

HB - 246

COMMITTEE REPORT

3/3/75

HOUSE

JUDICIARY

Mr. Speaker:

Date

4/21

The Committee on C&RA has had HB 246

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR HB 246 AND THAT

CS FOR HB 246 DO PASS

( ) "and" recommends it BE REFERRED TO THE \_\_\_\_\_

COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

[Signature] Chairman

TAPE # 9  
side 1  
0-1135

House Committee on  
COMMUNITY & REGIONAL AFFAIRS

Meeting Minutes  
April 10, 1975

Meeting was called to order at 9:10 for discussion of HB 246. Present:

REpresentative Sam Cotten, Chairman  
" al Ose  
" Glenn Hackney  
" Oral Freeman  
Barbara Englert Thomas, Staff  
Andrea Guernsey, Staff  
Rep. Itta, Sponsor  
Rep. Guy, Sponsor  
Don Clocksin, Legal Services  
Phil Wall, Dept. of Revenue

BACKGROUND

Mr. Clocksin started by giving a background of the bill. This bill came out of the Bush Justice Conference in Minto Alaska in 1974. The recommendation was made to be able to revoke liquor licenses upon request in the unorganized area. He gave the example of Rampart whose 24 of 26 adults didn't want to renew the licensee in their village. The Alcoholic Beverage Control Board would not revoke the license. Rampart did not want to incorporate--which was the only way to go dry. He also gave the example of Cantwell to show the procedures of the ABC Board. Board has discretionary powers whether to hold a public hearing or not but must abide by the results of the hearing.

PROCEDURES IN  
INCORPORATED  
AREA

He then listed some of the procedures in the incorporated area: 1) no license issued if more than 1 license for 1500 people already; 2) there is an automatic yearly issuance; 3) local option election--vote of citizens to go dry.

PROCEDURE IN  
UNINCORPORATED

Procedures in unincorporated: 1 license for every 1500 people within 5 mile radius; individual can protest issuance of license--ABC checks it out and may or may not hold hearing, ABC shall refuse to issue the license if a majority of the people at the hearing objects; if the village is more than 50 miles from a municipality 2/3 of the people must approve.

PURPOSES OF BILL

It would allow an unincorporated area to go dry; require posting of application for reissuance of license sec 1 line 11.

PURPOSES OF BILL      Would allow petition by 25 people in area to demand a public hearing. If the majority of the people at the hearing don't want the license then mandatory not to issue; incorporated area which had voted to go dry may pass an ordinance making it a misdemeanor to violate the dry law. page 2 lines 15-19--this would allow enforcement. Would trigger state law and troopers could be brought in to enforce.

FREEMAN                Rep. Freeman doesn't think that it is the duty of the ABC Board to enforce the dry laws. He doesn't like the idea of extending power to the unorganized areas. Let them incorporate. Clocksin brought up the point that this would extend the rights of the urban areas to the rural areas.

PROTEST OF  
ISSUANCE                Hackney wants to change "25 residents" to a percentage figure. Clocksin said why not 35% which is the figure for incorporated areas.

AMENDMENTS BY  
PHIL WALL                Wall offered his amendments: delete "or a license is reissued" on line 11 page 1. Add after line 16 something to the effect "ABC Board will post in newspaper list of the licenses they are considering for reissuance". Clocksin said the problem with that is posting in newspapers won't work in the rural areas. Often don't have newspapers.

Meeting was adjourned at 10:00. (1135)

No tape of this meeting

House Committee on  
COMMUNITY & REGIONAL AFFAIRS

Meeting Minutes  
April 10, 1975

Meeting was called to order at 1:50 to continue discussion of HB 246.

Representative Sam Cotten  
" Kathryn Ostrosky  
" Al Ose  
" Glenn Hackney  
" Oral Freeman  
" Larry Davis  
Barbara Englert Thomas, Staff  
Andrea Guernsey, Staff  
Don Clocksin, Legal Services  
Phil Wall, Dept. of Revenue

Mr. Clocksin presented a list of amendments for the Committee's consideration.

