

AMENDMENT # 1

OFFERED IN THE SENATE

BY SENATOR REINBOLD

TO: CSSB 52(L&C), Draft Version "S"

SEN. MICCICHE

1 Page 6, line 19:

2 Delete "1,250"

3 Insert "1,000"

4

5 Page 22, line 19:

6 Delete "1,250"

7 Insert "1,000"

AMENDMENT #2

**OFFERED IN THE SENATE
TO: CSSB 52(L&C)**

BY SENATOR MICCICHE

- 1 **Page 15, line 31, following the second occurrence of "a":**
2 **Insert "package store"**
3
4 **Page 47, line 4:**
5 **Delete "Tasting"**
6 **Insert "Package store tasting"**
7
8 **Page 47, line 4, following "A":**
9 **Insert "package store"**
10
11 **Page 47, line 11, following the first occurrence of "a":**
12 **Insert "package store"**
13
14 **Page 47, line 14, following "six":**
15 **Insert "package store"**
16
17 **Page 47 line 19, following the first occurrence of "a":**
18 **Insert "package store"**
19
20 **Page 47, line 23, following "a":**
21 **Insert "package store"**
22
23 **Page 106, line 3, following "(25)":**

I Insert "package store"

AMENDMENT **#3**

OFFERED IN THE SENATE
TO: CSSB 52(L&C)

BY SENATOR MICCICHE

- 1 Page 48, line 23:
- 2 Delete "punishable under AS 04.21.072"
- 3
- 4 Page 48, line 25, following "is":
- 5 Insert "a violation"

AMENDMENT #4

OFFERED IN THE SENATE
TO: CSSB 52(L&C)

BY SENATOR MICCICHE

- 1 Page 94, lines 21 - 22:
- 2 Delete "approved by the board under AS 04.09.750(b)"

AMENDMENT #5

OFFERED IN THE SENATE
TO: CSSB 52(L&C)

BY SENATOR MICCICHE

- 1 Page 95, line 2:
- 2 Delete "This section does"
- 3 Insert "The requirements in (a) of this section do [THIS SECTION DOES]"

AMENDMENT #6

OFFERED IN THE SENATE
TO: CSSB 52(L&C)

BY SENATOR MICCICHE

1 Page 19, line 3:

2 Following "Sporting":

3 Insert "activity or"

4 Following "sporting":

5 Insert "activity or"

6

7 Page 19, line 5, following "sporting" in both places:

8 Insert "activity or" in both places.

9

10 Page 19, line 6:

11 Following "school":

12 Insert "activity or"

13 Following "sporting":

14 Insert "activity or"

15

16 Page 19, line 7, following "sporting":

17 Insert "activity or"

18

19 Page 19, line 8, following "sporting":

20 Insert "activity or"

21

22 Page 19, line 9, following "rodeos,":

23 Insert "skiing and snowboarding activities,"

- 1
- 2 **Page 19, line 11, following "sporting":**
- 3 **Insert "activity or"**
- 4
- 5 **Page 19, line 14, following "sporting":**
- 6 **Insert "activity or"**
- 7
- 8 **Page 19, line 15, following "sporting":**
- 9 **Insert "activity or"**
- 10
- 11 **Page 35, line 4, following "sporting":**
- 12 **Insert "activity or"**
- 13
- 14 **Page 44, line 5, following "sporting":**
- 15 **Insert "activities or"**
- 16
- 17 **Page 60, line 5, following "sporting":**
- 18 **Insert "activity or"**
- 19
- 20 **Page 105, line 19, following "sporting":**
- 21 **Insert "activity or"**
- 22
- 23 **Page 118, line 2, following "sporting":**
- 24 **Insert "activity or"**

AMENDMENT # 7

OFFERED IN THE SENATE
TO: CSSB 52(L&C)

BY SENATOR MICCICHE

- 1 Page 55, line 26:
- 2 Delete "60"
- 3 Insert "90"

AMENDMENT # 8

OFFERED IN THE SENATE
TO: CSSB 52(L&C)

BY SENATOR KIEHL

1 Page 12, line 18, following "to":

2 Insert "(1)"

3

4 Page 12, line 19, following "premises":

5 Insert "; and

6 (2) allow a person

7 (A) under 21 years of age access as provided in (d) of this
8 section to the licensed premises; and

9 (B) to enter or remain on the licensed premises to consume
10 food or nonalcoholic beverages as authorized under AS 04.16.010(c)(5)."

