

CS FOR HOUSE BILL NO. 234(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 4/28/03

Referred: Rules

Sponsor(s): REPRESENTATIVES MCGUIRE, Crawford

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Alcoholic Beverage Control Board; relating to peace officer
2 powers of the director and employees of the Alcoholic Beverage Control Board; relating
3 to the sale of beer manufactured at a brewpub; and providing for an effective date."

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

5 * **Section 1.** AS 04.06.010 is amended to read:

6 **Sec. 04.06.010. Establishment of board.** There is established in the
7 Department of Public Safety the [THE] Alcoholic Beverage Control Board [IS
8 ESTABLISHED] as a regulatory and quasi-judicial agency. [THE BOARD IS IN
9 THE DEPARTMENT OF REVENUE, BUT FOR ADMINISTRATIVE PURPOSES
10 ONLY.]

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

12 **Sec. 04.06.110. Peace officer powers.** The director and the persons employed
13 for the administration and enforcement of this title may, with the concurrence of the
14 commissioner of public safety, exercise the powers of peace officers when those

1 powers are specifically granted by the board. Powers granted by the board under this
 2 section may be exercised only when necessary for the enforcement of the
 3 [CRIMINALLY PUNISHABLE PROVISIONS OF THIS TITLE,] regulations of the
 4 board [, AND OTHER CRIMINALLY PUNISHABLE LAWS AND
 5 REGULATIONS, INCLUDING INVESTIGATION OF VIOLATIONS OF LAWS
 6 AGAINST PROSTITUTION AND PROMOTING PROSTITUTION DESCRIBED
 7 IN AS 11.66.100 - 11.66.130 AND LAWS AGAINST GAMBLING, PROMOTING
 8 GAMBLING, AND RELATED OFFENSES DESCRIBED IN AS 11.66.200 -
 9 11.66.280].

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

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

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

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

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

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

25 (B) to a wholesaler licensed under AS 04.11.160; sales under
 26 this subparagraph may not exceed 15,000 gallons or the amount sold under this
 27 subparagraph in calendar year 2001, plus 10 percent, whichever amount is
 28 greater; or

29 (C) to an individual who is present on the premises **described**
 30 **under (A) of this paragraph, or** where the beer is manufactured, in quantities
 31 of not more than five gallons per day.

1 * **Sec. 4.** AS 44.66.010(a)(1) is amended to read:

2 (1) Alcoholic Beverage Control Board (AS 04.06.010) - June 30, **2007**

3 [2003];

4 * **Sec. 5.** This Act takes effect July 1, 2003.