

1 IN THE SENATE

BY BEGICH AND CHRISTIANSEN

2 SENATE BILL NO. 484

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 local option elections; and pro-  
7 viding for an effective date."

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

9 \* Section 1. AS 04.10.430(a) is amended to read:

10 (a) Whenever 35 per cent of the total number of voters at the  
11 last general municipal election held in an incorporated city or town  
12 petition the city council to do so the city council shall place upon  
13 a separate ballot at the next municipal election the following ques-  
14 tion: "For the sale of intoxicating liquors....." (yes or  
15 no). The regular election officers shall canvass the ballots and  
16 report the results to the city clerk, who shall publish the results.  
17 If, upon receipt of the certificate of election, the city clerk finds  
18 that a majority of the voters are against the sale of intoxicating  
19 liquor in the incorporated city or town, notice thereof shall be for-  
20 warded to the board and applications for licenses within the city or  
21 town shall thereafter be denied and no further licenses shall be issued  
22 in the city or town for a period of one year, nor may the board issue  
23 a new beverage dispensary or retail license for premises located  
24 within five miles of the city or town. Subject to (c) of this section,  
25 if [IF] a majority of the voters at a subsequent election conducted  
26 for the purpose and in accordance with these provisions favor the sale  
27 of intoxicating liquor in the city or town, the board shall, upon  
28 application, issue the number and type and license to the same or other  
29 premises within the city or town as were in existence on the date of last

1 election, at which a majority of the voters prohibited the sale of  
2 intoxicating liquor. Priority shall be given those applicants who  
3 were licensees and whose licenses were not reissued by reason of the  
4 last election conducted under the provisions of this title. The board  
5 shall issue the license notwithstanding any resulting restriction  
6 which arose subsequent to the prohibiting election.

7 \* Sec. 2. AS 04.10.430 is amended by adding a new subsection to read:

8 (c) When an election is held under (a) of this section on the  
9 question of whether intoxicating liquor may be sold, another election  
10 may not be held before the passage of one year from the date of the  
election.

11 \* Sec. 3. AS 29.25.410 is amended to read:

12 Sec. 29.25.410. SUBSEQUENT APPROVAL OF SALE AND PRIORITY OF  
13 LICENSES. Subject to sec. 415 of this chapter, if [IF] a majority of  
14 the voters at a subsequent election conducted for the purpose favor  
15 the sale of intoxicating liquor in the village, the office administering  
16 liquor licenses shall, upon application, issue a license to the same  
17 or other premises within the village as were in existence on the date  
18 of the last election, at which a majority of the voters prohibited the  
19 sale of intoxicating liquor, and a priority shall be given to those  
20 applicants who were licensees and whose licenses were not renewed  
21 because of the last election conducted under secs. 380 - 410 of this  
22 chapter. The license shall be issued irrespective of any resulting  
23 restriction which arose after the prohibiting election.  
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25 \* Sec. 4. AS 29.25 is amended by adding a new section to read:

26 Sec. 29.25.415. LIMITATION ON LOCAL OPTION ELECTIONS. When an  
27 election is held under sec. 400 of this chapter on the question of  
28 whether intoxicating liquor may be sold, another election may not be  
29 held before the passage of one year from the date of the election.

1       \* Sec. 5. 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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