11

12 Page 12, line 22, following "that":

13 Insert "(A)"

14

15 Page 12, following line 23:

16 Insert new subparagraphs to read:

17 "(B) there is supervision on the premises adequate to
18 reasonably ensure that a person under 21 years of age will not obtain alcoholic
19 beverages; and

20 (C) it is unlikely that persons under 21 years of age not
21 employed on the premises will enter and remain on the licensed premises for
22 purposes other than dining; and"

23

Page 12, lines 24 - 25:

Delete all material.

Renumber the following paragraph accordingly.

Page 12, following line 28:

Insert a new section to read:

"(d) The board may authorize the holder of a restaurant or eating place license

(1) to allow a person who is at least 16 years of age but under 21 years of age to enter and remain on the licensed premises for dining only;

(2) to allow a person who is under 16 years of age to enter and remain on the licensed premises for dining only if

(A) the person is accompanied by a person who is 21 years of age or older; and

(B) the parent or guardian of the person consents to the person being on the licensed premises; and

(3) subject to AS 04.16.049, to employ or permit the employment of a person who is at least 16 years of age but under 21 years of age on the licensed premises if the employer provides adequate supervision to ensure that the person does not obtain alcoholic beverages."

Reletter the following subsections accordingly.

Page 13, line 21:

Delete "or fails to comply with (e)"

Insert ", engages in activity not authorized by the board under (d) of this section, or fails to comply with the requirements of (d) or (f)"

Page 26, line 4, following "to":

Insert "(1)"

1 Page 26, line 5, following "year":

2 Insert "; and

3 (2) allow a person

4 (A) under 21 years of age access as provided in (f) of this
5 section to the licensed premises; and

6 (B) to enter or remain on the licensed premises to consume
7 food or nonalcoholic beverages as authorized under AS 04.16.010(c)(5)."

8

9 Page 26, line 9, following "that":

10 Insert "(A)"

11

12 Page 26, following line 10:

13 Insert new subparagraphs to read:

14 "(B) there is supervision on the premises adequate to
15 reasonably ensure that a person under 21 years of age will not obtain alcoholic
16 beverages; and

17 (C) it is unlikely that persons under 21 years of age not
18 employed on the premises will enter and remain on the licensed premises for
19 purposes other than dining; and"

20

21 Page 26, lines 11 - 12:

22 Delete all material.

23

24 Renumber the following paragraph accordingly.

25

26 Page 26, following line 23:

27 Insert a new subsection to read:

28 "(f) The board may authorize the holder of a seasonal restaurant or eating
29 place tourism license

30 (1) to allow a person who is at least 16 years of age but under 21 years
31 of age to enter and remain on the licensed premises for dining only;

- 1 (2) to allow a person who is under 16 years of age to enter and remain
- 2 on the licensed premises for dining only if
- 3 (A) the person is accompanied by a person who is 21 years of
- 4 age or older; and
- 5 (B) the parent or guardian of the person consents to the person
- 6 being on the licensed premises; and
- 7 (3) subject to AS 04.16.049, to employ or permit the employment of a
- 8 person who is at least 16 years of age but under 21 years of age on the licensed
- 9 premises if the employer provides adequate supervision to ensure that the person does
- 10 not obtain alcoholic beverages."