AMENDMENTS

1) the first amendment on page 1, line 11 concerned posting of notice. Since posting of notices would be too burdensome on the ABC Board who checks in each case, Clocksin wants to eliminate his first amendment and make #2 mandatory; 2) Board shall require by regulations notice of reissuances, renewals and transfer of license, including, but not limited to bilingual notice, where necessary, and notice by newspapers, radio and television." Since all licenses expire on December 31, the Board could post a notice that they were considering reissuancing all licenses. 3) amendments 3, 6, and 7 are all clarifying language: deleting the word "reissuance" and inserting "reissuance, renewal or transfer". There was some question whether reissuance would cover all three so just expanding the language. 4) 25 residents may not be appropriate so want to change to 35% which is the same as for local option election in the incorporated village. 5) "or otherwise" too broad so deleting it. 6) on page 2 line 6 delete secs. and insert "secs. 200 and". Technical problem.

RESIDENCY

Wall said there is a constitutional problem with resident. Right now they use voter residency as criteria. Amendment--line 25--residents having permanent place of abode.

No tape of this  
meeting,

HB 246  
4/10/75

2 mile limit                    Ose wants to exclude hiways. Thinks it would  
be too easy for a couple people to stop someone.  
It was brought up that the 2 mile limit is already  
in the statutes covering issuance, this merely  
extends the same to reissuance.

TABLE                            Ose moves to table. Vote was taken, 4 to 1 not  
to table.

HACKNEY'S AMEND-                Rep. Hackney wanted to offer an amendment--  
MENT                                change the hours of opening and closing of bars  
from 8:00 am to 9:00 and from 5:00 am to 2:00 am  
closing. Mr. Freeman and Ose contested it.

Meeting was adjourned at 3:00.

House Committee on  
COMMUNITY & REGIONAL AFFAIRS

Meeting Minutes  
April 16, 1975

Meeting was called to order at 9:10 to discuss HB 246 again. Present:

Rep. Ostrosky	Barbara Englert Thomas, Staff
Rep. Ose	Andrea Guernsey, Staff
Rep. Davis	Don Clocksin, Legal Services
Rep. Hackney	Phil Wall, Dept. of Revenue
	Ben Marsh, Director, CHAR
	Don Berry, Municipal League

BEN MARSH

Ben Marsh was representing the Cabaret, Hotel and Restaurant Association. He said there are always bills before the legislature that try to regulate the liquor business further. This bill jepordizes license holders on annual basis.

CHAR AMENDMENTS

He suggested 2 amendments by CHAR: 1) line 19- after "incorporated city" add "or borough". If the bill is meant for rural areas this would not hurt them but would take care of some place like Anchorage which has many licenses outside the city. Does incorporated city mean 1st or 2nd? Ose suggests changing incorporated city to "municipality" which would cover everything. 2) He thinks the mandatory hearing should be requested by more than 35% of the residents. Ose suggests making it within the "established village".

ESTABLISHED  
VILLAGES

Clocksin is worried about areas that may have facility which aren't considered established villages. Native villages would be covered under the Land Claims bill but probably not white. Ose wants to use established villages because he is still worried about facilities along hiways which have interests beyond the interest of the village. Clocksin is worried that if Sec. 300 were amended to say established villages in unincorporated areas that leaves out other areas and they would 'have no right to object. Marsh is in favor of the amendment because it would solve the problem of individuals putting someone out of business because they don't like them. Line 18-25 won't be affected-- the right of the individual will be the same. Line 25 would be amended "35% of the adult residents having a permanent place of abode within an established village..." (end of TAPE; cont'd Tape 10)

TAPE #10'  
side 1  
0-280

HB 246  
4/16/75

Mr. Wall suggestd that if that were changed then line 18 should be changed to the same to make the whole thing uniform.

REDRAFT

Mr. Clocksin will have a redraft of the bill for tomorrow with the suggested amendments, including bilingual posting.

