

Introduced by: Council Member Robb
Date: February 9, 2010
Action: Failed
Vote: 3-4

CITY OF BETHEL, ALASKA

Resolution # 10-12

A RESOLUTION BY THE CITY OF BETHEL ENCOURAGING OUR LEGISLATURES BOB HERRON AND LYMAN HOFFMAN TO PROPOSE, SUPPORT AND ENCOURAGE THE ALASKA LEGISLATURE TO TAKE UP CHANGES IN ALASKA STATUTE TO AMEND STATUTES THAT MAKE THE CRIME OF SELLING ALCOHOL WITHOUT A LICENSE (BOOTLEGGING) A FELONY IN LOCAL OTION COMMUNITIES BUT A MISDEMEANOR IN OTHER PARTS OF THE STATE. THE SAME CRIME SHOULD BE PUNISHED THE SAME REGARDLESS OF WHERE IT OCCURES (AS 04.16.200 b)

WHEREAS, the people of Bethel voted to "opt out" of local option due in part to objections of state applied statutes to citizens of local communities without their consent;

WHEREAS, many people stated the Alaska statutes regarding local option communities give citizens of local option communities onerous regulations prohibiting their personal freedom that are not applicable to citizens who live in other parts of the state;

WHEREAS, the people of Bethel have stated they want more local control over decisions regarding alcohol;

WHEREAS, in recent public hearings, many people of Bethel have expressed frustration at the state statutes;

WHEREAS, the people of Bethel will vote May 4, 2010 in regards to going back under local option;

WHEREAS, the people of Bethel voted January 19, 2009, in a special advisory vote, they did not approve of any types of liquor licenses for Bethel;

WHEREAS, many people have expressed frustration that a crime committed in one community can be a felony, yet the same crime committed elsewhere can be a misdemeanor;

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WHEREAS, those arrested, charged, and convicted of selling alcohol without a license are often the "runners", and not the "bootleggers";

WHEREAS, a felony conviction will make it harder for an individual to obtain gainful employment, contribute to community, and support a family;

WHEREAS, a person convicted of a felony will lose his or her rights to bear arms, thus severely diminishing the ability to hunt, practice traditional subsistence activities, and feed his or her family;

NOW, THEREFORE, BE IT RESOLVED the Bethel City Council encourages our legislators Bob Herron and Lyman Hoffman to propose, support; and encourage the Alaska Legislature, to take up changes in Alaska Statute to end these onerous regulations regarding local option communities including but not limited to: Amend statutes that make the crime of selling alcohol without a license (bootlegging) a felony in local option communities but a misdemeanor in other parts of the state. The same crime should be punished the same regardless of where it occurs (AS 04.16.200 b)."

ENACTED THIS _ DAY OF FEBRUARY 2010, BY A VOTE OF _ IN FAVOR AND _ OPPOSED.

Joseph Klejka, Mayor

ATTEST:

Lori Strickler, City Clerk