

H B

2 7 9

HOUSE COMMITTEE REPORT

(11)

Date referred: 4/28/87

FURTHER REFERRALS:

DATE: 2-1-88

The Finance Committee has considered HB 279

"An Act relating to issuance or relocation of a club license for the sale of alcoholic beverages."

RECOMMENDS:

- replace with CS HB 279 (Fin.) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

ADAMS [Signature]

BOYER [Signature]

FRANK [Signature]

LARSON [Signature]

SIGNING OTHER RECOMMENDATIONS:

GOLL [Signature] N.R.

DAVIS [Signature] NO REC.

SNACK-HAMMER [Signature] NO REC.

RIEGER [Signature] No Recommendation

BROWN [Signature] No Rec.

FOURCHOT [Signature] NO REC.

WALLIS [Signature]

[Signature]
Chairman's signature

FISCAL NOTE

REQUEST:

Revision Date: 1/28/88
Title: An Act Relating to Issuance of Club Licenses
Sponsor: Representative Cato
Requestor: (H) Finance

Agency Affected: Revenue
BRU: Alcoholic Beverage Control Board
Components: Operating

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	-	-	-	-	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	-	-	-	-	-

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Royce Weller *RW* Phone: 465-2302
Division: Commissioner's Office Date: January 28, 1988

Approved by Commissioner: Hugh Malone *H Malone* Date: 465-2300
Agency: Revenue

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

Original sponsors: Cato, Boyer
and Grussendorf

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 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."

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

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

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

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

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

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

1 (a) Except as provided in (g), (h), (i), and (j) of this sec-
2 tion, a new license may not be issued and the board may prohibit
3 relocation of an existing license

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

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

24 (3) inside an organized borough but outside an established
25 village or incorporated city located within the borough, if after the
26 issuance or relocation there would be inside the borough, but outside
27 the established villages and incorporated cities located within the
28 borough, more than one restaurant or eating place license or club
29 license for each 1,500 population or fraction of 1,500 population or

1 more than one license of each other type, including licenses that have
2 been issued under (g) or (h) of this section, for each 3,000 popula-
3 tion or fraction of 3,000 population inside the borough, excluding the
4 population of those established villages that have conducted an elec-
5 tion on a question set out in AS 04.11.490, 04.11.496, or 04.11.500,
6 and excluding the population of incorporated cities located within the
7 organized borough.
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

R10 21188
Rec'd 3/11/88

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: SCS CS HB 279 (C&RA)
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: 03/08/88
Title: "An Act relating to club licenses for the sale of alcoholic beverages; efa"
Sponsor: Senate Finance Committee
Requestor: Senate C&RA

Agency Affected: Revenue
BRU: ABC Board
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	-	-	-	-	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	-	-	-	-	-

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

ANALYSIS: (Attach a separate page if necessary)

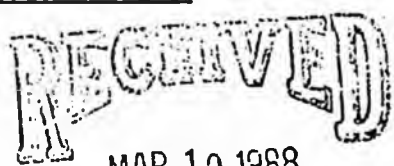
Prepared By: Patrick L. Sharrock, Director
Division: Alcoholic Beverage Control Division

Phone: 277-8638
Date: 03/08/88

Approved by Commissioner: Hugh Malone *RW FOR*
Agency: Department of Revenue

Date: 03/08/88

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)



MAR 10 1988

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CS HB 279 (Fin) (efd add)
PUBLISH DATE: _____

FISCAL NOTE

REQUEST: _____

Revision Date: 03/02/88
Title: "An Act relating to club licenses for the sale of alcoholic beverages; efd"
Sponsor: Finance Committee
Requestor: Senate C&RA

Agency Affected: Revenue
BRU: ABC BOARD
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	-	-	-	-	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	-	-	-	-	-

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Patrick L. Sharrock, Director Phone: 277-8638
Division: Alcoholic Beverage Control Division Date: 03/02/88

Approved by Commissioner: Hugh Malone Date: 03/02/88
Agency: Department of Revenue

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

MAR 4 1988

FISCAL NOTE

REQUEST:

