

SENATE BILL NO. 260

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY SENATOR TAYLOR

Introduced: 2/10/00

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to denial of an application for issuance of a new alcoholic
2 beverage license in an established village."

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

4 * **Section 1.** AS 04.11.320(a) is amended to read:

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

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

8 (2) issuance of the license is prohibited by AS 04.11.410, relating to
9 location of premises near churches and schools;

10 (3) the application has not been completed in accordance with
11 AS 04.11.260;

12 (4) issuance of the license would violate the restrictions pertaining to
13 the particular license imposed under this title;

14 (5) issuance of the license is prohibited under this title as a result of

1 an election conducted under AS 04.11.507;

2 (6) the requirements of AS 04.11.420 - 04.11.450 relating to zoning,
3 ownership and location of the license, and the identity and financing of a licensee have
4 not been met;

5 (7) issuance of the license is prohibited under AS 04.11.400(a) or
6 prohibition of issuance of the license is found necessary under AS 04.11.400(b);

7 (8) the application contains false statements of material fact;

8 (9) the license is sought for the sale of alcoholic beverages in a first
9 or second class city where there are no licensed premises at the time of application
10 unless a majority of the voters have voted not to approve a local option to restrict or
11 prohibit the sale of alcoholic beverages under AS 04.11.491, have voted to approve a
12 local option to allow the type of premises under AS 04.11.491(a)(2) or (3), or have
13 voted to remove a restriction or prohibition on the sale of alcoholic beverages under
14 AS 04.11.495; or

15 (10) the license is sought for the sale of alcoholic beverages in an
16 established village where there are no licensed premises at the time of application
17 unless a majority of the voters have voted not to approve a local option to restrict or
18 prohibit the sale of alcoholic beverages under AS 04.11.491, have voted to approve a
19 local option to allow the type of premises under AS 04.11.491(b)(2), or have voted to
20 remove a restriction or prohibition on the sale of alcoholic beverages under
21 AS 04.11.495; **however, denial of a new licensure is not required under this**
22 **paragraph for an application for a new license in an established village if**

23 **(A) the licensed premises include a resort facility providing**
24 **lodging, food, and outdoor recreational services to its customers;**

25 **(B) the licensed premises are not accessible by automobile;**

26 **(C) the applicant agrees to sell, serve, or provide alcoholic**
27 **beverages only to a person who is a registered guest or employee at the**
28 **resort; and**

29 **(D) there are not more than 75 registered voters within a**
30 **five-mile radius of the licensed premises.**