

Introduced by: Council Member Robb
Date: December 22, 2009
Action: Failed
Vote: 2-3

CITY OF BETHEL, ALASKA

Resolution # 09-54

A RESOLUTION TO THE ALASKA LEGISLATURE REGARDING LOCAL OPTION STATUTES

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 unreasonable 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, some concerned citizens of Bethel are pursuing a ballot initiative to go back under local option,

NOW, THEREFORE, BE IT RESOLVED the Bethel City Council encourages our legislators Bob Herron and Lyman Hoffman to propose and support; and encourages the Alaska Legislature; to take up changes in Alaska Statutes to end these unreasonable regulations regarding local option communities including but not limited to:

1. Abolish the database of alcohol purchases and shipments to local options communities. (AS 04.06.095)
2. Abolish state imposed restrictions on the amount of alcohol one can legally order and ship to local option communities that allow alcohol importation and possession. (AS 04.11.150 (g))
3. Abolish state statute regarding presumption of sale and related penalties for possession of more than stated limits. (AS 04.11.010 c)

Introduced by: Council Member Robb
Date: December 22, 2009
Action: Failed
Vote: 2-3

4. Abolish state imposed special packaging and marking of alcohol shipments. (AS 04.16.125)
5. Amend statues 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).
6. Abolish statues that limit the amount and timing of local option elections in a community if the community wants to have additional elections regardless of whether the proposed changes would make the local option laws of the community more restrictive or less restrictive. (AS 04.11.507 f)

Nothing in these proposed changes would prohibit local communities from making their own regulations and ordinance regarding alcohol importation, use, or sales in addition to state statute.

ENACTED THIS _ DAY OF DECEMBER 2009 BY A VOTE OF _ IN FAVOR AND _ OPPOSED.

ATTEST:

Joseph Klejka, Mayor

Lori Strickler, City Clerk