11

12 Reletter the following subsections accordingly.

13

14 Page 27, line 19, following "section":

15 Insert ", engages in activity not authorized by the board under (f) of this section,"

16

17 Page 27, line 20:

18 Delete "(f) or (h)"

19 Insert "the requirements of (f), (g), or (i)"

20

21 Page 35, line 3:

22 Delete "restaurant or eating place license,"

23

24 Page 35, line 5, following the second occurrence of "license,":

25 Insert "or"

26

27 Page 35, lines 5 - 6:

28 Delete ", or seasonal restaurant or eating place tourism license"

29

30 Page 44, line 19:

31 Delete "AS 04.09.210(d)"

1 Insert "AS 04.09.210(e)"

2

3 Page 44, line 20:

4 Delete "AS 04.09.350(f)"

5 Insert "AS 04.09.350(g)"

6

7 Page 64, lines 10 - 12:

8 Delete "[(1) THE LICENSE IS FOR A RESTAURANT OR EATING PLACE
9 UNDER AS 04.11.100; OR

10 (2)]"

11 Insert "(1) the license is [FOR] a

12 (A) restaurant or eating place license under AS 04.09.210
13 [AS 04.11.100]; or

14 (B) seasonal restaurant or eating place tourism license
15 under AS 04.09.350; or

16 (2)"

17

18 Page 84, line 7, following "are":

19 Insert "(A) licensed under a restaurant or eating place license issued under
20 AS 04.09.210 or a seasonal restaurant or eating place tourism license issued under
21 AS 04.09.350; or

22 (B)"

23

24 Page 89, line 7, following "a":

25 Insert "restaurant or eating place license issued under AS 04.09.210, seasonal
26 restaurant or eating place tourism license issued under AS 04.09.350, or"

27

28 Page 109, line 5, following "a":

29 Insert "restaurant or eating place license under AS 04.09.210, seasonal restaurant
30 or eating place tourism license under AS 04.09.350, or"

31

1 Page 112, line 27, following "premises":

2 Insert "(A) licensed under a restaurant or eating place license issued by the
3 Alcoholic Beverage Control Board under AS 04.09.210 or seasonal restaurant or eating
4 place tourism license issued by the Alcoholic Beverage Control Board under
5 AS 04.09.350; or

6 (B)"

AMENDMENT #9

**OFFERED IN THE SENATE
TO: CSSB 52(L&C)**

BY SENATOR KIEHL

- 1 Page 70, line 23, following "estimate":**
- 2 Insert ", based on a month selected by the municipality,"**

AMENDMENT

OFFERED IN THE SENATE
TO: CSSB 52(L&C)

BY SENATOR KIEHL

Page 69, lines 20 - 26:

Delete "The [, THE] board may not approve the relocation unless, at the time of application, the existing number of issued licenses of the type under consideration for relocation located within the borough exceeds the maximum allowed under (a) of this section, and the governing bodies of both the borough and the incorporated city approve the relocation. The board may allow not more than three relocations into each city [IN A BOROUGH] under this subsection each decade. In this subsection, "decade" means each 10-year period beginning April 1 in a year ending in zero."

Insert "[, THE BOARD MAY NOT APPROVE THE RELOCATION UNLESS THE GOVERNING BODIES OF BOTH THE BOROUGH AND THE INCORPORATED CITY APPROVE THE RELOCATION]. The board may allow not more than three relocations into each incorporated city [IN A BOROUGH] under this subsection each decade. The board may approve a relocation under this subsection only if

(1) the incorporated city

(A) serves as a center for commercial activity within and outside the boundaries of the city by providing goods and services to a population that is greater than the permanent resident population within the boundaries of the city;

(B) maintains a local law enforcement department; and

(C) at the time of the application, meets or exceeds the maximum limit under (a) of this section for the type of license under consideration for relocation;

(2) the relocation is in the public interest; and

1 **(3) the governing bodies of both the borough and the incorporated**
 2 **city approve the relocation** [IN THIS SUBSECTION, "DECADE" MEANS EACH
 3 **10-YEAR PERIOD BEGINNING APRIL 1 IN A YEAR ENDING IN ZERO]."**
 4

