

1 IN THE HOUSE

BY MR. TAYLOR

2

HOUSE BILL NO.206

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SECOND LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to alcoholic beverages;
amending the second paragraph of Sec.

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35-4-13, ACLA 1949 as last amended by Sec.

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4, Ch. 183, SLA 1960."

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

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Section 1. No person may bring an action to collect any
amount due on a contract for the sale of intoxicating liquor.

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Sec. 2. The second paragraph of Sec. 35-4-13, ACLA 1949 as
last amended by Sec. 4, Ch. 183, SLA 1960, is amended to read:

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Provided, however, that any application for a transfer,
renewal or new license coming from within an incorporated
town shall have attached to the application in lieu of the
consent required in Subsection (5) of Section 35-4-14 herein,
a recommendation of the city council of said incorporated
town and shall be forwarded to the Board, in addition to a
list of at least five references from within the corporate
boundaries of said town, as to the integrity of the appli-
cant and the desirability of the issuing of a license for the
premises mentioned therein. Such recommendation shall be
binding on the Board unless the Board after a hearing as
herein provided shall determine that the city council acted
in a capricious or arbitrary manner, and sets forth in
writing its findings in what respects the council was acting
capriciously or arbitrarily. A failure of the city council

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1 to act upon applications for licenses within thirty days of
2 receipt of any such application shall be considered a default
3 and shall subject the city to the penalty of losing its right
4 to a refund as herein provided. At the time set for the
5 hearing, the Board shall consider the application and any
6 protests that may be filed against the same, and also hear
7 the applicant or others appearing in connection with the
8 matter, and give its judgment in regard to the application.
9 If the application is rejected the fee accompanying the same
10 shall be returned less the sum of Twenty-Five Dollars. The
11 licensee shall cause the license to be posted in a con-
12 spicuous position in his place of business, so that anyone
13 entering the premises may easily read it. No license issued
14 under the provisions of this Act shall be transferred except
15 after first securing the consent of the Board. No person
16 shall attach, levy, or execute on a license for the sale of
17 liquor unless he applies to the Board for a transfer of the
18 license prior to the attachment, levy, or execution. No
19 application for transfer shall be granted unless the appli-
20 cant has qualifications as would entitle him to a license in
21 the first instance. No refund of license fees will be al-
22 lowed after the issuance of license.
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