

HOUSE BILL NO. 265

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE RAUSCHER

Introduced: 1/16/18

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the renewal of a license involving alcoholic beverages; and relating**
2 **to the transfer or issuance of a beverage dispensary license or a restaurant or eating**
3 **place license."**

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

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

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

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

9 (2) the license has been revoked for any cause;

10 (3) the applicant has not operated the licensed premises for at least **240**
11 **hours** [30 EIGHT-HOUR DAYS] during each of the two preceding calendar years,
12 unless the board determines that the licensed premises are under construction or
13 cannot be operated through no fault of the applicant;

14 (4) the board finds that issuance of an existing license under

1 AS 04.11.400(d) has not encouraged tourist trade;

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

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

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

9 (8) the application has not been completed in accordance with
10 AS 04.11.270; or

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

13 * **Sec. 2.** AS 04.11.400(d) is amended to read:

14 (d) The board may approve the issuance or transfer of ownership of a
15 beverage dispensary or restaurant or eating place license without regard to (a) of this
16 section if it appears that the issuance or transfer will encourage the tourist trade by
17 encouraging the construction or improvement of

18 (1) a hotel, motel, resort, or similar business relating to the tourist trade
19 with a dining facility or having kitchen facilities in a majority of its rental rooms and
20 at least a minimum number of rental rooms required according to the population of the
21 established village, incorporated city, unified municipality, or population area
22 established under (a) of this section in which the facility will be located, as follows:

23 (A) 10 rental rooms if the population is less than 1,501;

24 (B) 20 rental rooms if the population is 1,501 - 2,500;

25 (C) 25 rental rooms if the population is 2,501 - 5,000;

26 (D) 30 rental rooms if the population is 5,001 - 15,000;

27 (E) 35 rental rooms if the population is 15,001 - 25,000;

28 (F) 40 rental rooms if the population is 25,001 - 50,000; and

29 (G) 50 rental rooms if the population is greater than 50,000;

30 [OR]

31 (2) an airport terminal; **or**

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(3) a roadhouse, lodge, inn, or similar business that
(A) has 10 rental rooms or fewer;
(B) serves food or drink to tourists and the traveling public;
(C) is located on a road designated under 23 U.S.C. 162
(National Scenic Byways Program); and
(D) is located more than 25 miles outside the boundary
limits of an incorporated city or unified municipality.