

CS FOR HOUSE BILL NO. 372(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 3/21/96

Referred: Rules

Sponsor(s): REPRESENTATIVES ROKEBERG, B.Davis, Brown

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the authority of the Alcoholic Beverage Control Board to
2 exempt certain restaurant or eating place licenses from requirements relating to
3 operation of a restaurant and to food sales; and providing for an effective
4 date."

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

6 * **Section 1.** AS 04.11.100(f) is amended to read:

7 (f) Notwithstanding the provisions of (b) and (e) of this section, upon written
8 application and approval of the local governing body, the board may renew [ISSUE OR
9 REISSUE] a restaurant or eating place license and exempt the licensee from the
10 requirements of (b) and (e) of this section if the license was issued under the
11 provisions of this subsection before July 1, 1996. [A LICENSEE EXEMPT
12 AS PROVIDED IN THIS SUBSECTION SHALL PROVIDE FOOD ITEMS FOR SALE
13 ON THE PREMISES AS SHOWN ON A MENU APPROVED BY THE BOARD AND
14 AVAILABLE TO PATRONS.] The board may not

1 (1) renew [ISSUE OR REISSUE] a license as provided under this
2 subsection if

3 (A) the renewal [ISSUANCE OR REISSUANCE] would result
4 in more than one exempt restaurant or eating place license for every 10 restaurant
5 or eating place licenses allowed under the provisions of AS 04.11.400(a)(2) or
6 (3);

7 (B) the premises would be located in a building having a public
8 entrance within 200 feet of the boundary line of a school or a church building in
9 which religious services are being regularly conducted; for purposes of this
10 subparagraph, the 200-foot prohibition is measured from the outer boundary line
11 of the school or the public entrance of the church building by the shortest
12 pedestrian route to the nearest public entrance of the restaurant or eating place;

13 or

14 (2) [REISSUE A RESTAURANT OR EATING PLACE LICENSE
15 AS EXEMPT AS PROVIDED UNDER THE PROVISIONS OF THIS SUBSECTION
16 IF THE LICENSE WAS ISSUED UNDER THE PROVISIONS OF AS 04.11.400(g);
17 OR

18 (3)] transfer an exempt license issued under this subsection to another
19 person.

20 * **Sec. 2.** AS 04.11.100 is amended by adding a new subsection to read:

21 (g) A restaurant or eating place licensee operating under a license issued under
22 (f) of this section

23 (1) shall offer a full-service menu of food items available to the public;
24 the menu must be approved by the board;

25 (2) may only provide live performances or music on the licensed
26 premises between the hours of 6:00 p.m. and 9:00 p.m. unless approved by the director
27 after written request by the licensee for a specific occasion.

28 * **Sec. 3.** TRANSITION. Notwithstanding the provisions of AS 04.11.100(f), as amended
29 by sec. 1 of this Act, if this Act takes effect before July 1, 1996, then during the period between
30 the effective date of this Act and July 1, 1996, the Alcoholic Beverage Control Board may
31 renew an existing restaurant or eating place license under AS 04.11.100(f) but may not issue a
32 new restaurant or eating place license under AS 04.11.100(f).

1 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).