

# Senator Peter A. Micciche

## *Alaska State Legislature*

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## SB76 Explanation of Changes

Ver. N to Ver. C

### Changes by Sponsor Prior to First Hearing

1. Page 6, lines 2, 9, 16: Remove replace "the" with "each"
2. Page 13, lines 3-4, page 26, lines 29-30, and page 112, lines 27-28: Insert existing definition for "entertainment", was left out inadvertently in drafting.
3. Page 19, lines 6-13: Clarify intent that a current recreational site license holder has four renewal periods to comply with statute.
4. Page 32, line 6 and page 33 line 12: Clarify intent by changing "may" to "shall".
5. Page 37, line 16: Specify that package stores are intended to deliver only to social events as defined by the board.
6. Page 38, lines 2, 5: Change "package store shipping" to "package store delivery", drafting error.
7. Page 41, AS 04.09.520 (Brewery Repackaging Endorsement): Strike previous (c)(2) which read "may only subdivide the holder's brewed beverages in response to a purchase from a person who is on the licensed premises". This section is redundant because a person is already required to be on the licensed premises.
8. Page 42, line 5: Replace "package store" with "brewery manufacturer", drafting error.
9. Page 42, line 10: Clarify intent by replacing "owned, wholly or in part" with "controlled".
10. Page 44, lines 22, 25: Change reference from board to the director at the request of legislative legal.
11. Page 45, lines 3-4, 31 and page 46, line 1: Grammatical changes for clarity.
12. Page 45, lines 27-30: Insert "An alcoholic beverage auction permit may be operated on the licensed premises of a beverage dispensary license, beverage dispensary tourism license, club license, restaurant or eating place license, or seasonal restaurant or eating place license." Existing regulation language specifies intent.
13. Page 54, line 9: Insert "license with" into title. Clarify that endorsements are used in conjunction with a license.
14. Page 63, lines 16-17, 20-23: Changes to clarify existing authority over restrictions.

15. Page 75, line 20: Remove “or a new location” to clarify that an endorsement cannot be transferred to a new location, the license does.
16. Page 76, lines 30-31: Conforms to current practice.
17. Page 81, line 31: Title change to accurately reflect the section.
18. Page 95 line 31, page 96 lines 1-2, 6-7, 22-23, 27-28: Minor language changes for clarity.
19. Page 112, line 27: Change five to three, conforms to the rest of the bill.
20. All effective dates updated.

#### Senate Labor & Commerce

1. Page 21, AS 04.09.310 (Brewery Retail License): Delete subsections (g) and (h). Remove reference to these in subsection (i).
2. Pages 22, AS 04.09.320 (Winery Retail License): Delete subsections (g) and (h). Remove reference to these in subsection (i).
3. Page 23, AS 04.09.330 (Distillery Retail License): Delete subsections (g) and (h). Remove reference to these in subsection (i).

Removal of subsections (g) eliminates the requirement of manufacturer retail licensees to sell not more than 20 percent of their total volume to the public after four license renewal periods. Removal of subsections (h) eliminates the grandfathering provisions for current manufacturer retail licensees from subsection (g).

4. Pages 97 and 99, AS 04.21.025(a) and (f): Restructures section for clarity. Adds existing section (e) to the penalty provision, subsection (g).

#### Senate Judiciary

1. Page 13, line 15: Lower \$2,500 biennial club license fee to \$1,500.
2. Page 18, line 25: Amends the sporting event license by allowing service from multiple noncontiguous locations.
3. Page 20, line 23: Amends the destination resort license by allowing service from multiple noncontiguous location.
4. Page 27, line 28: Insert “with a zip code” following “address”.
5. Page 28, lines 22-23: Insert “zip codes that are located within” following “public inspection of”.
6. Page 48, line 26 through page 50, line 3: Creates new Article 7. Common Carrier Approval in section 9 using subsections AS 04.16.125(a)-(f) and (i)-(l) from sections 104-106 (sec. 105 ver. M). This makes an important distinction between administrative violations against a common carrier licensee and the crime of unauthorized transportation of alcoholic beverages by a common carrier into a local option area by a person.
7. Page 68, line 31: Lower the waiting period between board petitions from 10 years to 5 years.

8. Page 86: Deletes previous sections 92 and 93 (secs. 91&92 ver. C) which amended the charges for furnishing or delivering to a minor. Intention is that penalties will remain unchanged.
9. Page 87, line 10: Renumbers the following sections accordingly. Removes violation penalty for renting a room for the purpose of providing alcoholic beverages to a person under 21 years of age and makes the crime a class A misdemeanor.
10. Page 88, lines 11, 15: Amends sections by specifying that a person 21 year of age or older is subject to the \$100 fine for consumption at a school event.
11. Page 89, lines 19-31 through page 90, line 14: Adds reference to new approved common carriers section [see change 6]. Simplifies existing AS 04.16.125 and relocates existing class A misdemeanor into new subsections (d) and (e) for clarity.

#### Senate Finance

1. Page 18, line 30: adds “rodeos” to the definition of “sporting event site” to ensure that the current practice for sporting event licenses remains consistent.
2. Page 61, lines 13-15: codifies the current practice of allowing the sale of a beverage dispensary tourism license.
3. Page 61: Deletes previous section 37, which sunset AS 04.11.360(9) and (10) – these are now included with the repeals in section 152. All section numbers following this section have been renumbered.
4. Page 63, line 25; Page 64, lines 1, 12, 21, 27; Page 65, lines 25: statutory reference corrected.
5. Page 66, line 9: Corrects statutory references.
6. Page 68, line 31: shortens the time that a municipality must wait between requesting restaurant or eating place licenses to three years, instead of five years.
7. Page 82, lines 28-29: Rewords for clarity. The intent is that the license holder is liable for a violation by an employee and they are subject to a \$250 administrative penalty.
8. Page 85, line 25 through page 86, line 18: makes conforming changes to AS 04.16.051(d) and adds a new (e). These sections insert existing penalties into the correct sections and reformats the language to conform to the rest of the bill.
9. Page 86, lines 20-24: Rewords for clarity. The intent is that the license holder is liable for a violation by an employee and they are subject to a \$250 administrative penalty.
10. Page 88, lines 12-13: clarifies the intent of the prohibition on “consuming alcohol at a school event.”
11. Page 92, lines 19-23: requires a license to be revoked if for a third violation of certain offenses within five years:
  - 04.16.022 Online sales and purchase of alcoholic beverages
  - 04.16.030 Prohibited conduct relating to drunken persons

- 04.16.052 Furnishing of alcoholic beverages to persons under the age of 21 by licensees.
  - 04.16.110 Sale of certain alcoholic beverages prohibited.
  - 04.16.175 Furnishing alcoholic beverages in aid of gambling enterprise.
12. Page 104, lines 11-13: Reformats the language to conform to the rest of the bill.
  13. Page 109, line 3: Adds repeals that were previously in section 37 (see page 61 note).
  14. Page 109, lines 10-11 through page 111, line 22: Corrects section numbers and statutory references in applicability and transition language.
  15. Page 113, lines 8-9: Corrects effective dates – specifically removes previous sections 96 and 133 from immediate effective date provision and add sections 157(a)(1), 157(a)(2) and 157 (b)(8).

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