Revision Date: 1/28/88
Title: An Act Relating to Issuance of Club Licenses
Sponsor: Representative Cato
Requestor: (H) Finance

Agency Affected: Revenue
BRU: Alcoholic Beverage Control Board
Components: Operating

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
OPERATING						
PERSONAL SERVICES	-	-	-	-	-	-
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	-	-	-	-	-
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	-	-	-	-	-
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	-	-	-	-	-

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Royce Weller *RW* Phone: 465-2302
Division: Commissioner's Office Date: January 28, 1988

Approved by Commissioner: Hugh Malone *H Malone* Date: 465-2300
Agency: Revenue

Distribution (by preparer):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE AFFAIRS AGENCY

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3810

MEMORANDUM

April 24, 1987

SUBJECT: Sectional analysis - HB 279
TO: Representative Heinrich Springer
FROM: Michael F. Ford *M.F.*
Legislative Counsel

This bill would include club licenses among those licenses that are subject to the population restrictions established by AS 04.11.400(a)(2) and (3). Except as provided in subsections (g), (h), (i), and (j), the Alcoholic Beverage Control Board could not issue a new license, and has authority to prohibit relocation of an existing license, unless the license met the population restrictions of (a) of the section.

MFF:mkr
m11/071

STATE OF ALASKA

DEPARTMENT OF REVENUE

ALCOHOLIC BEVERAGE CONTROL BOARD

FIN

HB 279

STEVE COWPER, GOVERNOR

Terry
CRA file

550 W. 7TH AVE
ANCHORAGE, ALASKA 99501-6698

April 24, 1987

APR 27 1987

The Honorable Heinrich Springer, Chairman
Community and Regional Affairs Committee
Alaska House of Representatives
P.O. Box V
Juneau, AK 99811
ATTN: Terry Hoefflerle

Dear Representative Springer:

Your office called and requested that I comment on behalf of the Alcoholic Beverage Control Board about HB 279 which deals with the population formula under AS 04.11.400 for determining the availability of club liquor licenses under AS 04.11.110.

The formula was amended by CSHB 34 (Fin.) am S which became effective June 6, 1985. The amendment doubled the population requirement for all liquor licenses, except restaurant or eating place licenses under AS 04.11.100. Club organizations interested in making application under the old formula within small communities are therefore eliminated from pursuing an application. Examples are:

<u>City</u>	<u>License Availability</u>		<u>Club Licenses</u>
	<u>Old Law</u>	<u>New Law</u>	<u>Issued</u>
Palmer	3	2	2
City & Borough of Sitka	6	3	3
Fairbanks	14	7	7
Kenai	5	3	4
North Pole	2	1	1
Petersburg	3	2	2
Soldotna	3	2	2
Valdez	3	2	2

The bill does not amend the formula for areas outside of established villages and municipalities.

Representative Heinrich Springer
April 24, 1987
Page 2

In conclusion, the board does not object to the amendments.

If I can provide any further information or clarification, please do not hesitate to call.

Sincerely,



Patrick L. Sharrock
Director
(907) 277-8638

PLS:cr

cc: Representative Bette Cato
Senator Bettye Fahrenkamp

87-81



② HB 279

ALASKA MOOSE ASSOCIATION

OFFICE OF THE

Vice-President
Northwest District

3292 Jefferson Drive
Fairbanks, AK 99709

APR 16 1987

February 20, 1987

Mr. Patrick L. Sharrock
Director
Department of Revenue
Alcoholic Beverage Control Board
550 W. 7th Avenue
Anchorage, AK 99501

Dear Director Sharrock:

The Alaska Moose Association is interested in getting two changes in the Alaska Statutes on alcoholic beverages.

The first change that we are interested in is to have A.S. 04.11.400 changed back so that club licenses could be issued for each 1500 population instead of 3000. As you know the club license is the mainstay of a fraternal organization. It will be impossible for our newly founded Lodge in the City of North Pole to obtain a club permit in that area when they have been in existence for two years because of the official population of 1700 and the existence of another club license in the area.

