

HB

15

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FILE

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 15(L&C)
(H) Publish Date: 2/2/05

Revision Date/Time (Note if correction): _____ Dept. Affected: Fish and Game
Title: Seasonal Hunt/Fish Lodge Liquor RDU _____
License Component _____
Sponsor: Representative Meyer
Requester: House Labor & Commerce Committee Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Passage of this legislation would have no fiscal impact

Prepared by: Sarah Gilbertson Phone: 465-6137
Division: Legislative Liaison Date/Time: 1/24/05 12:21 PM
Approved by: Acting Commissioner Wayne Regelin Date: 1/24/2005
Agency: Alaska Department of Fish & Game

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: CSHB 15/L&C
(H) Publish Date: 2/2/05

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
Title: An Act relating to seasonal alcoholic beverage RDU: Alcoholic Beverage Control Board
licenses Component: ABC Board
Sponsor: Representative Meyer
Requester: H. Labor and Commerce Component No.: 2690

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()	18.8	12.5	25.0	18.8	25.0	18.8
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	18.8	12.5	25.0	18.8	25.0	18.8
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	18.8	12.5	25.0	18.8	25.0	18.8

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The state will issue new licenses to lodges, so the fiscal impact of this legislation should be positive. The difficult question will be determining how many licenses will be issued. While there will be some additional cost to the Alcohol Beverage Control (ABC) Board (staff time, postage, criminal background checks, long distance telephone, printing of signs), these additional costs can be absorbed assuming the Legislature approves increments in the fiscal year (FY) 06 budget.

For purposes of this fiscal note, I have conservatively estimated 15 new licenses issued in FY 06 and 10 new licenses in FY 07. When the 15 FY 06 licenses renew in FY 08 we will add another 5 licenses and additional 5 licenses will be added in FY 09 plus renewals.

Prepared by: Douglas R. Griffin, Director Phone: 269-0350
Division: Alcoholic Beverage Control Board Date/Time: 1/24/05 11:43 AM
Approved by: Commissioner William Tandeske Date: 1/24/2005
Agency: Department of Public Safety



REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

MEMORANDUM

DATE: February 3, 2005
TO: Representative Kevin Meyer
FROM: Mike Pawlowski
RE: Sectional Analysis for CSHB 15 (L&C)
(Version No. 24 - LS0075AS)

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Makes a conforming amendment to section 2.

Section 2. Amends AS 04.11 by adding a new section that creates a liquor license for outdoor recreation lodges, makes appropriate definitions and specifies that the license may not be transferred.

Section 3. Exempts licenses issued under 04.11.100(j) before June 6, 1985 from AS 04.11.360, allowing them to be transferred.

Section 4. Creates an exception to the population limitations on the issuance of liquor licenses in AS 04.11.400 for outdoor recreation lodge licenses.

Section 5. Makes a conforming amendment to section 4.

Section 6. Creates an immediate effective date.



REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

Sponsor Statement

CS House Bill 15 (L&C)

"An Act relating to outdoor recreation alcoholic beverage licenses; relating to transfer of certain beverage dispensary licenses issued before June 6, 1985; and providing for an effective date."

Lodges that currently sell alcoholic beverages to their guests without a liquor license are violating Alaska law. The logistics of enforcing the law in areas of the state that are remote presents a considerable challenge for the Alcohol and Beverage Commission.

CS for House Bill 15 (L&C) creates an alcoholic beverage license for lodges whose primary business is to provide opportunities for outdoor recreation. The biennial license will cost \$1,250 and will only allow a lodge to serve alcoholic beverages to their overnight guests and off-duty staff.

CSHB 15 (L&C) also allows licenses that were granted prior to June 6, 1985, under the public convenience exception to Alaska's population limits on alcoholic beverage licenses, to be transferred.



State of Alaska

Department of Public Safety

Alcoholic Beverage Control Board

Frank H. Murkowski, Governor
William Tandeske, Commissioner

January 21, 2005

Representative Kevin Meyer
Alaska House of Representative s
Room 515
State Capitol
Juneau, Alaska 99801-1182

Sent Via email/Original mailed

Attn: Mile Pawlowski

RE: Suggestions Regarding HB 15

Dear Representative Meyer:

In response to a request from Mr. Mike Pawlowski of your staff, below are comments and suggestions regarding amendments to HB 15, "An Act relating to seasonal alcoholic beverage licenses." If you have any questions regarding this matter, please contact me. I will be available to attend and testify at a hearing on this bill when it is scheduled.

