

CS FOR SENATE BILL NO. 233(FIN) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Amended: 4/15/98

Offered: 4/6/98

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to peace officer powers of employees of the Alcoholic Beverage
2 Control Board; relating to membership on the Alcoholic Beverage Control Board;
3 extending the termination date of the Alcoholic Beverage Control Board; relating
4 to sales of beer and wine on a golf course or at a recreational site; relating
5 to notice of alcohol-related arrests; and providing for an effective date."

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

7 * **Section 1.** AS 04.06.020 is amended to read:

8 **Sec. 04.06.020. Appointment and qualifications.** The board consists of five
9 members appointed by the governor and confirmed by a majority of the members of
10 the legislature in joint session. A member of the board may not hold any other state
11 or federal office, either elective or appointive. **One member** [TWO MEMBERS] of
12 the board shall be **a person** [PERSONS] actively engaged in the alcoholic beverage
13 industry, except that **the** [NO] member may **not** hold a wholesale license or be an

1 officer, agent, or employee of a wholesale alcoholic beverage enterprise. No three
 2 members of the board may be engaged in the same business, occupation, or profession.
 3 At least **four** [THREE] members of the board shall represent the general public. A
 4 board member representing the general public or an immediate family member of a
 5 board member representing the general public may not have any financial interest in
 6 the alcoholic beverage industry. In this section, "immediate family member" means
 7 a spouse, child, or parent.

8 * **Sec. 2.** AS 04.06.110 is amended to read:

9 **Sec. 04.06.110. Peace officer powers.** The director and the persons employed
 10 for the administration and enforcement of this title may, with the concurrence of the
 11 commissioner of public safety, exercise the powers of peace officers when those
 12 powers are specifically granted by the board. Powers granted by the board under this
 13 section may be exercised only when necessary for the enforcement of the criminally
 14 punishable provisions of this title, regulations of the board, and other criminally
 15 punishable laws and regulations governing the manufacture, barter, sale, consumption,
 16 and possession of alcoholic beverages in the state **or prohibiting prostitution or**
 17 **gambling.**

18 * **Sec. 3.** AS 04.11.210(a) is amended to read:

19 (a) The holder of a recreational site license may sell beer and wine at a
 20 recreational site **while recreation is occurring or** during and one hour before and after
 21 a recreational event that is not a school event, for consumption on designated areas at
 22 the site.

23 * **Sec. 4.** AS 04.11.210(c) is amended to read:

24 (c) In this section,

25 **(1) "golf course" means a course that has at least nine holes,**
 26 **covers at least 2,950 yards, and is open to the public;**

27 **(2) "recreational site" includes** [MEANS], but is not limited to, **a golf**
 28 **course or** a location where baseball games, car races, hockey games, dog sled racing
 29 events, or curling matches are regularly held during a season.

30 * **Sec. 5.** AS 12.25 is amended by adding a new section to read:

31 **Sec. 12.25.075. Notice of alcohol-related arrest.** If a peace officer makes an

1 arrest on premises licensed under AS 04.11.080, the law enforcement agency that
2 employs the peace officer shall, within 60 days of the arrest, provide notice of the
3 arrest, including a description of the location and circumstances of the arrest, to the
4 Alcoholic Beverage Control Board.

5 * **Sec. 6.** AS 44.66.010(a)(1) is amended to read:

6 (1) Alcoholic Beverage Control Board (AS 04.06.010) -- June 30, **2002**
7 [1998];

8 * **Sec. 7.** TRANSITION: BOARD MEMBERS. Notwithstanding AS 04.06.020, as
9 amended in sec. 1 of this Act, the existing term of a board member actively engaged in the
10 alcoholic beverage industry may not be reduced in order to implement sec. 1 of this Act.

11 * **Sec. 8.** This Act takes effect July 1, 1998.