The second change we would like to propose is to A.S. 04.11.240 or a new section added which would permit our club licenses to hold full alcoholic beverage functions away from their premises and not have to get a beverage dispensary license to obtain a caterer's permit for a function. This has been a problem in the past, especially for our smaller Lodges when holding a convention or conference and they must use, for instance, the National Guard Armory for their banquets and dances, etc.

We are interested in the views of the ABC Board on these two issues as well as help with coming up with the proper or best means and wording, for all concerned, to accomplish our requests.

If you need further information, please feel free to contact me.

Sincerely,

Warren B. Cummings
Vice-President Northwest District
Alaska Moose Association

April 23, 1987

⑥ HB 279

Honorable Betty Cato
Alaska House of Representatives

The Officers, Members and Ladies Auxillary of American Legion Post 2, Valdez, Alaska request that the Alaska State Legislators, grant this Post a liquor license. We applied in the past to the liquor control board, and have been refused on the basis of one (1) permit per 3000 residents.

American Legion Post 2 was chartered in Valdez, October 1920. Over the past 67 years, many pioneers of Alaska have past through this Post. Many of them have been prominent business people, and served in various capacities of our State Government. One thing we all have in common, we served our country when our country needed us. We do not ask our country or state for any support. We do ask that we be allowed to operate as other American Legion Post's in Alaska, the other 49 states and several foreign countries.

The liquor permit is not the main part of the Post, but helps with its financial aspects. The Post supports a great deal of youth activities in their communities, and we all know this costs a good deal of funds. Little league, Little dribblers, Boys State, and scholarships are just some of the activities that the Post's support. Elks, Eagles and Moose lodges have permits, and the good things these lodges and veteran Posts do is well known by the people of Alaska and our country.

As the only gathering place for veterans in Valdez, it is rather hard to hold members that do come to the meeting to remain, therefore they depart to someother permit holders establishment.

The Post has been active for the past 3 years by gaining new members, but we are now losing many of them. Reason, they cannot step in and have a drink with other veterans, and so go elsewhere. We need this permit to keep this Post above water. It would be a shame to see it go under, as it is one of the oldest Posts in the Nation.

Again we are not asking that we have a permit to have just another bar, but a place where the veterans, families and guests can gather, socialize and generate funds to support our youth activities. Tourists are amazed that we can't have a permit and are only open for meetings.

Post 2 is sincere in its plans with the profits, plus we are covered by State laws for non-profit Veteran organizations. We do hope that the State Legislators will approve our request. You will be proud of us.

Respectfully,

Dick Stom

Dick Stom
Commander Post 2
M/Sgt USMC (Retired)

American Legion Post 2
Dick Stom, Commander
P.O. Box 1368
Valdez, AK 99686

1 IN THE HOUSE

BY CATO

2 HOUSE BILL NO. 279

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to issuance or relocation of a club
7 license for the sale of alcoholic beverages."

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

9 * Section 1. AS 04.11.400(a) is amended to read:

10 (a) Except as provided in (g), (h), (i), and (j) of this sec-
11 tion, a new license may not be issued and the board may prohibit
12 relocation of an existing license

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

24 (2) inside an established village, incorporated city, or
25 unified municipality if after the issuance or relocation there would
26 be inside the established village, incorporated city, or unified
27 municipality more than one restaurant or eating place license or club
28 license for each 1,500 population or fraction of 1,500 population or
29 more than one license of each other type, including licenses that have

1 been issued under (g) or (h) of this section, for each 3,000 popula-
2 tion or fraction of 3,000 population inside the established village,
3 incorporated city, or unified municipality;

4 (3) inside an organized borough but outside an established
5 village or incorporated city located within the borough, if after the
6 issuance or relocation there would be inside the borough, but outside
7 the established villages and incorporated cities located within the
8 borough, more than one restaurant or eating place license or club
9 license for each 1,500 population or fraction of 1,500 population or
10 more than one license of each other type, including licenses that have
11 been issued under (g) or (h) of this section, for each 3,000 popula-
12 tion or fraction of 3,000 population inside the borough, excluding the
13 population of those established villages that have conducted an elec-
14 tion on a question set out in AS 04.11.490, 04.11.496, or 04.11.500,
15 and excluding the population of incorporated cities located within the
16 organized borough.