

Thursday, March 10th

Powers of Board Are Defined; Bill Explains Permit System

The bill, in a preliminary part of three sections, defines twenty-one terms used in the measure, such as "beer," "license," "board," "dentist," "druggist," "Government store," "interdicted person," "justice," "liquor," "minister," "native wine," "package," "permit," "physician," "prescription," "public place," "residence," "regulations," "sale," "veterinary," "wine."

Interpretation of the terms regarded as most important from the point of view of public interest are as follows:

"Beer" shall mean any liquor obtained by the alcoholic fermentation of an infusion or decoction of barley, malt and hops, or of any similar products in drinkable water, and containing not less than 21-2 per centum by volume at 60 degrees Fahrenheit of absolute alcohol, or stronger than 4.4.

"Light beer" is considered to be 4.4, or with less alcoholic content.

"Public Place."

"Public place" shall mean and include any place, building or convenience to which the public has, or is permitted to have, access, and any highway, street, lane, park or place of public resort or amusement.

"Residence" shall mean and include any building or part of a building or tent where a person resides, but shall not include any part of a building which part is not actually and exclusively used as a private residence, nor any part of a hotel or club other than a private guest room thereof, nor any place from which there is access to a club or hotel except through a street or lane or other open and unobstructed means of access.

"Liquor" shall mean and include any alcohol, alcoholic, spirituous, vinous, fermented malt or other intoxicating liquor or combination of liquors, and mixed liquor a part of which is spirituous, vinous, fermented or otherwise intoxicating, and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption which are intoxicating, and any liquor which contains more than 21-2 per centum by volume at 60 degrees Fahrenheit of absolute alcohol shall conclusively be deemed to be intoxicating; the term "liquor" shall include beer, but shall not include light beer.

It is explained that the bill is divided into parts "for convenience only."

Then follows "Part 1—Administration of this act, creation of board and its powers and functions," containing Sections 4 to 29, inclusive.

Personnel of Board.

Section 4 states that the Liquor Control Board, the personnel of which the Premier formerly announced, shall consist of one, two or three members, as shall be determined from time to time by the Lieutenant - Governor - in - Council. The administration of the act, including all general control, management and supervision of all Government liquor stores, shall be vested in the board.

Section 5 empowers the Lieutenant-Governor-in-Council to designate the Chairman, or "Chief Commissioner," of the board, and a Deputy Chief Commissioner, who may act for the Chief.

The power and duties of the board are outlined in Section 10 as follows:

"It shall be the duty of the board and it shall have power—

"(a) To buy, import and have in its possession for sale, and to sell, liquor in the manner set forth in this act;

"(b) To control the possession, sale, transportation and delivery of liquor in accordance with the provisions of this act;

"(c) To determine the municipalities within which Government liquor stores shall be established throughout the Province, and the situation of the stores in any municipality;

"(d) To make provision for the maintenance of warehouses for beer or liquor and to control the keeping in and delivery of or from any such warehouses;

"(e) To grant, refuse or cancel permits for the purchase of liquor;

"(f) To lease any land or building required for the purposes of this act;

"(g) To purchase or lease or acquire the use by any manner whatsoever of any plant or equipment which may be considered necessary or useful in carrying into effect the object and purposes of this act;

"(h) To engage the services of experts and persons engaged in the practice of any profession where it is deemed expedient;

"(i) To appoint officials to issue and grant permits under this act;

"(j) To determine the nature, form and capacity of all packages to be used for containing liquor to be kept or sold under this act;

"(k) To appoint one or more vendors of sacramental wines in any municipality and to regulate or restrict the keeping for sale, sale and delivery of such wine;

"(l) Without in any way limiting or being limited by the foregoing clauses, generally to do all such things as may be deemed necessary or advisable by the board for the purpose of carrying into effect the provisions of this act or the regulations."

May Make Regulations.

Subsection 2 definitely explains the power of the board to make regulations, as follows:

"2. Without limiting the generality of the provisions contained in Subsection 1, it is declared that the powers of the board to make regulations in the manner set out in the said subsection shall extend to and include the following:

"(a) Regulating the equipment and management of Government stores and warehouses in which liquor may be kept or sold;

"(b) Prescribing the duties of the officers, inspectors, clerks and servants of the board, and regulating their conduct while in the discharge of their duties;

"(c) Governing the purchase of liquor and the furnishing of liquor to Government stores established under this act;

"(d) Determining the classes, varieties and brands of liquor to be kept for sale at Government stores;

"(e) Prescribing, subject to this act, the days and hours at which Government liquor stores shall be kept open for that purpose;

Issue of Price Lists.

"(f) Providing for the issue and distribution of price lists, showing the price to be paid for each class, variety or brand of liquor kept for sale under this act;

"(g) Prescribing the books of account to be kept by the board, showing the expenditure of the board in the administration of the act, and in the purchase, sale and delivery of liquor thereunder, and the receipts of the board from the sale of liquor in any Government store, or from the issue of permits for the purchase of liquor;

"(h) Prescribing an official seal and official labels, and determining the manner in which such seal or label shall be attached to every package of liquor sold or sealed under this act, including the prescribing of different official seals or different official labels for the different classes, varieties and brands of liquor;

"(i) Prescribing forms to be used for the purposes of this act or of the regulations made thereunder, and the terms and conditions in permits and licenses issued and granted under this act;

"(j) Prescribing the nature of the proof to be furnished and the conditions to be observed in the issuing of duplicate permits in lieu of those lost or destroyed;

Kinds and Quantities.

"(k) Prescribing the kinds and quantities of liquor which may be purchased under permits of any class, including the quantity which may be purchased at any one time or within any specified period of time; and the alcoholic content of any such liquor;