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Referred: Community and Regional  
Affairs, Health, Education  
and Social Services and  
Finance

1 IN THE SENATE

BY JOSEPHSON

2

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 26

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to notification of community coun-  
7 cils of certain state actions."

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

9 \* Section 1. AS 04.06.050 is amended to read:

10 Sec. 04.06.050. MEETINGS. The board shall meet at the call of  
11 the chairman. The board shall also meet at least once each year in  
12 each judicial district of the state to study this title and to modify  
13 existing board regulations in light of statewide and local problems.  
14 The board shall send a copy of the agenda of each meeting at least 10  
15 days before the meeting to each community council established by  
16 municipal charter or ordinance.

17 \* Sec. 2. AS 04.11.510(b) is amended to read:

18 (b) The board may review an application for the issuance, renew-  
19 al, transfer of location, or transfer to another person of a license  
20 without affording the applicant notice or hearing, except

21 (1) if an application is denied, the notice of denial shall  
22 be furnished the applicant immediately in writing stating the reason  
23 for the denial in clear and concise language; the notice of denial  
24 shall inform the applicant that the applicant [HE] is entitled to an  
25 informal conference with either the director or the board, and that,  
26 if not satisfied by the informal conference, the applicant [HE] is  
27 then entitled to a formal hearing before the board; if the applicant  
28 requests a formal hearing, the board shall adhere to AS 44.62.330 -  
29 44.62.630 [(ADMINISTRATIVE PROCEDURE ACT)]; all interested persons may

1 be heard at the hearing and unless waived by the applicant and the  
2 board, the formal hearing shall be held in the area for which the  
3 application is requested;

4 (2) the board may, on its own initiative or in response to  
5 an objection or protest, hold a hearing to ascertain the reaction of  
6 the public or a local governing body to an application if a hearing is  
7 not required under (1), (3), or (4) or this subsection; the board  
8 shall send notice of the hearing 20 days in advance to each community  
9 council established by municipal charter or ordinance;

10 (3) if a petition containing the signatures of 35 percent  
11 of the adult residents having a permanent place of abode outside of  
12 but within two miles of an incorporated city or an established village  
13 is filed with the board, the board shall hold a public hearing on the  
14 question of whether the issuance, renewal, or transfer of the license  
15 in the city or village would be in the public interest;

16 (4) if a protest to the issuance, renewal, transfer of  
17 location or transfer to another person of a license made by a local  
18 governing body is based on a question of law, the board shall hold a  
19 public hearing.

20 \* Sec. 3. AS 04.11.520 is amended to read:

21 Sec. 04.11.520. NOTICE TO LOCAL GOVERNING BODY. After receipt  
22 of an application from within (1) an established village, (2) an  
23 incorporated city, (3) an organized borough, or (4) a unified munic-  
24 ipality, the board shall transmit written notice to the local govern-  
25 ing body within 10 days so that the local governing body may protest  
26 under AS 04.11.480. The board shall also send written notice within  
27 10 days to each community council established by municipal charter or  
28 ordinance.

29 \* Sec. 4. AS 35.30.010(a) is amended to read:

1           (a) Except as provided in (b) of this section, before commencing  
2 construction of a public project,

3           (1) if the project is located in a municipality, the de-  
4 partment shall submit the plans for the project to the planning com-  
5 mission of the municipality for review and approval;

6           (2) if the project is located within two miles of a vil-  
7 lage, the department shall submit the plans to the village council for  
8 review and comment;

9           (3) if the project is located within the area represented  
10 by a community council established by municipal charter or ordinance,  
11 the department shall submit the plans to the community council for  
12 review and comment.