

SENATE FINANCE COMMITTEE
April 27, 2018
2:12 p.m.

2:12:15 PM

CALL TO ORDER

Co-Chair MacKinnon called the Senate Finance Committee meeting to order at 2:12 p.m.

MEMBERS PRESENT

Senator Lyman Hoffman, Co-Chair
Senator Anna MacKinnon, Co-Chair
Senator Click Bishop, Vice-Chair
Senator Peter Micciche
Senator Donny Olson
Senator Gary Stevens
Senator Natasha von Imhof

MEMBERS ABSENT

None

ALSO PRESENT

Juli Lucky, Staff, Senator Anna MacKinnon.

PRESENT VIA TELECONFERENCE

Anna Brawley, Coordinator, Title 4 Review Project, Anchorage; Erika McConnell, Director, Alcohol and Marijuana Control Office, Anchorage; Tiffany Hall, Recover Alaska, Anchorage.

SUMMARY

SSSB 76 ALCOHOLIC BEVERAGE CONTROL; ALCOHOL REG

SB 76 was HEARD and HELD in committee for further consideration.

#sb76

SENATE BILL NO. 76

"An Act relating to alcoholic beverages; relating to the regulation of manufacturers, wholesalers, retailers, and common carriers of alcoholic beverages; relating to licenses, endorsements, and permits involving alcoholic beverages; relating to the Alcoholic Beverage Control Board; relating to offenses involving alcoholic beverages; amending Rule 17, Alaska Rules of Minor Offense Procedure; and providing for an effective date."

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Vice-Chair Bishop MOVED to ADOPT the committee substitute for SSSB 76, Work Draft 30-LS0015\C (Bruce, 4/27/18).

Co-Chair MacKinnon OBJECTED for DISCUSSION.

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JULI LUCKY, STAFF, SENATOR ANNA MACKINNON, discussed the "Explanation of Changes" (copy on file):

Changes for clarity, correcting statutory cites, and technical amendments were made throughout the bill at the request of Legislative Affairs Legal and Department of Law. The substantive changes to the bill are as follows:

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.

Page 61, lines 13-15: codifies the current practice of allowing of selling of a beverage dispensary tourism license.

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.

Page 88, lines 12-13: clarifies the intent of the prohibition on "consuming alcohol at a school event."
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.

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Co-Chair MacKinnon requested an outline. Ms. Lucky continued with the "Explanation of Changes":

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.

Page 63, line 25; Page 64, lines 1, 12, 21, 27; Page 65, lines 25: statutory reference corrected; Page 66, line 9: Corrects statutory references.

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.

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.

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.

Page 104, lines 11-13: Reformats the language to conform to the rest of the bill.

Page 109, line 3: Adds repeals that were previously in section 37 (see page 61 note).

Page 109, lines 10-11 through page 111, line 22: Corrects section numbers and statutory references in applicability and transition language.

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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Senator Micciche thanked the committee for the suggestions. He felt that there were legitimate concerns, and those questions were brought to the Alcohol Beverage Control (ABC) Board which resulted in a better bill. He spoke specifically to the protection of the key issues in the state related to alcohol abuse and minor consumption.

Co-Chair MacKinnon wondered whether the committee substitute was "ok to adopt." Senator Micciche replied in the affirmative.

Co-Chair MacKinnon WITHDREW the objection. There being NO further OBJECTION, the proposed committee substitute was ADOPTED.

Co-Chair MacKinnon OPENED public testimony.

[2:24:09 PM](#)

ANNA BRAWLEY, COORDINATOR, TITLE 4 REVIEW PROJECT, ANCHORAGE (via teleconference), stated that she did not have any additional comments, but was available for questions.

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ERIKA MCCONNELL, DIRECTOR, ALCOHOL AND MARIJUANA CONTROL OFFICE, ANCHORAGE (via teleconference), stated that she did not have any additional comments, but was available for questions.

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TIFFANY HALL, RECOVER ALASKA, ANCHORAGE (via teleconference), stated that she did not have any additional comments, but was available for questions.

Vice-Chair Bishop discussed the fiscal notes.

Co-Chair MacKinnon announced that new fiscal notes were not needed with the new committee substitute.

Senator Micciche thanked the committee and the staff for the work on the legislation and changes in the committee substitute. He spoke to the local option for the cities to petition the ABC Board for additional licenses.

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Vice-Chair Bishop discussed the zero fiscal note.

Co-Chair MacKinnon noted that the bill was long. She stressed that there were many technical aspects to the changes in the CS.

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ADJOURNMENT

[2:35:02 PM](#)

The meeting was adjourned at 2:35 p.m.