

HOUSE BILL NO. 298

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE HODGINS

Introduced: 1/12/98

Referred: Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to denial of renewal of a liquor license; and providing for an
2 effective date."

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

4 * **Section 1.** AS 04.11.330(a) is amended to read:

5 (a) An application requesting renewal of a license shall be denied if

6 (1) the board finds, after review of all relevant information, that
7 renewal of the license would not be in the best interests of the public;

8 (2) the license has been revoked for any cause;

9 (3) the applicant has not operated the licensed premises for at least 30
10 eight-hour days during each of the two preceding calendar years, unless **the applicant**
11 **qualifies under (e) of this section or** the board determines that the licensed premises
12 are under construction or cannot be operated through no fault of the applicant;

13 (4) the board finds that issuance of an existing license under
14 AS 04.11.400(d) has not encouraged tourist trade;

1 (5) the requirements of AS 04.11.420 - 04.11.450 relating to zoning,
2 ownership of the license, and financing of the licensee have not been met;

3 (6) renewal of the license would violate the restrictions pertaining to
4 the particular license under this title or the license has been operated in violation of
5 a condition or restriction imposed by the board;

6 (7) renewal of the license is prohibited under this title as a result of an
7 election conducted under AS 04.11.507;

8 (8) the application has not been completed in accordance with
9 AS 04.11.270; [OR]

10 (9) the license was issued under AS 04.11.400(g), and the board finds
11 that the public convenience does not require renewal.

12 * **Sec. 2.** AS 04.11.330 is amended by adding a new subsection to read:

13 (e) Notwithstanding (a)(3) of this section, a license may be renewed if the
14 applicant has not previously operated the licensed premises and the applicant acquired
15 the right to apply for the license from a United States Bankruptcy Court. However,
16 this subsection applies only for seven years after the first renewal date following the
17 applicant's acquisition of the right to apply for the license. Notwithstanding
18 AS 04.11.090 - 04.11.180, an applicant renewing a license under this subsection shall
19 pay a license fee equal to one-half of the applicable biennial license fee.

20 * **Sec. 3.** Sections 1 and 2 of this Act are retroactive to July 1, 1995.

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