

Original sponsors: Cato, Boyer
and Grussendorf

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 279 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to club licenses for the sale of
7 alcoholic beverages; and providing for an effective
8 date."

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

10 * Section 1. AS 04.11.110(b) is amended to read:

11 (b) A club license may only be issued to a club, fraternal
12 organization, patriotic organization, or social organization that has
13 been (1) chartered by a state or national organization for a period of
14 two consecutive years before application for a license under this
15 section; or (2) chartered by a national organization and the national
16 organization has maintained a chartered club or organization within
17 the state for a period of at least 20 years. The organization li-
18 censed under this section must be operated for social, recreational,
19 political, benevolent or athletic purposes and not for profit. A club
20 license may only be issued to an organization if none of the income
21 from the sale of alcoholic beverages is distributed to its members,
22 directors, or officers. Soliciting of public patronage of the club
23 premises except as approved by the board is a violation of this sec-
24 tion.

25 * Sec. 2. AS 04.11.110(f) is amended to read:

26 (f) Alcoholic beverages purchased by a club or organization
27 licensed under this section may not be used or consumed off the li-
28 censed premises of the club or organization by any person, including
29 club members and employees unless used or consumed at social, recre-

1 ational, benevolent or athletic functions of the club or organization
2 and the use or consumption is approved by the board.

3 * Sec. 3. AS 04.11.400(a) is amended to read:

4 (a) Except as provided in (g), (h), (i), [AND] (j), and (k) of
5 this section, a new license may not be issued and the board may pro-
6 hibit relocation of an existing license

7 (1) outside an established village, incorporated city,
8 unified municipality, or organized borough if after the issuance or
9 relocation there would be more than one restaurant or eating place
10 license for each 1,500 population or fraction of 1,500 population or
11 more than one license of each other type, including licenses that have
12 been issued under (g) or (h) of this section, for each 3,000 popula-
13 tion or fraction of 3,000 population in a radius of five miles of the
14 licensed premises or location of premises sought to be licensed,
15 excluding the populations of established villages, incorporated
16 cities, unified municipalities, and organized boroughs that are wholly
17 or partly included within the radius;

18 (2) inside an established village, incorporated city, or
19 unified municipality if after the issuance or relocation there would
20 be inside the established village, incorporated city, or unified
21 municipality more than one restaurant or eating place license for each
22 1,500 population or fraction of 1,500 population or more than one
23 license of each other type, including licenses that have been issued
24 under (g) or (h) of this section, for each 3,000 population or frac-
25 tion of 3,000 population inside the established village, incorporated
26 city, or unified municipality;

27 (3) inside an organized borough but outside an established
28 village or incorporated city located within the borough, if after the
29 issuance or relocation there would be inside the borough, but outside

1 the established villages and incorporated cities located within the
2 borough, more than one restaurant or eating place license for each
3 1,500 population or fraction of 1,500 population or more than one
4 license of each other type, including licenses that have been issued
5 under (g) or (h) of this section, for each 3,000 population or frac-
6 tion of 3,000 population inside the borough, excluding the population
7 of those established villages that have conducted an election on a
8 question set out in AS 04.11.490, 04.11.496, or 04.11.500, and exclud-
9 ing the population of incorporated cities located within the organized
10 borough.

11 * Sec. 4. AS 04.11.400 is amended by adding a new subsection to read:

12 (k) Except as provided in (i) of this section, within an incor-
13 porated city, unified municipality or an organized borough, a new club
14 license may be issued, and the relocation of an existing club license
15 may be approved by the board if

16 (1) the issuance or relocation of club licenses under the
17 population limitation contained in (2) of this subsection has been
18 approved by resolution adopted by the incorporated city, unified
19 municipality, or organized borough within which the club license is to
20 be issued or relocated; and

21 (2) after issuance or relocation there would not be, inside
22 the incorporated city or unified municipality, or inside the organized
23 borough but outside the incorporated cities located within the bor-
24 ough, more than one club license for each 1,500 population or fraction
25 of 1,500 population.

26 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).

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