SUGGESTED AMENDMENTS TO HB 15 "AN ACT RELATED TO SEASONAL ALCOHOLIC BEVERAGE LICENSES" OFFERED BY THE ALCOHOLIC BEVERAGE CONTROL BOARD

The Alcoholic Beverage Control Board reviewed an early draft of what is now HB 15 at its November 23, 2004 meeting. The Board's comments are reflected in a letter to Representative Meyer, the bill's sponsor, dated January 3, 2005. The letter raised concerns regarding: definition of "lodge", the license fee for small operations, the limitation of lodges being "not directly accessible by automobile", and relaxation of population limitations for lodges since lodges are limited to selling alcohol to guests only.

Representative Meyer's office has requested that ABC Board staff assist in addressing these concerns that were raised by the ABC Board. The following are conceptual suggestions to address the concerns raised by the ABC Board.

Definition of "Lodge"

The staff believes the statute should provide a broader definition of a lodge and that the duration of the license should not be limited to a six-month season. Some lodges are looking at operating during some winter or shoulder season months and that should be encouraged. The option that is now available for a half price license that operates no more than 12 months in the two-year licensing period under AS 04.11.680 remains an option for lodges that are oriented to summer months. A lodge in this bill should be defined as "a business that provides overnight accommodations, meals, and opportunities for persons to engage in outdoor recreation activities. The business must have a minimum of two guest rooms." This includes, but is not limited to, fishing, hunting, hiking, snow machining, dog mushing, skiing, and wildlife viewing.

The present bill implies that alcohol service to guests is not limited and, therefore, could include service for on-premise consumption (alcohol service by the drink with or without meals in the lodge) or off-premise consumption (alcohol sold for consumption out on the boat). The sponsor or committee may wish to make this dual use license more explicit.

The limitation that alcohol may be provided to overnight guests only (I would recommend that it be expanded to off-duty staff also) is essential to keeping this license focused on the need to serve guests and not function as an alcohol outlet for a nearby community. This limitation would also discourage present licensees like ski resorts and roadhouses that largely serve people who are not overnight guests from applying for the lodge license.

License fee

The concern regarding the present fee set out in HB 15 of \$1,250 for a seasonal biennial license raised by the ABC Board reflects a desire to be fair and reasonable regarding the fee for small "Mom and Pop" operations. The best way to address this issue is to base the license fee on the number of rooms provided. For purposes of discussion, I would suggest \$250 per room up to no more than \$2,500 (the cost of a beverage dispensary license). A seasonal license under AS 04.11.680 would reduce this amount by one-half.

Accessibility by Automobile

HB 15 focuses the lodge license on those operations located in remote areas of the state by requiring that they are "not directly accessible by automobile." There may be a good reason for making this distinction and this approach merits discussion. However, the ABC staff believe it is not necessary to limit this license in this manner. The limitation to allow alcohol service to registered guests only is a major constraint. A lodge located on Alaska's road system may not be a candidate for this type of license if it relies on serving persons other than registered overnight guests. It is just seemed more expedient to keep the lodge definition simple.

Relax Population Limitations

Limiting the number of licensed outlets available significantly controls alcoholic beverages. Therefore, making exceptions to the population quota placed on licenses should require abundant justification. The ABC Board believes that the unique nature and location of lodge operations and the limitation of service to guests and off-duty staff only mitigates concerns of creating additional liquor dispensing businesses. Presently, there are two major exceptions to the population limitations set out in AS 04.11.400. Subsection (d) allows an exception for hotels, resorts, and airport terminals and subsections (e) and (g) allows the issuance of restaurant or eating place licenses that serve the public convenience. A similar exception in AS 04.11.400 needs to be created for lodges.

I hope these suggestions are helpful. The staff stands ready to act as a resource as work continues to make HB 15 a responsive and responsible piece of legislation.

