

Original sponsor: Judiciary Committee

Offered: 6/3/70
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

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SENATE CS FOR 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
7 by local governments; and providing for an effective
8 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 a new section to read:

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Sec. 04.10.500. MUNICIPAL LIQUOR LICENSE. (a) A city may obtain
12 a retail liquor license authorized under secs. 20(c) and 100 of this
13 chapter provided that

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(1) the city does not prohibit sale of alcoholic beverages
15 under the local option election provisions of AS 04.10.430 or AS 29.-
16 25.380 - 29.25.410;

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(2) an election authorizing the city to obtain a license is
18 held as provided in (b) of this section;

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(3) only one license is issued to a city under this section;

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(4) at the time a petition for election is filed with the
21 council under (b) of this section, a retail liquor license is available
22 for issuance within the city under the population limitations of sec.
23 210(2) of this chapter; in that case, the board shall withhold issu-
24 ance of the available license pending the election and, upon voter
25 approval of license issuance, issue the license as provided in (b) of
26 this section.

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(b) If 25 per cent of the number of qualified voters voting in
28 the last regular city election petition the council of a city eligible
29 for a license under (a) of this section for a city liquor license, the

1 Question shall be submitted to the municipal voters at the next regular
2 city election following receipt of the petition. If a majority of
3 voters favor the city's obtaining a retail liquor license, and other
4 legal requirements governing license issuance are satisfied, the board
5 shall issue a retail liquor license to the city as a municipal corporation
6 or shall issue the license, or authorize the transfer from the city,
7 to a nonprofit corporation organized in accordance with law to conduct
8 and manage the sale of alcoholic beverages on behalf of the city.

9 (c) A city obtaining a retail liquor license under this section
10 may apply for renewal of the license without presenting the question
11 to the municipal voters, if a petition requesting an election is not
12 presented to the council at least 40 days before the expiration date
13 of the valid existing license. Otherwise, the requirements of (a) and
14 (b) of this section shall apply as in the case of issuance of the
15 initial license.

16 (d) After issuance or renewal of a retail liquor license under
17 this section, no petition for a vote on the question of the city
18 license may be filed with the council until at least nine months have
19 elapsed from the date the license was issued or renewed to the city.

20 (e) A license for the sale of alcoholic beverages issued or
21 renewed to a city before the effective date of this Act and in effect
22 on the effective date of this Act shall be a valid license for the
23 duration of the license term and thereafter may be renewed in accordance
24 with the provisions of this section.

25 (f) Secs. 190(a)(5) and 270 of this chapter do not apply to
26 licensure of a city under this section.

27 (g) In this section "city" means a first, second, or fourth
28 class city having a population of 2,500 or less and located outside an
29 organized borough; "council" means the council or other governing body

1 of a city.

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

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