AN ACT

Relating to brewery and brewpub licensing and relating to sales of wine by a winery licensee.

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

THE ACT FOLLOWS ON PAGE 1
AN ACT

Relating to brewery and brewpub licensing and relating to sales of wine by a winery licensee.

* Section 1. AS 04.11.130(b) is amended to read:

(b) The holder of a brewery license may sell beer in quantities of

(1) not more [LESS] than five gallons a day to an individual who is present on the licensed premises for consumption off the premises;

(2) more than five gallons a day to a person who is licensed under this title, or in another state or country.

* Sec. 2. AS 04.11.130 is amended by adding a new subsection to read:

(e) Unless prohibited by AS 04.16.030, a holder of a brewery license may sell not more than 36 ounces a day of the brewery's product to a person for consumption on the premises if

(1) the brewery does not allow live entertainment, televisions, pool
tables, dart games, dancing, electronic or other games, game tables, or other
recreational or gaming opportunities on the premises where the consumption occurs;

(2) the brewery does not provide seats at the counter or bar where the
product is served; and

(3) the room where the consumption occurs is not open before 9:00
a.m. and serving of the product ends not later than 8:00 p.m.

* Sec. 3. AS 04.11.135(a) is amended to read:

(a) A brewpub license authorizes the holder of a beverage dispensary license
to

(1) manufacture on premises licensed under the beverage dispensary
license not more than 465,000 [150,000] gallons of beer in a calendar year;

(2) sell beer manufactured on premises licensed under the beverage
dispensary license for consumption on the licensed premises or other licensed
premises of the beverage dispensary licensee that are also licensed as a beverage
dispensary;

(3) sell beer manufactured on the premises licensed under the beverage
dispensary license in quantities of not more than five gallons a [PER] day to an
individual who is present on the licensed premises for consumption off the premises;

(4) provide a small sample of the brewpub's beer manufactured on the
premises free of charge unless prohibited by AS 04.16.030; [AND]

(5) sell beer manufactured on the premises licensed under the beverage
dispensary license to a person licensed as a wholesaler under AS 04.11.160; sales
under this paragraph may not exceed 37,200 gallons in a calendar year, including
sales under (6) of this subsection; and

(6) sell not more than 6,200 gallons in a calendar year of beer
manufactured on the premises to a person who is licensed under this title, or in
another state or country, if the premises licensed under the beverage dispensary
license are located in a community with a population of 75,000 or more [15,000
GALLONS OR THE AMOUNT SOLD UNDER THIS PARAGRAPH IN
CALENDAR YEAR 2001, PLUS 10 PERCENT, WHICHEVER AMOUNT IS
GREATER].
* Sec. 4. AS 04.11.135(d) is amended to read:

(d) Notwithstanding (a) of this section, the holder of a brewpub license who, under the provisions of AS 04.11.450(b), formerly held a brewery license and a restaurant or eating place license and who, under the former brewery license, manufactured beer at a location other than the premises licensed under the former restaurant or eating place license may

(1) manufacture not more than 465,000 [150,000] gallons of beer in a calendar year on premises other than the premises licensed under the beverage dispensary license;

(2) provide a small sample of the manufactured beer free of charge at the location the beer is manufactured unless prohibited by AS 04.16.030; and

(3) sell the beer authorized to be manufactured under this subsection

(A) on the premises licensed under the beverage dispensary license or other licensed premises of the beverage dispensary licensee that are also licensed as a beverage dispensary;

(B) to a wholesaler licensed under AS 04.11.160; sales under this subparagraph may not exceed 37,200 gallons in a calendar year, including sales under (D) of this paragraph; [15,000 GALLONS OR THE AMOUNT SOLD UNDER THIS SUBPARAGRAPH IN CALENDAR YEAR 2001, PLUS 10 PERCENT, WHICHEVER AMOUNT IS GREATER; OR]

(C) to an individual who is present on the premises described under (A) of this paragraph, or where the beer is manufactured, in quantities of not more than five gallons [PER] day for consumption off the premises; and

(D) to a person licensed under this title, or in another state or country, if the premises where the beer is manufactured are located in a community with a population of 75,000 or more; sales under this subparagraph may not exceed 6,200 gallons in a calendar year.

* Sec. 5. AS 04.11.135(e) is amended to read:

(e) Notwithstanding (a) of this section, a brewpub license authorizes the holder of a restaurant or eating place license to (1) manufacture on premises licensed
under the restaurant or eating place license not more than 465,000 [150,000] gallons of beer in a calendar year; (2) sell beer manufactured on premises licensed under the restaurant or eating place license for consumption on the licensed premises; (3) sell beer manufactured on the premises licensed under the restaurant or eating place license in quantities of not more than five gallons a [PER] day for consumption off the premises to an individual who is present on the licensed premises; and (4) provide a small sample of the brewpub's beer manufactured on the premises free of charge unless prohibited by AS 04.16.030. A person who holds a brewpub license under this subsection may not hold more than one brewpub license.

* Sec. 6. AS 04.11.140(b) is amended to read:

(b) The holder of a winery license may sell wine in quantities of

(1) not more [LESS] than five gallons to an individual who is present on the licensed premises;

(2) more than five gallons to a person who is licensed under this title, or in another state or country.