Sincerely,

Douglas B. Griffin
Director

cc: ABC Board Members
Bill Tandeske, Commissioner, Department of Public Safety
Ted Bachman, Deputy Commissioner, Department of Public Safety
Cliff Stone, Special Assistant, Department of Public Safety
Anne Carpeneti, Asst. Attorney General, Department of Law



State of Alaska
Department of Public Safety
Alcoholic Beverage Control Board

Frank H. Murkowski, Governor
William Tandeske, Commissioner

January 3, 2005

Representative Kevin Meyer
Alaska House of Representatives
State Capitol, Room 513
Juneau, AK 99801-1182

RE: Proposed Bill for Seasonal Alcoholic Beverage Licenses

Dear Representative Meyer:

On September 20, 2004, Suzanne Cunningham of your staff sent me a Work Draft of a House bill relating to seasonal licenses for hunting and fishing lodges. I prepared a cover memorandum and placed this item on the agenda for the Alcoholic Beverage Control (ABC) Board's regular meeting held in Anchorage on November 23, 2004. The issue of how to accommodate the unique liquor licensing needs of lodges who simply wish to serve alcoholic beverages to registered guests has been a problem for the State of Alaska. The ABC Board appreciates your willingness to initiate the public policy debate as the State seeks to debate how to balance the needs of this growing segment of the visitor industry with the protection of the public from abuse of alcoholic beverages.

After review and discussion of the Work Draft (Luckhaupt 9/3/04) provided by your office, the ABC Board had the following comments:

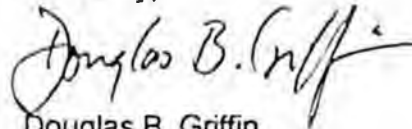
1. Lodges need to be better defined—expanded to include more than hunting and fishing and some minimum number of rooms or beds to give some direction to the types of businesses intended to benefit from the new type of license.
2. ABC Chairman Mike Gordon thought the license fee might be too high for small operations.
3. The issue of a lodge being "not directly accessible by automobile" needs some discussion and a clearer definition to make sure the definition of lodges that may get this type of license is not too narrow or too broad.
4. Relaxation of population limitations needs to be considered when it comes to lodge licenses. Since the license is limited to service of registered overnight guests only, limiting the number of licenses based on population as set out in AS 04.11.400 a public safety consideration. In fact, you may have several lodges located in a small community (near where the good hunting and fishing is) like Elfin Cove and only one lodge license could be issued based on present population limitations. Making exceptions to fundamental alcohol licensing practices adds complexity, but in this instance it makes sense to not apply the population limitation criteria.

JAN 08 2005

The ABC Board and its staff stands ready to work with you and the various committees that may work on this legislation. It will be important to consult with lodge owners and operators to make sure that if a new license is created it will address unique needs.

I will be happy to address any question you may have regarding these comments. Thank you again for your efforts to address this liquor licensing challenge.

Sincerely,



Douglas B. Griffin
Director

Enclosure: Memorandum to ABC Board, November 4, 2004
Draft Bill for Lodge Licenses

cc: ABC Board Members
Commissioner Bill Tandeske, Department of Public Safety
Deputy Commissioner Ted Bachman, Department of Public Safety
Cliff Stone, Special Assistant, Comm. Office, Department of Public Safety



STATE OF ALASKA
Department of Public Safety
Alcoholic Beverage Control Board
MEMORANDUM



To: ABC Board Members

Date: November 4, 2004

Telephone: 269-0350

From: Douglas B. Griffin *DBG*
Director

Subject: PROPOSED LEGISLATION
TO CREATE A HUNTING
OR FISHING LODGE
LICENSE

Representative Kevin Meyer is contemplating introducing a bill in the Twenty-fourth Legislature to create a seasonal hunting or fishing lodge license. It would appear as if Representative Meyer is seeking to narrowly focus on the particular needs of lodges operating in Alaska whose needs for the serving of alcoholic beverages are not addressed particularly well by the present liquor licensing regime. Lodges typically wish to provide cocktails, beer, and wine to guests in the lodge and as part of meals. Lodges also wish to provide alcohol for consumption away from the lodge to accompany fishing, animal viewing, hiking, and hunting excursions. Under the present system of licensing this would require a beverage dispensary license for "in lodge" alcohol service and a package store license for "off premise" consumption. In this respect, Representative Meyer's bill is broad to allow both of these types of alcohol service.

However, the bill is narrow in only allowing service of "alcoholic beverages to a registered overnight guest of the lodge." The license is also, by design, seasonal in nature providing for a period of service not to exceed six months of a calendar year.