5 **Page 69, following line 26:**

6 **Insert a new bill section to read:**

7 **"* Sec. 50. AS 04.11.400(n) is amended to read:**

8 **(n) In this section,**

9 **(1) "decade" means a 10-year period beginning April 1 in a year**
 10 **ending in zero;**

11 **(2) "radius" means the circular area or distance limited by the sweep of**
 12 **a straight line originating at the proposed licensed premises and extending outward."**
 13

14 **Renumber the following bill sections accordingly.**

15

16 **Page 71, line 14:**

17 **Delete "sec. 50"**

18 **Insert "sec. 51"**

19

20 **Page 71, line 20:**

21 **Delete "sec. 50"**

22 **Insert "sec. 51"**

23

24 **Page 115, line 7:**

25 **Delete "Sections 166(a) and 167"**

26 **Insert "Sections 167(a) and 168"**

27

28 **Page 115, lines 10 - 11:**

29 **Delete "81 - 84, 86 - 131, 136 - 139, 141, and 149 - 151"**

30 **Insert "82 - 85, 87 - 132, 137 - 140, 142, and 150 - 152"**

31

1 Page 115, line 14:
2 Delete "sec. 124"
3 Insert "sec. 125"
4
5 Page 115, line 15:
6 Delete "sec. 125"
7 Insert "sec. 126"
8 Delete "sec. 130"
9 Insert "sec. 131"
10
11 Page 115, line 20:
12 Delete "sec. 171 "
13 Insert "sec. 172"
14
15 Page 115, line 23:
16 Delete "71, and 166"
17 Insert "72, and 167"
18
19 Page 115, line 25:
20 Delete "71, and 166"
21 Insert "72, and 167"
22
23 Page 116, line 3:
24 Delete "sec. 161 "
25 Insert "sec. 162"
26
27 Page 116, line 9:
28 Delete "sec. 161 "
29 Insert "sec. 162"
30
31 Page 116, line 15:

1 Delete "sec. 160"
2 Insert "sec. 161"
3
4 Page 116, line 19:
5 Delete "sec. 160"
6 Insert "sec. 161"
7
8 Page 116, line 23:
9 Delete "sec. 160"
10 Insert "sec. 161"
11
12 Page 116, line 26:
13 Delete "sec. 160"
14 Insert "sec. 161"
15
16 Page 116, line 29:
17 Delete "sec. 160"
18 Insert "sec. 161"
19
20 Page 117, line 1:
21 Delete "sec. 160"
22 Insert "sec. 161"
23
24 Page 117, line 4:
25 Delete "sec. 160"
26 Insert "sec. 161"
27
28 Page 117, line 9:
29 Delete "sec. 160"
30 Insert "sec. 161"
31

1 Page 117, line 13:
2 Delete "sec. 160"
3 Insert "sec. 161"
4
5 Page 117, line 17:
6 Delete "sec. 160"
7 Insert "sec. 161"
8
9 Page 117, line 21:
10 Delete "sec. 160"
11 Insert "sec. 161"
12
13 Page 117, line 25:
14 Delete "sec. 160"
15 Insert "sec. 161"
16
17 Page 117, line 29:
18 Delete "sec. 160"
19 Insert "sec. 161"
20
21 Page 118, line 2:
22 Delete "sec. 160"
23 Insert "sec. 161"
24
25 Page 119, line 27:
26 Delete "50, 55, 161, 166(a), 166(c)(8), 167, and 168"
27 Insert "51, 56, 162, 167(a), 167(c)(8), 168, and 169"
28
29 Page 119, line 29:
30 Delete "Section 165"
31 Insert "Section 166"

1

2 Page 119, line 30:

3 Delete "secs. 169 and 170"

4 Insert "secs. 170 and 171"

AMENDMENT

OFFERED IN THE SENATE
TO: CSSB 52(L&C)