Meeting was adjourned at 10:00 until tomorrow. (280)

House Committee on  
COMMUNITY & REGIONAL AFFAIRS

Meeting Minutes  
April 17, 1975

Meeting was called to order at 9:00 to discuss HB 246 and HB 350. Present:

Rep. Cotten	Rep. Hackney
Rep. Ostrosky	Don Clocksin, Legal Services
Rep. Freeman	Phil Wall, Dept. of Revenue
Rep. Davis	Barbara ENglert Thomas, Staff

EXPLANATION OF  
SOME AMENDMENTS

Don explained some of his amendments. Ben Marsh wanted to exclude organized boroughs from the unincorporated areas so line 19 was changed to "a municipality" from "an incorporated city". Marsh had been concerned about the area outside Anchorage. Marsh also wanted more than 35% required so Don eliminated the voting district provision and made it within 2 miles of place or established village. The mandatory reference in section 300 is now limited to established villages determined by C&RA. This solves Ose's problem of an establishment along a highway not in the village. The desires of the community are taken into account but not mandatory on the Board. The resident requirement was changed to "an adult resident having a permanent place of abode". Section 200 no longer requires posting of application for reissuance or renewal but will require other kinds of notice.

VOTING DRY

Chairman Cotten wants the bill to be addressed to voting dry or wet but not to revoking individual licenses. Clocksin said there was a legal question on whether you can have organized election in unincorporated area to go dry or not.

"APPEARS"

Rep. Freeman made an objection to part of sec. 300. He doesn't understand how you can mandate a hearing if 35% ask for it and if it only appears that the majority are against it the Board shall not issue the license. Appear wouldn't stand up in court. Rep. Ostrosky noted that the word "appear" is used in the original statute but that is only in the original issuance. Mr. Wall agreed that a definition of appear was necessary. It hasn't been handled well in the present situation. Clocksin suggested striking it and requiring the Board to take a vote. Freeman says why not have an election. Kathryn asks how would you establish the majority?

TAKING A VOTE

Wall said there are two ways: require Board to have regulations or spell it out. He's not sure of the legality of the Board administering vote.

AMENDMENT

Wall--Should be within 2 miles of his permanent place of abode and (instead of or) within 2 miles of the established village.

Wall said that definition of 2 miles within village might be a problem. For instance tok is 6 miles long.

TITLE OF SEC 300

He also suggested changing the Title of Section 300 to PROTEST OF LICENSE ISSUANCE IN AREAS OUTSIDE MUNICIPALITIES.

COMMITTEE SUB.

The staff will have a committee substitute drawn up to be ready for tomorrow.

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HB 350 (1080)

The Committee now had before it HB 350. The Chairman wants to delete all of sec. A. He had a request from Anchorage for 5% maximum sales tax. The problem in Anchorage is the city charges 5% but in order to raise in Borough the people have to vote. The city charges 5% on hotels and motels within city but the borough only charges 3%. Want to tax all the transients and tourists the same.

COMMITTEE SUB.

A committee substitute will be drawn up deleting the first section and putting a maximum of 5%.

REPORT OUT

(The committee members signed the report.)  
Meeting was adjourned at 10:00.

TAPE #10  
side 1  
1161-1618

House Committee on  
COMMUNITY & REGIONAL AFFAIRS

Meeting Minutes  
April 18, 1975

Meeting was called to order at 9:00 to discuss CSHB 246. Present:

Rep. Cotten, Chairman	Rep. Freeman
Rep. Ostrosky	Andrea Guernsey, Staff
Rep. Hackney	Barbara Thomas, Staff
Rep. DAVIS	Don Clocksin, Legal Services

POSTING

Rep. Hackney said that line 17 changes the thrust of the bill from municipally oriented to non-municipal. Cotten said this would apply where not feasible to post. Mr. Clocksin agreed with Hackney that in most villages you couldn't use television but the bill plans for the future. It's discretionary, the Board will decide. It would also be in the nature of a public service announcement.

MANDATORY HEARING  
VS  
ELECTION

Rep. Freeman wanted to know how they will determine the majority, line 5 page 2. He suggests having an election. Clocksin suggest inserting "or at election after the hearing" on line 5 after the word "hearing". Cotten wants the Dept of C&RA to hold the elections. Clocksin gives proposed language--page 2, line 5--strike majority and insert substantial number. CRA would then hold hearing. Could strike mandatory all together. Rep. Freeman objects to this. Why have an election if it isn't necessary. Some people may come to hearing and hear all the facts and then change their minds. Rep. DAVIS suggests having an election if the Board rules against the wishes of the people. Mr. Clocksin finally suggests leaving out the hearing and making the election mandatory, then change the may to shall on line 8.