Lodges present unique challenges for the ABC Board. Some apply for licenses available to them under our present system and try to make them work while we know others lodges, particularly those that are more remote, simply provide alcohol service without a license or advise guests to bring their alcohol with them. Policing lodges is a low priority for our small ABC Board enforcement staff. However, now that the ABC Board is part of the Department of Public Safety, Troopers stationed in remote parts of Alaska are providing new oversight of lodge activities.

The arguments in favor of this proposal are:

1. Creation of this "customized" license will invite these businesses that serve alcohol to come under the regulatory umbrella and no longer break the law.
2. It generates additional revenue for the state.
3. It will remove a potential insurance liability for lodges and may encourage growth in this visitor-related industry.

Arguments that could be raised in opposition to the bill are:

1. Creating more liquor licenses increases alcohol consumption and is not in the public interest.
2. Lodges are remote and difficult to police. Will they limit service to guests only if there is demand from nearby residents?
3. The bill is too limiting as it applies only to lodges "not directly accessible by automobile."

I do not think the ABC Board needs to take a position on this bill. I am sure Representative Meyer would appreciate comments from the ABC Board on ways to improve the bill and he would surely welcome the support of the ABC Board for the bill, as written or improved.

Attachment: Draft of "An Act relating to seasonal alcoholic beverage licenses" 9/3/04

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- Senator Ted Stevens
- Co-Chairman Steve Young

February 4, 2005

Co-Chair Kevin Meyers and Mike Chenault
House Finance Committee
Alaska House of Representatives
Juneau, AK

Dear Co-Chairs Kevin Meyers and Mike Chenault:

I am writing to express the Resource Development Council's strong support for House Bill 32, which allocates \$1.3 million to Arctic Power for securing passage in Congress of federal legislation to authorize the opening of the Arctic National Wildlife Refuge to oil and gas exploration.

It is absolutely critical the State of Alaska continue to support efforts to open the Coastal Plain of ANWR to environmentally-responsible oil and gas exploration and development. The timing now is truly better than ever in securing congressional and administrative support for ANWR exploration. While Alaska has fought more than 20 years to convince Washington to open the Coastal Plain, we must take advantage of yet another window of opportunity.

Given the results of the November election, Alaska's position in Washington is enhanced over previous years. However, a full court press is now necessary to capitalize on this opportunity. The State would be making a terrible miscalculation at the worst possible time if it were to eliminate its funding for Arctic Power.

Opponents of opening ANWR would like to see nothing more than the State of Alaska end its support for Arctic Power, especially now when the prospects for opening the Coastal Plain are brighter. Juneau needs to send a positive signal to Washington that it remains strongly committed to opening ANWR.

Arctic Power is the organization best suited for coordinating the state's lobbying effort in Congress. It has the structure, expertise and contacts to move the issue forward. While past efforts have fallen short, Arctic Power has waged a good campaign against incredible odds. It has kept the issue before policy makers, educating Congress and the media on the merits of opening ANWR and how it would benefit all Americans.

Arctic Power is now poised to take advantage of the new political climate in Washington, but it needs to be armed with adequate funding to achieve its mission. The \$1.3 million earmarked for this year's effort is a small price to pay for the potential benefits the state would receive.

Page 2/RDC Support for HB 32

Alaska must do everything possible to secure a positive resolution to this long-standing issue this year. It will take hard work and full funding of Arctic Power to make it happen.

RDC strongly recommends passage of HB 32.

Sincerely,

RESOURCE DEVELOPMENT COUNCIL
for Alaska, Inc.



Carl Portman
Deputy Director

... the grounds for which exists under AS 04.11.340(1) of (j); and

(2) relocation of the licensed premises is necessary due to

(A) termination of a lease or rental agreement;

(B) condemnation of the premises;

(C) the substantial destruction of the premises by any cause.

(j) The board may issue a new license in a municipality notwithstanding the provisions of (a) of this section if the board finds that issuance of the license is necessary for the public convenience. (§ 2 ch 131 SLA 1980)

Population and zoning limits must be met. — The Alcoholic Beverage Control Board is prohibited by statute from issuing licenses except as meet population limitations and zoning limitations. Queen of N., Inc. v. Legrue, Sup. Ct. Op. No. 1670

(File No. 3612), 582 P.2d 144 (1978), decided under former AS 04.10.210.

