

1 IN THE SENATE BY SENATOR McNEALY

2 SENATE RESOLUTION NO. 21

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - SECOND SESSION

5 Relating to illegal refusals to
6 issue and renew liquor licenses.

7 BE IT RESOLVED BY THE SENATE:

8 WHEREAS, the Alcoholic Beverage Control Board is requiring
9 that a person have paid all taxes and released all liens against
10 his property before it will issue him a new license or transfer an
11 existing license; and

12 WHEREAS, there is no state statute or regulation authorizing
13 such a requirement; and

14 WHEREAS, no state statute or regulation requires a person to
15 have paid taxes or released liens as a condition to receiving or
16 renewing his business license, with the result that it is unfair
17 and discriminatory for the board to make such a requirement which
18 applies only to liquor businesses; and

19 WHEREAS, even if it were a proper requirement, the board can-
20 not properly impose it until it is adopted and published in the
21 Alaska Administrative Code, because for the board to do so is for
22 the board to enforce a secret law that the public cannot protect
23 itself against;

24 BE IT RESOLVED that the Governor is requested to direct the
25 Alcoholic Beverage Control Board to stop requiring that a person
26 have paid taxes and released liens before it will issue him a
27 license or renew his existing license; and be it

28 FURTHER RESOLVED, that copies of this resolution be sent to
29 the Honorable Bill Ray, Chairman, Alcoholic Beverage Control Board;

1 and the Honorable George N. Hayes, Attorney General.

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