

Introduced: 1/13/81  
Referred; Community & Regional  
Affairs and  
Judiciary

1 IN THE SENATE

BY RAY

2 SENATE BILL NO. 65

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to alcoholic beverages."

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

8 \* Section 1. AS 04.11.330 is amended by adding a new subsection to read:

9 (d) Notwithstanding (a)(3) of this section, a recreational site  
10 license issued under AS 04.11.210 may be renewed if the license was  
11 exercised at least once during the immediately preceding calendar year.

12 \* Sec. 2. AS 04.11.390(b) is amended to read:

13 (b) A beverage dispensary license or package store license may  
14 not be issued to either a domestic corporation which has not been  
15 issued a certificate of incorporation or a foreign corporation which  
16 has not been issued a certificate of authority to transact business in  
17 the state at least one year before the date of the application. How-  
18 ever, a beverage dispensary or package store license may be issued to  
19 a domestic corporation if each of the stockholders of the corporation  
20 has resided in the state for at least one year.

21 \* Sec. 3. AS 04.11.480(a) is amended to read:

22 (a) If a local governing body wishes to protest the issuance,  
23 renewal, transfer of location or transfer to another person of a li-  
24 cense, it shall furnish the board and the applicant with a protest and  
25 the reasons for the protest within 30 days of receipt from the board of  
26 notice of filing of the application. The board shall consider a protest  
27 and testimony received at a hearing conducted under AS 04.11.510(b)(2)  
28 or (b)(4) when it considers the application, and the protest and the  
29 record of the hearing conducted under AS 04.11.510(b)(2) or (b)(4)

shall be retained as part of the board's permanent record of its review of the application. If an application is protested, the board may not approve the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

\* Sec. 4. AS 04.11.502(a) is amended to read:

(a) The local governing body of a municipality, whenever a number of registered voters equal to at least 35 percent of the number of votes cast at the last regular municipal election petition the local governing body to do so, shall place upon a separate ballot at the next regular election or at a special election whichever question or combination of questions set out in AS 04.11.490 - 04.11.500 constitutes the subject of the petition. [THE LIEUTENANT GOVERNOR SHALL CONDUCT THE ELECTION IN THE GENERAL MANNER PRESCRIBED BY THE ALASKA ELECTION CODE (AS 15.05 -15.60).]

\* Sec. 5. AS 04.11.510 is amended by adding a new subsection to read:

(d) The board may not accept an application for the issuance, renewal, or transfer of a license within one year after a local option election.

\* Sec. 6. AS 04.16.010(c) is amended to read:

(c) A licensee, his agent, or employee may not permit a person to enter and a person may not enter premises licensed under this title between the hours of 5:00 a.m. and 8:00 a.m. each day. This subsection does not apply to common carriers, as defined in AS 42.10.420(2), or to an employee of the licensee who is on the premises to prepare for the next day's business. A person may enter or remain [OR TO PERSONS REMAINING] on the premises of a bona fide restaurant or eating place licensed under this title to consume food or nonalcoholic beverages.

\* Sec. 7. AS 04.16.020(a) is amended to read:

(a) A person may not pay or receive from another a salary, per-

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centage or commission to solicit or encourage a patron of licensed premises to purchase alcoholic or other beverages for [CONSUMPTION BY] a person other than the patron.

\* Sec. 8. AS 04.16.049(a)(2) is amended to read:

(2) accompanied by a person over the age of 19 years and with the consent of the person's parent or guardian if the premises are designated by the board [LICENSED] as a bona fide restaurant or eating place for the purposes of this section and the persons enter and remain only for dining.