can be fixed by resolution of the Governing Body or Controlling Authority of your municipality.
4. Proper certification of the fees fixed by your municipality shall be made to the Commissioner at once. There shall be forwarded daily to the Commissioner a list in duplicate stating the number and class of all licenses issued by your municipality. Also two (2) copies of all ordinances and resolutions pertaining to the manufacture and sale of Alcoholic Beverages.
5. No retail license shall be issued to any person, partnership or corporation engaged in the manufacture, rectifying, blending or wholesaling of any Alcoholic Beverages.
6. You will note that this Act differs from the Temporary Act in that no wholesale distributor may sell at retail.
7. The enclosed application form is the permanent application form but only a temporary license may be issued at this time. Temporary license is good only for two months, as provided in Section 23 of the Statute, but this temporary license is subject to revocation in the meantime.
8. The application is to be fully filled out, every question covering License applied for answered and signed, independent of whether applicant is an individual, a corporation or a partnership.
9. Applicant must be in possession of a valid Federal Special Tax Stamp appropriate to the business for which license is sought.
10. A municipality, in the issuance of temporary licenses is authorized to waive for the time being sections of the Statute requiring investigation, advertising of intention and submission of photostatic copy of Federal Stamps before issuing the license. You will nevertheless require that the applicant submit for your inspection the Federal Tax Stamp appropriate to his business or a Post Office receipt for same.

11. You will make it clear to the applicant nevertheless, that he must advertise but can get his license in advance of the advertising during the temporary period.
12. Each municipality having a population of 15,000 or more, as determined by the last Federal census, is hereby authorized to establish in and for such municipality by resolution or ordinance, a Municipal Board of Alcoholic Beverage Control to be appointed by the said Governing Body or Controlling Authority, to consist of three persons chosen by the said Governing Body or Controlling Authority for a term of three years. One appointment shall be for one year, another for two years and the third for three years. Members of the Governing Body or Controlling Authority of your municipality may be chosen for this Board.
13. No license can be issued until repeal becomes effective.
14. We would suggest that the Governing Body of your municipality meet as quickly as possible to pass appropriate resolutions to meet this emergency situation. It is expected that the Governor will sign the Bill making this legislation effective on Monday but no license can be issued if the Bill is not signed by the Governor.
15. An applicant may use in place of the approved application form that replica of the application form which appears in the newspapers. Where the municipality does not print or otherwise furnish the application form which is a replica of the enclosed approved form and where the applicant does present his application on a form taken from a newspaper, extra care must be taken to compare the newspaper form word for word with the approved form to see if in fact they are identical. The entire responsibility for the accuracy of the newspaper form is placed on the municipality.
16. Temporary rules and regulations governing the issuance of applications and temporary licenses are being formulated and will be mailed to reach you on Monday, December 4th. This will also instruct you exactly what portion of the yearly fee shall accompany applications. It is therefore highly advisable that you do not accept any applications prior to receipt of these regulations.

D. Frederick Burnett,
Commissioner.