DRAFTING ERROR

There is a drafting error on line 9, where the word renewal has been left out. That will be inserted.

COVERING ALL  
LICENSES

Rep. Cotten would like to change the word "the" on line 9 to any. The question should cover all licenses and not just one. Clocksin suggests inserting "or licenses" after a license on page 1, line 24.

PROTEST TO BOARD

Rep. Hackney would like to see page 2, line 1, qualified. The protest will be made to the Board.

SUBSTITUTE

There will be a substitute for the committee substitute drawn up encompassing all the amendments.

ADJOURN

Meeting was adjourned at 9:45.

House Committee on  
COMMUNITY & REGIONAL AFFAIRS

April 21, 1975  
Meeting Minutes

Meeting was called to order at 9:00 to discuss CSHB 246. Present:

Rep. Cotten	Rep. Freeman
Rep. Ostrosky	Rep. Davis
Rep. Hackney	Rep. Ose
Rep. Hershberger	
Barbara Englert Thomas, Staff	
Andrea Guernsey, Staff	
Don Clocksin, Legal Services	
Cheryl Probst, Anchorage Times	

Sec. 300, para C      The Committee members wanted an explanation of sec. C of the new committee substitute. Clocksin explained that sec. 300 provides 3 alternative methods: 1) para A--this is the procedure now in use. One individual can protest and the Board may or may not have a hearing. 2) para B--35% of the residents of an established village may require a hearing. 3) para C--this takes care of the situation that Ose was having problems with (license along hiway). The Board will take other things into account besides just the residents.

LETTER OF INTENT      Hershberger had the same problem as Ose. Two or 3 residents may be the majority. Ose calls for a letter of intent. Freeman says you can't do much better than the way it is already written in C.  
REPORT OUT      Ose withdraws request. Moves to pass bill out. All members signed due pass.

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Side 2      The committee now took up several other bills.  
0-683      Bob Pavitt was present, to discuss HB 172.  
HB 172      He said it was a good bill and there was not much other discussion. Rep. Freeman moved to report the bill out. With out objection it was reported out with all members signing do pass.  
HB 228      Hackney asked for the reason for this bill. Cotten said it was sometimes the case when a city is not more than 25 miles from the boundary of the borough seat. Hershberger moved to report out and it was done with all members signing do pass.

115246

Ben Marsh - CHHIC

line 14 - add ~~city~~ "or borough" after city

or check "cities" and add "municipalities"

1 license per 1500 peo in city - no requirement where

LAW OFFICES OF  
ALASKA LEGAL SERVICES CORPORATION  
315 FIFTH STREET, SUITE 8  
JUNEAU, ALASKA 99801  
TELEPHONE 588-XXXX 6425

Proposed Committee Substitute - HB 246

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

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

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

Sec. 04.10.200. POSTING OF APPLICATION. Before a new license is issued the applicant shall post a true copy of the application for license at the location of the premises, at the nearest post office and at one other conspicuous location in the area, for a period of 10 days before the filing of the application. The applicant shall submit with the application proof of posting on a form to be provided by the board. The board shall require by regulation notice of reissuances, renewals, and transfers of licenses, including but not limited to bilingual notice, where necessary, and notice by newspapers, radio and television.