Am. Jur. 2d and C.J.S. references. — 45 Am. Jur. 2d Intoxicating Liquors § 138. 48 C.J.S. Intoxicating Liquors § 136.

Sec 04.11.410. Restriction of location near churches and schools. (a) A beverage dispensary or package store license may not be issued and the location of an existing license may not be transferred if the licensed premises would be located in a building the public entrance of which is within 200 feet of a school ground or a church building in which religious services are regularly conducted, measured by the shortest pedestrian route from the outer boundaries of the school ground or the public entrance of the church building. However, a license issued before the presence of either cause of restriction within 200 feet of the licensed premises may be renewed or transferred to a person notwithstanding this subsection.

(b) If a beverage dispensary or package store license for premises located within 200 feet of a school ground or church building in which religious services are regularly conducted is revoked, expires or is transferred to another location, a beverage dispensary or package store license may not be issued or transferred to the formerly licensed premises until the cessation of either cause of restriction. (§ 2 ch 131 SLA 1980)

Legislative intent. — The intent of the legislature in enacting former AS 04.15.020, covering the subject matter of this section, must have been the desire to protect children attending school from direct exposure to some of the denormalizing circumstances which, by the authority of common knowledge, are incident to the traffic in intoxicating liquor. Application of Wakefield, 10 Alaska 599 (1945), decided under former AS 04.15.020

Am. Jur. 2d, ALR, and C.J.S. references. — 45 Am. Jur. 2d Intoxicating Liquors § 140-146

Measurement and computation of distances for purpose of statute or ordinance prohibiting license or sale of intoxicating liquor within given distance from certain institutions or property, 98 ALR 778

Reasonableness of statutory or local regulation, prohibiting license for sale of intoxicating liquors within prescribed distance from church, school or other institutions, 119 ALR 643

"School," "schoolhouse," or the like within statute prohibiting liquor sales within specified distance thereof, 49 ALR2d 1193.

prohibiting liquor sales within specified distance thereof, 69 ALR2d 1439.

Measurement of distances for purposes of enactment prohibiting sale, or license for sale, of intoxicating liquor within given

or other inst; ALR3d 1250.

48 C.J.S. 1 104.

Sec. 04.11.420. Zoning limitations. (a) A license or permit in a municipality if a zoning prohibits the sale or consumption of alcohol variance of the regulation or ordinance has be

(b) The municipality shall inform the board of ordinances which prohibit the sale or consumption of beverages. (§ 2 ch 131 SLA 1980)

Population and zoning limits must be met. — The Alcoholic Beverage Control Board is prohibited by statute from issuing licenses except as meet population limitations and zoning limitations. Queen of N., Inc. v. Legrue, Sup. Ct. Op. No. 1670

(File No. 35 decided under ALR and C.J.S. references. — 48 C.J.S. Intoxicating Liquors § 136.)

Sec. 04.11.430. Person and location. (a) A license issued to a specific individual or individuals or to a corporation, the registered agent of which is an individual resident of this state, must be an individual resident of this state.

(b) Except for a license authorizing the sale of a common carrier, a specific location shall be indicated on the license or permit. The mailing address, or, if the licensee is a corporation, the address of the corporation must be kept current and on file with the board. (§ 2 ch 131 SLA 1980)

ALR reference. — Transfer of retail liquor license or permit from one location to another, 98 ALR2d 1123.

Sec. 04.11.450. Prohibited financial interest. A person who has a direct or indirect financial interest in a business for which a license is issued.

(b) A person who is a representative or owner of a business, brewery, winery, bottling works, or distillery, issued, solely or together with others, a beverage package store license.

(c) In this section, "direct or indirect financial interest" means a legal or equitable interest in the operation of a business licensed under this title. However, credit extended to a brewery or a winery to a wholesaler, or credit extended to a wholesaler by a brewery or a winery, is not a financial interest.

- (1) the removal of certain sales within AS 04.11.040(1) of (d); and
 (2) relocation of the licensed premises is necessary due to
 (A) termination of a lease or rental agreement;
 (B) condemnation of the premises;
 (C) the substantial destruction of the premises by any cause.

