

Original sponsor: Judiciary Committee

Offered: 4/29/70
Referred: Rules

1 IN THE HOUSE BY THE LOCAL GOVERNMENT COMMITTEE

2 CS FOR HOUSE BILL NO. 811

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

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

10 ARTICLE 6. MUNICIPAL LIQUOR LICENSE.

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

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

28 (c) If a petition to present the question to the voters is not
29 received by the city council at least 40 days before the expiration

1 date of a valid existing license, the council may obtain reissuance
2 of the license without presenting the question to the voters.

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

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

15 (f) Any license previously issued to a city or village as of the
16 enactment of this Act, whether or not still in effect, is not subject
17 to the election requirements of this Act for the initial issuance of
18 the license.

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

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

23 (1) "city" means a first, second, or fourth class city with
24 a population of 2500 or less outside of an organized borough.

25 (2) "council" means the council or other governing body of
26 a city.

27 * Sec. 2. This Act is not applicable to any city in which in the previous
28 year there existed one or more liquor licenses other than the city's
29 license.

1 * Sec. 3. This Act takes effect on the day after its passage and approval
2 or on the day it becomes law without approval.

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