\* Sec. 2. AS 04.10.300 is repealed and reenacted to read:

Sec. 04.10.300. PROTEST OF ISSUANCE. An adult resident having a permanent place of abode in an area outside a municipality who desires to protest the issuance, reissuance, renewal, or transfer of a license for an establishment within two miles of where he resides or within the established village in which he resides, shall serve upon the applicant and the board a written statement of the reasons for his protest. Upon the receipt of the protest, the board may give notice and hold a hearing, in the area in which

the protestant resides, at which all persons interested may be heard. If the protest is made in writing by at least 35 percent of the adult residents having a permanent place of abode within the established village where the establishment is situated for which the license is sought, or within two miles of the established village, the hearing is mandatory. If at the hearing it appears that the majority of the adult residents having a permanent place of abode within the established village or within two miles of the established village object to the issuance, reissuance, renewal or transfer of the license, the board shall refuse to issue, reissue, renew or transfer the license. If at a hearing held in an unincorporated area not an established village, it appears that the majority of the adult residents having a permanent place of abode within two miles of the establishment for which a license is sought object to the issuance, reissuance, renewal, or transfer of a license, the board may refuse to issue, reissue, renew or transfer the license.

For purposes of this section, an "established village" shall mean an unincorporated area where at least 25 people reside as a social unit, as determined by the Department of Community and Regional Affairs.

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

(a) A license issued under this chapter is renewable automatically if the fee is paid in accordance with secs. 40 - 140 of this chapter, except as provided in secs. 200 and 300 of this chapter or except in the case of conviction of the licensee under AS 04.15.100, pending the outcome of a board hearing or judicial determination as to the legality of issuing the license, or in the case of a lawful revocation in which event the license is renewable only as provided by law and regulation.

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

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

**Sec. 04.10.300. Protest of issuance.** A resident of an area outside an incorporated city who desires to protest the issuance of a license in the voting area in which he resides, shall serve upon the applicant and the board a written statement of the reasons for his protest. Upon the receipt of the protest, the board may give notice and hold a hearing, in the voting precinct in which the protestant resides, at which all persons interested may be heard. If at the hearing it appears that the majority of the citizens over the age of 19 years, residing within two miles of the place for which a license is sought, object to the issuance of the license, the board shall refuse to issue the license. (§ 86-4-22(16) ACLA 1949; am § 1 ch 181 SLA 1953; am § 2 ch 131 SLA 1957; am § 2 ch 197 SLA 1959; am § 4 ch 53 SLA 1973)

**Effect of amendment.**—The 1973 amendment substituted "city" for "town" in the first sentence and "19" for "21" in the third sentence.

**Legislative committee report.**—For report on ch. 53, SLA 1973 (CSH 382), see 1973 House Journal, pp. 798, 886.

LAW OFFICES OF  
ALASKA LEGAL SERVICES CORPORATION  
315 FIFTH STREET, SUITE 8  
JUNEAU, ALASKA 99801  
TELEPHONE 586-XXXX 6425

April 10, 1975

Proposed Amendments to HB 246

1. On p. 1, line 10 - delete "new"  
line 11 - delete "or a license is reissued" and  
add "reissued, renewed, or transferred,"
2. On p. 1, line 16 - add new sentence: "The Board shall provide  
*by regulation* ~~for~~ additional notice, including but not limited  
to bilingual notice, where necessary, and notice  
by newspapers, radio and television."
3. On p. 1, line 19-20 - delete "or reissuance" and insert  
", reissuance, renewal, or transfer,"  
*for reissues, renewals and transfers*
4. On p. 1, line 25 - delete "25" and insert "35 per cent of  
the adult"
5. On p. 1, line 27 - delete "or otherwise"
6. On p. 2, line 1 - delete "or reissuance" and insert  
", reissuance, renewal or transfer,"
7. On p. 2, line 2 - delete "or reissue" and insert  
", reissue, renew or transfer,"

*for*  
The Board shall require by regulation notice  
of reissuance, renewals, transfers  
of licenses, including but not limited  
to bilingual notice where necessary



*WAF*

*Hackney's amendment - not acted upon*

Sec. 04.15.010 is amended to read-Hours of sale. No person may consume, sell, offer for sale, give, furnish or deliver from an authorized licensee any intoxicating liquor on any licensed premises inside the state between the hours of 2:00 a.m. and 9:00 a.m. each day of the week. Municipalities may provide for additional closing hours under § 70 of this chapter.