(j) The board may issue a new license in a municipality notwithstanding the provisions of (a) of this section if the board finds that issuance of the license is necessary for the public convenience. (§ 2 ch 131 SLA 1980)

Population and zoning limits must be met. — The Alcoholic Beverage Control Board is prohibited by statute from issuing licenses except as meet population limitations and zoning limitations. *Queen of N., Inc. v. Legrus*, Sup. Ct. Op. No. 1670

(File No. 3612), 582 P.2d 144 (1978), decided under former AS 04.10.210. Am. Jur. 2d and C.J.S. references. — 45 Am. Jur. 2d Intoxicating Liquors § 138. 48 C.J.S. Intoxicating Liquors § 138.

Sec 04.11.410. Restriction of location near churches and schools. (a) A beverage dispensary or package store license may not be issued and the location of an existing license may not be transferred if the licensed premises would be located in a building the public entrance of which is within 200 feet of a school ground or a church building in which religious services are regularly conducted, measured by the shortest pedestrian route from the outer boundaries of the school ground or the public entrance of the church building. However, a license issued before the presence of either cause of restriction within 200 feet of the licensed premises may be renewed or transferred to a person notwithstanding this subsection.

(b) If a beverage dispensary or package store license for premises located within 200 feet of a school ground or church building in which religious services are regularly conducted is revoked, expires or is transferred to another location, a beverage dispensary or package store license may not be issued or transferred to the formerly licensed premises until the cessation of either cause of restriction. (§ 2 ch 131 SLA 1980)

Legislative intent. — The intent of the legislature in enacting former AS 04.15.020, covering the subject matter of this section, must have been the desire to protect children attending school from direct exposure to some of the demoralizing circumstances which, by the authority of common knowledge, seem incident to the traffic in intoxicating liquor. *Application of Wakefield*, 10 Alaska 599 (1945), decided under former AS 04.15.020.

Am. Jur. 2d, ALR, and C.J.S. references. — 45 Am. Jur. 2d Intoxicating Liquors § 140-146.

Measurement and computation of distances for purpose of statute or ordinance prohibiting license or sale of intoxicating liquor within given distance from certain institutions or property, 96 ALR 778.

Reasonableness of statutory or local regulation, prohibiting license for sale of intoxicating liquors within prescribed distance from church, school or other institutions, 119 ALR 643.

"School," "schoolhouse," or the like within statute prohibiting liquor sales within specified distance thereof, 49 ALR2d 1103.

prohibiting liquor sales within specified distance thereof, 69 ALR2d 1439. Measurement of distances for purposes of enactment prohibiting sale, or license for sale, of intoxicating liquor within given

or other instl ALR3d 1250. 48 C.J.S. 1 104.

Sec. 04.11.420. Zoning limitations. (a) A permit license or permit in a municipality if a zoning ordinance prohibits the sale or consumption of alcohol and a variance of the regulation or ordinance has been granted.
 (b) The municipality shall inform the board of all zoning ordinances which prohibit the sale or consumption of alcoholic beverages. (§ 2 ch 131 SLA 1980)

Population and zoning limits must be met. — The Alcoholic Beverage Control Board is prohibited by statute from issuing licenses except as meet population limitations and zoning limitations. *Queen of N., Inc. v. Legrus*, Sup. Ct. Op. No. 1670

(File No. 35) decided under ALR and C regulation in liquor, 9 ALR 48 C.J.S. In

Sec. 04.11.430. Person and location. (a) If a license is issued to a corporation, the corporation must be an individual resident of this state.
 (b) Except for a license authorizing the sale of a common carrier, a specific location shall be indicated on the license or permit. The mailin address, or, if the licensee is a corporation, the address of the corporation must be kept current and on file with the board. (§ 2 ch 131 SLA 1980)

ALR references. — Transfer of retail liquor license or permit from one location to another, 98 ALR2d 1123.

Sec. 04.11.450. Prohibited financial interest. A licensee may not have a direct or indirect financial interest in any business for which a license is issued.

(b) A person who is a representative or agent of a brewery, winery, bottling works, or distillery, issued, solely or together with others, a beverage package store license.

(c) In this section, "direct or indirect financial interest" means a legal or equitable interest in the operation of a brewery or a winery to a wholesaler, or credit extension to a brewery or a winery to a wholesaler, or credit extension to a brewery or a winery to a wholesaler.