



LAWS OF ALASKA

1988

Source

SCS CSHB 279(Fin)

Chapter No.

17

AN ACT

Relating to club licenses for the sale of alcoholic beverages;
and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 10

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO
THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES
DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL
REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY
LINE OF EACH BILL SECTION.

Approved by the Governor: April 7, 1988
Actual Effective Date: April 8, 1988

AN ACT

Relating to club licenses for the sale of alcoholic beverages; and providing for an effective date.

* Section 1. AS 04.11.110(b) is amended to read:

(b) A club license may only be issued to a club, fraternal organization, patriotic organization, or social organization that has been (1) chartered by a state or national organization for a period of two consecutive years before application for a license under this section; or (2) chartered by a national organization and the national organization has maintained a chartered club or organization within the state for a period of at least 20 years. The organization licensed under this section must be operated for social, recreational, political, benevolent or athletic purposes and not for profit. A club license may only be issued to an organization if none of the income from the sale of alcoholic beverages is distributed to its members, directors, or officers. Soliciting of public patronage of the club premises except as approved by the board is a violation of this section.

* Sec. 2. AS 04.11.110(f) is amended to read:

(f) Alcoholic beverages purchased by a club or organization licensed under this section may not be used or consumed off the licensed premises of the club or organization by any person, including club members and employees unless used or consumed at social, recre-

Chapter 17

1 ational, benevolent or athletic functions of the club or organization
2 and the use or consumption is approved by the board.

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

4 (a) Except as provided in (g), (h), (i), [AND] (j), and (k) of
5 this section, a new license may not be issued and the board may pro-
6 hibit relocation of an existing license

7 (1) outside an established village, incorporated city,
8 unified municipality, or organized borough if after the issuance or
9 relocation there would be more than one restaurant or eating place
0 license for each 1,500 population or fraction of 1,500 population or
1 more than one license of each other type, including licenses that have
2 been issued under (g) or (h) of this section, for each 3,000 popula-
3 tion or fraction of 3,000 population in a radius of five miles of the
4 licensed premises or location of premises sought to be licensed,
5 excluding the populations of established villages, incorporated
6 cities, unified municipalities, and organized boroughs that are wholly
7 or partly included within the radius;

8 (2) inside an established village, incorporated city, or
9 unified municipality if after the issuance or relocation there would
0 be inside the established village, incorporated city, or unified
1 municipality more than one restaurant or eating place license for each
2 1,500 population or fraction of 1,500 population or more than one
3 license of each other type, including licenses that have been issued
4 under (g) or (h) of this section, for each 3,000 population or frac-
5 tion of 3,000 population inside the established village, incorporated
6 city, or unified municipality;

7 (3) inside an organized borough but outside an established
8 village or incorporated city located within the borough, if after the
9 issuance or relocation there would be inside the borough, but outside
0

1 the established villages and incorporated cities located within the
2 borough, more than one restaurant or eating place license for each
3 1,500 population or fraction of 1,500 population or more than one
4 license of each other type, including licenses that have been issued
5 under (g) or (h) of this section, for each 3,000 population or frac-
6 tion of 3,000 population inside the borough, excluding the population
7 of those established villages that have conducted an election on a
8 question set out in AS 04.11.490, 04.11.496, or 04.11.500, and exclud-
9 ing the population of incorporated cities located within the organized
0 borough.

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

2 (k) Except as provided in (i) of this section, within an incor-
3 porated city, unified municipality or an organized borough, a new club
4 license may be issued, and the relocation of an existing club license
5 may be approved by the board if

6 (1) the issuance or relocation of club licenses under the
7 population limitation contained in (2) of this subsection has been
8 approved by resolution adopted by the incorporated city, unified
9 municipality, or organized borough within which the club license is to
0 be issued or relocated; and

1 (2) after issuance or relocation there would not be, inside
2 the incorporated city or unified municipality, or inside the organized
3 borough but outside the incorporated cities located within the bor-
4 ough, more than one club license for each 1,500 population or fraction
5 of 1,500 population.

6 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).