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The board shall <sup>provide</sup> ~~provide~~ <sup>required by regulation</sup> ~~regulations~~  
for notice ~~to~~ <sup>of</sup> ~~renewals, reissuances~~  
& ~~transfers~~ <sup>of licenses, including</sup>  
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where necessary, & notice by newspapers,  
radio & television.

# STATE OF ALASKA

## DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, Governor

POUCH S—JUNEAU 99801

March 26, 1975

The Honorable Samuel Cotten  
Chairman  
House Community Regional Affairs Committee  
Alaska State Legislature  
State Capitol  
Juneau, Alaska

Re: House Bill No. 246

Dear Mr. Cotten:

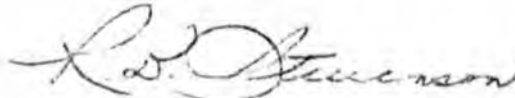
House Bill No. 246, an Act relating to liquor licenses and municipal regulation of the sale of intoxicating liquor was introduced in the House on March 3, 1975 and was referred to the House Community and Regional Affairs and Judiciary Committees.

Under the date of March 4, 1975 I requested by memorandum dated March 4, 1975 addressed to Linda Brown, Director, Alcoholic Beverage Control Board, Anchorage, Alaska a review of the proposed legislation for comments on costs or problems of administration.

Attached is a copy of a memorandum from Linda Brown, Director, Alcoholic Beverage Control Board, Anchorage, Alaska concerning the subject bill.

If you or any members of your Committee have any questions on the material submitted, please contact the writer by telephone at 465-2397 and I will contact Linda Brown for further material for submission to the Committee.

Very truly yours,



R. D. Stevenson  
Special Assistant

cc: The Honorable Terry Gardiner  
Chairman  
House Judiciary Committee

# STATE OF ALASKA

## DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, Governor

POUCH S—JUNEAU 99801

March 26, 1975

The Honorable Samuel Cotten  
Chairman  
House Community Regional Affairs Committee  
Alaska State Legislature  
State Capitol  
Juneau, Alaska

Re: House Bill No. 246

Dear Mr. Cotten:

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R. D. Stevenson  
Special Assistant

cc: The Honorable Terry Gardiner  
Chairman  
House Judiciary Committee

# MEMORANDUM

TO: Linda Brown  
Director  
Alcoholic Beverage Control Board  
Anchorage, Alaska

DATE: March 4, 1975

FILE NO:

FROM: R. D. Stevenson  
Special Assistant  
Department of Revenue

SUBJECT: House Bill No. 246

Attached is a copy of House Bill No. 246, an Act relating to liquor licenses and municipal regulation of the sale of intoxicating liquor.

Please review the proposed legislation and prepare a memorandum to the writer advising of costs or problems of administration.

TO: R. D. Stevenson  
Special Assistant  
Department of Revenue  
Juneau

DATE : March 12, 1975

FROM: Linda E. Brown, Director *LB*  
ABC Board  
Anchorage

SUBJECT: HB No. 246

In response to your memo on the above, I would like to make the following comments:

The amendment to AS 04.10.200 is very difficult. We could require posting affidavits as in a new application, but it greatly increases paperwork. In all fairness to the industry, it is an added burden. If the purpose of this is to increase public knowledge of their right to protest a reissuance, it is an awkward and expensive method.

Regarding the amendment to AS 04.10.300, reference is made to line 27, and the words "or otherwise." I am in doubt just what it means, and suspect that nobody else will either, leaving it very open to interpretation. It doesn't make sense to discuss hearings and make a vague reference to other possibilities at the same time. The purpose of the hearing is to determine whether a license may be issued by giving everyone a chance to speak. It should lead to a final resolution of the issues. The "or otherwise" could keep an issue going indefinitely with all the accompanying headaches these situations produce.

The rest of the amendments appear to be helpful.

Thanks for your interest.

LEB:vk

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# TELEGRAM

HB 246

NCA A.L.A. COMMUNICATIONS, INC.

