

Villages may lose liquor control

local control may be vulnerable during next legislature

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Staff Writer

The power of villages to decide if a liquor establishment should be allowed in their area may be attacked in the next legislature, according to Linda Brown, director of the Alcohol Beverage Control Board.

A law passed last spring sets up a procedure that permits people living in unorganized villages or other areas having no organized government, to vote on whether an application for a new liquor license, or license renewal or transfer should be approved. The purpose of the law is to give the people affected by the application "full opportunity to protest or give their blessing to a liquor establishment," Brown said, even if it has been in business for some time.

Because the language is, vague and confusing, supporters will try to amend the act so it can be carried out more effectively.

However, opponents of the bill may take the opportunity to change or repeal parts of the law to benefit the liquor industry.

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control threatened

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In Brown's view, the biggest problem is the way in which liquor dealers must notify local people of a new license, transfer or renewal. In some cases, the dealer must post bilingual notices, but it is not clear when this should be done.

In addition, applicants must post notices with newspapers and radio and television stations. In some areas, television service is not available to the people who are affected by the establishment.

Although liquor interests may only try to weaken the process of giving notice, there are other problems. "I would expect the whole thing to be attacked at some point," Brown said.

The Department of Community and Regional Affairs, which will conduct the liquor elections, is concerned about the way the law defines an "adult resident" and an "established" but unincorporated village. Outside an established village, it is not clear where an area affected by a liquor establishment begins and ends. Along these lines a problem arose in a village on the Alaska Peninsula. Port Heiden, an organized city, had no grounds to protest a liquor license because the establishment was outside the city limits, and the applicants were the only local residents outside the city limits.

Alaska Legal Services has suggested that boundaries of areas affected by liquor establishments be drawn along the lines of election precincts.

Local Government Specialist David Jensen, of the Dept. of Community and Regional Affairs, stated recently:

"The law serves a good public purpose and its intention is laudable. However it appears to be poorly written and leaves a lot of ponderables that do not appear to be easily resolved."

In spite of the ponderables,

Brown has issued instructions to bar and liquor store owners to assist them in following the intent of the law. She said however, that this was only a temporary measure.

Brown hopes that successfully amending the liquor bill will be one of several measures to streamline liquor licensing in Alaska. "Liquor licensing is among the most complicated things I've ever been involved in, it's incredible," she said.