

SENATE CS FOR CS FOR HOUSE BILL NO. 458(RLS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE

Offered: 5/8/98

Referred: Today's Calendar

Sponsor(s): HOUSE LABOR AND COMMERCE COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to establishing a golf course alcoholic beverage license to allow
2 sales of beer and wine; extending the termination date of the Alcoholic Beverage
3 Control Board; and providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 04.11.080 is amended to read:

6 **Sec. 04.11.080. Types of licenses and permits.** Licenses and permits issued
7 under this title are as follows:

8 (1) beverage dispensary license;
9 (2) duplicate beverage dispensary license for additional rooms;
10 (3) restaurant or eating place license;
11 (4) club license;
12 (5) bottling works license;
13 (6) brewery license;
14 (7) package store license;

- 1 (8) general wholesale license;
- 2 (9) wholesale malt beverage and wine license;
- 3 (10) distillery license;
- 4 (11) common carrier dispensary license;
- 5 (12) retail stock sale license;
- 6 (13) recreational site license;
- 7 (14) pub license;
- 8 (15) winery license;
- 9 (16) caterer's permit;
- 10 (17) special events permit;
- 11 (18) conditional contractor's permit;
- 12 (19) brewpub license;
- 13 (20) **golf course license.**

14 * Sec. 2. AS 04.11 is amended by adding a new section to read:

17 (b) A license may be issued only if

18 (1) an application is approved by the local governing body and the
19 board;

(2) the applicant does not hold a beverage dispensary license or a restaurant or eating place license; this paragraph does not apply to an applicant who holds a beverage dispensary license or a restaurant or eating place license if the license was acquired by transfer from a licensee under AS 04.11.280.

27 (d) Food similar to that listed in the sample menu must be available during
28 times when beer and wine are sold, served, and consumed on the licensed premises.

29 (e) A golf course license may not be transferred or relocated.

30 (f) In this section,

31 (1) "golf course" means a course, having at least nine holes and

1 covering at least 2,950 yards, that is open to the public; and

2 (2) "licensed premises" includes buildings located on the golf course
3 or a vending cart designed to carry beverages or food located on the golf course.

4 * **Sec. 3.** AS 04.11.400(a) is amended to read:

5 (a) Except as provided in (d) - (h) and (l) of this section, a new license may
6 not be issued and the board may prohibit relocation of an existing license

7 (1) outside an established village, incorporated city, unified
8 municipality, or organized borough if after the issuance or relocation there would be
9 (A) more than one restaurant or eating place license for each 1,500 population or
10 fraction of that population, or (B) more than one license of each other type, including
11 licenses that have been issued under (d) or (e) of this section, for each 3,000
12 population or fraction of that population, in a radius of five miles of the licensed
13 premises, excluding the populations of established villages, incorporated cities, unified
14 municipalities, and organized boroughs that are wholly or partly included within the
15 radius;

16 (2) inside an established village, incorporated city, or unified
17 municipality if after the issuance or relocation there would be inside the established
18 village, incorporated city, or unified municipality

19 (A) more than one restaurant or eating place license for each
20 1,500 population or fraction of that population; or

21 (B) more than one license of each other type, including licenses
22 that have been issued under (d) or (e) of this section, for each 3,000 population
23 or fraction of that population;

24 (3) inside an organized borough but outside an established village or
25 incorporated city located within the borough, if after the issuance or relocation there
26 would be inside the borough, but outside the established villages and incorporated
27 cities located within the borough,

28 (A) more than one restaurant or eating place license for each
29 1,500 population or fraction of that population; or

30 (B) more than one license of each other type, including licenses
31 that have been issued under (d) or (e) of this section, for each 3,000 population

1 or fraction of that population excluding the population of those established
2 villages that have adopted a local option under AS 04.11.491(b)(1), (3), or (4),
3 and excluding the population of incorporated cities located within the organized
4 borough.

5 * **Sec. 4.** AS 04.11.400 is amended by adding a new subsection to read:

6 (l) This section does not apply to a golf course license issued under
7 AS 04.11.115.

8 * **Sec. 5.** AS 44.66.010(a)(1) is amended to read:

9 (1) Alcoholic Beverage Control Board (AS 04.06.010) -- June 30, **1999**
10 [1998];

11 * **Sec. 6.** 15 AAC 104.670 is annulled.

12 * **Sec. 7.** This Act takes effect July 1, 1998.