02040 ANCHORAGE AK 32 04-03 314P ADT

PMS REP SAM COTTEN 0664

JUN 8 PM 5 49

JUN

THE CABORETT HOTEL AND RESTAURANT ASSOCIATION TOTALLY  
OPPOSED TO HB246 UNFAIR TO LEGITIMATE BUSINESSES TO  
FORCE THEM THROUGH APPLICATION PROCESS FOR EVERY ANNUAL  
RENEWAL WE REQUEST HB246 NOT TO BE REPORTED OUT

BERNARD L MARSH EXECUTIVE DIRECTOR CHAR

AB 246

# TELEGRAM

HCA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

JUNEAU, ALASKA 99801

1975 APR 8 PM 8 32

# 04008 NL ANCHORAGE ALASKA 50 04-0 0425P ADT

FMS REP SAM COTTON

0684

JUN

I AM CHAIRMAN OF THE BOARD OF CABARET AND HOTEL  
RESTAURANT ASSOCIATION AND OWN FIVE LUQUOR LICENSES.  
BOTH MYSELF ANCHORAGE CHAR AND ALASKA CHAR ARE STRONGLY  
OPPOSED TO BILL 246. WE WOULD APPRECIATE IT IF YOU WOULD  
NOT REPORT THIS OUT OF YOUR COMMITTEE.

JACK GRIFFIN

# TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

UNNEAU, ALASKA 99801

HB  
246

1975 APR 8 PM 8 31

04010 NL ANCHORAGE ALASKA 50 04-08 0415P ADT

PMS REP SAM COTTON

JUN 0682

I OWN THE UNION CLUB AND OPPOSE THE BILL 246. I WOULD  
APPRECIATE THIS IF YOU WOULD NOT REPORT THIS OUT OF YOUR  
COMMITTEE.

ROD BELL

HB  
246

# TELEGRAM

BCA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

JUNEAU, ALASKA 99801

1975 APR 8 PM 8 30

04011 NL ANCHORAGE ALASKA 50 04-08 0324P ADT

FMS REP SAM COTTEN

0681

JUN

WE ARE STRONGLY OPPOSED TO HB246 IT IS TOTALLY UNWORKABLE  
AND WILL IMPOSE AND INTOLERABLE BURDEN ON OUR INDUSTRY

REX COOPER JUNE COOPER MARY LU

BURNETT ROBERT TIRAPELLI NOEL MYERS AND OPEL MYERS

# STATE OF ALASKA

## DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, Governor

POUCH S - JUNEAU 99801

March 26, 1975

The Honorable Samuel Cotten  
Chairman  
House Community Regional Affairs Committee  
Alaska State Legislature  
State Capitol  
Juneau, Alaska

Re: House Bill No. 246

Dear Mr. Cotten:

House Bill No. 246, an Act relating to liquor licenses and municipal regulation of the sale of intoxicating liquor was introduced in the House on March 3, 1975 and was referred to the House Community and Regional Affairs and Judiciary Committees.

Under the date of March 4, 1975 I requested by memorandum dated March 4, 1975 addressed to Linda Brown, Director, Alcoholic Beverage Control Board, Anchorage, Alaska a review of the proposed legislation for comments on costs or problems of administration.

Attached is a copy of a memorandum from Linda Brown, Director, Alcoholic Beverage Control Board, Anchorage, Alaska concerning the subject bill.

If you or any members of your Committee have any questions on the material submitted, please contact the writer by telephone at 465-2397 and I will contact Linda Brown for further material for submission to the Committee.

Very truly yours,



R. D. Stevenson  
Special Assistant

cc: The Honorable Terry Gardiner  
Chairman  
House Judiciary Committee

HB 246

Mitted Present Testified

Thurs 4/10/75

Rep Gerald Itta	X	✓	X
Rep Philip Oury	X	X	X
Mr K D. Stevenson, Special Asst, Dept. of Rev. 2397	X		
<del>Rep [unclear]</del>			
John [unclear], Home Affairs 6-2415	X		
Municipal League	X		
Don Clocksin	X	X	X
Phil Wall, Dept of Rev 2313		X	X

4/10/75

Bernard Marsh, CHAR	X		
Phil Wall, <del>2313</del> 2313	X		
Municipal League	X		
Don Clocksin	X		
Reps. Jany, Itta	X		

4/18

Clocksin	X	X	X
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