BY SENATOR KIEHL

1 Page 66, lines 4 - 5:

2 Delete "and AS 04.11.405"

3 Insert ", AS 04.11.405, and 04.11.407"

4

5 Page 67, line 6, following "section":

6 Insert ", [AND]"

7

8 Page 67, line 7, following "AS 04.11.405":

9 Insert ", and 04.11.407"

10

11 Page 69, line 27:

12 Delete "a new section"

13 Insert "new sections"

14

15 Page 71, following line 13:

16 Insert a new section to read:

17 "Sec. 04.11.407. Petition for additional brewery retail, winery retail, and
18 distillery retail licenses for certain local governing bodies. (a) A first class city, a
19 home rule city, or a unified municipality may submit a resolution to the board, adopted
20 by its legislative body, petitioning the board for the issuance of additional brewery
21 retail licenses under AS 04.09.310, winery retail licenses under AS 04.09.320, and
22 distillery retail licenses under AS 04.09.330 that exceed the limits under
23 AS 04.11.400(a) in accordance with this section.

1 (b) The board, following a public hearing, may issue one or more additional
2 brewery retail licenses under AS 04.09.310, winery retail licenses under
3 AS 04.09.320, and distillery retail licenses under AS 04.09.330, within the boundaries
4 of the municipality, if the board finds that

5 (1) the municipality

6 (A) serves as a center for commercial activity within and
7 outside the boundaries of the municipality by providing goods and services to a
8 population that is greater than the permanent resident population within the
9 boundaries of the municipality;

10 (B) maintains a local law enforcement department;

11 (C) exercises planning or land-use authority; and

12 (D) at the time of the petition, meets or exceeds the maximum
13 limit under AS 04.11.400(a) for brewery retail licenses issued under
14 AS 04.09.310, winery retail licenses issued under AS 04.09.320, or distillery
15 retail licenses issued under AS 04.09.330;

16 (2) the number of additional licenses does not exceed the number of
17 additional licenses requested by the municipality in the petition; and

18 (3) granting the additional licenses is in the public interest.

19 (c) A resolution submitted by a municipality under (a) of this section must
20 include

21 (1) information demonstrating that the petitioner meets the criteria in
22 (b) of this section;

23 (2) the most recent estimate, based on a month selected by the
24 municipality, of the number of people who claim residency or work outside the
25 boundaries of the municipality and who are served by the municipality, including the

26 (A) population located outside the boundaries of the
27 municipality that relies on the municipality for goods and services;

28 (B) visitor population; and

29 (C) nonresident worker population that resides in the
30 municipality, but that is not counted in the latest federal or state census for the
31 municipality;

(3) the number of existing brewery retail licenses, winery retail licenses, and distillery retail licenses

(A) within the boundaries of the municipality;

(B) in a geographic area that the municipality serves under (2) of this subsection;

(4) information showing that the number of additional licenses requested does not exceed more than one brewery retail, one winery retail, and one distillery retail license for each 9,000 population of the population identified under (2) of this subsection; and

(5) additional justification, as necessary, to demonstrate that granting of the additional licenses is in the public interest.

(d) If the board grants a petition for additional brewery retail, winery retail, and distillery retail licenses under this section to a municipality, the board may not authorize additional brewery retail, winery retail, or distillery retail licenses to the same municipality under this section for the following three years."

Page 119, line 27:

Delete "50"

Following "Act":

Insert ", and AS 04.11.405, enacted by sec. 50 of this Act,"

AMENDMENT #12

OFFERED IN THE SENATE
TO: CSSB 52(L&C)

BY SENATOR MICCICHE

- 1 Page 13, line 21, following "with":
- 2 Insert "(d) or"

AMENDMENT **#13**

OFFERED IN THE SENATE
TO: CSSB 52(L&C)

