

Introduced: 3/3/75
Referred: Community & Regional
Affairs and Judiciary

1 IN THE HOUSE

BY GUY AND ITTA

2 *SCS CS* HOUSE BILL NO. 246 *ams*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to liquor licenses and municipal
7 regulation of the sale of intoxicating liquor."

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

9 * Section 1. AS 04.10.200 is amended to read:

10 Sec. 04.10.200. POSTING OF APPLICATION. Before a new license is
11 issued or a license is reissued, the applicant shall post a true copy
12 of the application for license at the location of the premises, at the
13 nearest post office and at one other conspicuous location in the area,
14 for a period of 10 days before the filing of the application. The
15 applicant shall submit with the application proof of posting on a form
16 to be provided by the board.

17 * Sec. 2. AS 04.10.300 is amended to read:

18 Sec. 04.10.300. PROTEST OF ISSUANCE. A resident of an area
19 outside an incorporated city who desires to protest the issuance or
20 reissuance of a license in the voting area in which he resides, shall
21 serve upon the applicant and the board a written statement of the
22 reasons for his protest. Upon the receipt of the protest, the board
23 may give notice and hold a hearing, in the voting precinct in which
24 the protestant resides, at which all persons interested may be heard.
25 If the protest is made in writing by at least 25 residents residing
26 within two miles of the place for which the license is sought, the
27 hearing is mandatory. If at the hearing or otherwise it appears that
28 the majority of the citizens over the age of 19 years, residing within
29 two miles of the place for which a license is sought, object to the

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1 issuance or reissuance of the license, the board shall refuse to issue
2 or reissue the license.

3 * Sec. 3. AS 04.10.350(a) is amended to read:

4 (a) A license issued under this chapter is renewable automatically
5 if the fee is paid in accordance with secs. 40 - 140 of this chapter,
6 except as provided in sec. 300 of this chapter or except in the case
7 of conviction of the licensee under AS 04.15.100, pending the outcome
8 of a board hearing or judicial determination as to the legality of
9 issuing the license, or in the case of a lawful revocation in which
10 event the license is renewable only as provided by law and regulation.

11 * Sec. 4. AS 04.15.070(a) is amended to read:

12 (a) A municipality may by ordinance provide rules and regulations
13 governing the barter, sale and possession of intoxicating liquor within
14 the municipality necessary to the orderly conduct of the business of
15 selling intoxicating liquor. When, under a local option election, the
16 city clerk finds the majority of the voters are against the sale of
17 intoxicating liquor, the municipality, by ordinance, may make the sale
18 of intoxicating liquor within the municipality a misdemeanor whether
19 the sale is made pursuant to license or otherwise. The ordinance may
20 not be inconsistent with this title or the rules and regulations promul-
21 gated under this title. No municipality may impose taxes other than
22 property taxes on liquor inventories and sales taxes on liquor sales
23 when these taxes are levied on other property and sales within the
24 municipality.