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Original sponsor: Judiciary Committee

Offered: 4/29/70  
Referred: Rules

1 IN THE HOUSE

BY THE LOCAL GOVERNMENT COMMITTEE

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CS FOR HOUSE BILL NO. 811

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to the sale of alcoholic beverages by  
local governments; and providing for an effective date."

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

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\* Section 1. AS 04.10 is amended by adding new sections to read:

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ARTICLE 6. MUNICIPAL LIQUOR LICENSE.

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Sec. 04.10.500. LIQUOR LICENSE. (a) A city may obtain any liquor license authorized to be issued under this chapter for the sale of intoxicating liquor within the city's boundaries. Except as provided in (c) of this section, before the license may be issued or reissued, certification must be submitted to the board that at the last city election a majority of the qualified voters in the city voted "yes" on the question, "Shall the incorporated city of . . . . . obtain a liquor license for the sale of intoxicating liquor." The question shall be submitted to a vote within 30 days after the city council receives a petition signed by 25 per cent or more of the total number of qualified voters who voted at the last city election and request a vote on the question.

(b) After the issuance or reissuance of a license to a city under this section no petition requesting a vote on the issue of a city liquor license may be filed until at least nine months have elapsed from the date the liquor license was issued or reissued to the city.

(c) If a petition to present the question to the voters is not received by the city council at least 40 days before the expiration date of a valid existing license, the council may obtain reissuance

1 of the license without presenting the question to the voters.

2 (d) Notice of the result of a vote on the question shall be  
3 forwarded immediately to the board.

4 (e) Other provisions of law notwithstanding, if a majority of  
5 the qualified voters at an election conducted for the purpose of de-  
6 termining whether a city shall obtain a liquor license favor the sale  
7 of intoxicating beverages by the city, the board shall thereafter deny  
8 all applications for licenses to sell liquor within the city from other  
9 parties. This subsection shall not operate, however, to preclude the  
10 subsequent transfer of a license from a city to a corporation organized  
11 and certified under the Alaska Nonprofit Corporation Act (AS 10.20.005 -  
12 10.20.725) to conduct and manage the sale of liquor on behalf of the  
13 city council.

14 Sec. 04.10.510. APPLICATION OF CERTAIN SECTIONS. Secs. 190(a)(5)  
15 and 270 of this chapter do not apply to licensure of a city under  
16 secs. 500 - 520 of this chapter.

17 Sec. 04.10.520. DEFINITIONS. In secs. 500 - 520 of this chapter

18 (1) "city" means a municipality with a population of  
19 2,500 or less;

20 (2) "council" means the council or other governing body of  
21 a city.

22 \* Sec. 2. This Act takes effect on the day after its passage and approval  
23 or on the day it becomes law without approval.  
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