

CS FOR HOUSE BILL NO. 458(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 3/2/98

Referred: Rules

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; and providing for an effective date."

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

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

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

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

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

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

14 **Sec. 04.11.115. Golf course license.** (a) A golf course license authorizes the
 15 licensee to sell and serve beer and wine for consumption on licensed premises located
 16 on a golf course.

17 (b) A license may be issued only if an application is approved by the local
 18 governing body and the board.

19 (c) The biennial license fee is \$400. The license fee and application fee must
 20 accompany the application for the license. An application must include a drawing of
 21 the golf course and a detailed diagram that clearly identifies a proposed area that
 22 constitutes the licensed premises. A sample minimum food menu must accompany the
 23 application.

24 (d) Beer and wine may only be sold, served, and consumed during times when
 25 the golf course is open for play. Food similar to that listed in the sample menu must
 26 be available during times when beer and wine are sold, served, and consumed on the
 27 licensed premises.

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

29 (f) In this section,

30 (1) "golf course" means a course, having at least nine holes or covering
 31 at least 2,950 yards, that is open to the public; and

1 (2) "licensed premises" includes a building or a motor vehicle located
2 on the golf course.

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

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

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

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

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

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

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

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

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

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

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

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

7 * **Sec. 5.** This Act takes effect July 1, 1998.