BY SENATOR REINBOLD
SEN. MICHAEL

1 Page 7, line 29, through page 8, line 5:

2 Delete all material.

3

4 Page 11, lines 13 - 19:

5 Delete all material.

6

7 Page 29, lines 19 - 24:

8 Delete all material.

9

10 Page 50, lines 6 - 9:

11 Delete all material and insert:

12 "(a) Except as provided in AS 04.11.020, a person may not knowingly

13 (1) [MANUFACTURE, SELL, OFFER FOR SALE,] possess for
14 [SALE OR] barter, traffic in, or barter an alcoholic beverage unless under license or
15 permit issued under this title; or

16 (2) manufacture an alcoholic beverage, sell an alcoholic beverage,
17 offer an alcoholic beverage for sale, or possess an alcoholic beverage for sale in an
18 area that has adopted a local option under AS 04.11.491 unless under license or
19 permit issued under this title."

20

21 Page 50, line 26:

22 Delete "04.09.070, 04.09.140, 04.09.145, 04.09.370, or 04.09.380"

23 Insert "04.09.140, or 04.09.370"

1

2 Page 87, line 14:

3 Delete "04.09.070, 04.09.145, 04.09.370, 04.09.380,"4 Insert "04.09.370,"

5

6 Page 98, line 25:

7 Delete "04.09.070, 04.09.145, 04.09.370, 04.09.380,"8 Insert "04.09.370,"

9

10 Page 99, lines 3 - 4:

11 Delete "04.09.070, 04.09.145, 04.09.370, 04.09.380,"12 Insert "04.09.370,"

13

14 Page 99, line 12:

15 Delete "04.09.070, 04.09.145, 04.09.370, 04.09.380,"16 Insert "04.09.370,"

17

18 Page 99, lines 24 - 25:

19 Delete "04.09.070, 04.09.145, 04.09.370, 04.09.380,"20 Insert "04.09.370,"

21

22 Page 99, line 31:

23 Delete "04.09.070, 04.09.145, 04.09.370, 04.09.380, AS 04.09.750,"24 Insert "04.09.370, 04.09.750,"

25

26 Page 100, lines 8 - 9:

27 Delete "04.09.070, 04.09.145, 04.09.370, 04.09.380,"28 Insert "04.09.370,"

29

30 Page 100, lines 11 - 12:

31 Delete "04.09.070, 04.09.145, 04.09.370, 04.09.380,"

1 Insert "04.09.370,"

2

3 Page 102, line 12:

4 Delete "04.09.070, 04.09.145, 04.09.370, 04.09.380,"

5 Insert "04.09.370,"

6

7 Page 113, lines 7 - 8:

8 Delete "04.09.070, 04.09.145, 04.09.370, 04.09.380,"

9 Insert "04.09.370,"

AMENDMENT **#14**

OFFERED IN THE SENATE
TO: CSSB 52(L&C)

BY SENATOR REINBOLD
SEN. MICCICHE

1 Page 94, lines 21 - 31:

2 Delete all material and insert:

3 "(a) A person may not use a common carrier to transport alcoholic beverages
4 into an area that has restricted the sale of alcoholic beverages under
5 AS 04.11.491(a)(1), (2), or (3) or (b)(1) or (2) unless

6 (1) the common carrier is approved by the board under
7 AS 04.09.750(b);

8 (2) the shipping container holding the alcoholic beverages is clearly
9 labeled as containing alcoholic beverages [WITH LETTERS THAT CONTRAST IN
10 COLOR TO THE SHIPPING CONTAINER AND THAT ARE AT LEAST TWO
11 INCHES IN HEIGHT]; and

12 (3) [(2)] an itemized invoice showing the quantity and purchase value
13 of distilled spirits, [OF] wine, and brewed [OF MALT] beverages is attached to the
14 outside of the shipping container."

AMENDMENT #15

**OFFERED IN THE SENATE
TO: CSSB 52(L&C)**

BY SENATOR MICCICHE

- 1 Page 66, line 1:**
- 2 Following "may":**
- 3 Insert "delegate to the director the authority to impose"**
- 4 Delete "impose"**