

Offered: 3/19/74  
Referred: Finance

Original sponsor: K. Miller by request

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 424

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the excise tax on intoxicating  
7 liquors; and providing for an effective date."

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

9 \* Section 1. AS 43.60.010(a) is amended to read:

10 [(a)] Every brewer, distiller, bottler, jobber, retailer, whole-  
11 saler, [OR] manufacturer or other consignor who sells intoxicating  
12 liquors in the state or who consigns shipments of intoxicating liquors  
13 into the state, whether or not the liquors are brewed, distilled,  
14 bottled, or manufactured in the state, shall pay on all malt beverages  
15 (alcoholic content of one per cent or more by volume), wines, and hard  
16 or distilled liquors, the following taxes: (1) malt beverages at the  
17 rate of 25 cents a gallon or fraction of a gallon; (2) wine or other  
18 liquor of 21 per cent alcohol by volume or less, at the rate of 60 cents  
19 a gallon or fraction of a gallon; and (3) other liquors having a content  
20 of more than 21 per cent alcohol by volume at the rate of \$4 a gallon.

21 \* Sec. 2. AS 43.60.010(b) is repealed.

22 \* Sec. 3. AS 43.60.020 is amended by adding new subsections to read:

23 (c) Each brewer, distiller, bottler, jobber, wholesaler, manu-  
24 facturer, or other consignor is entitled to a credit for excise taxes  
25 paid on alcoholic beverages which have been sold and delivered to a  
26 United States government operated vessel for ship's stores, ship's  
27 service stores, and to a post exchange, officers club, noncommissioned  
28 officers club, or club maintained for enlisted personnel, and to other  
29 authorized beverage dispensers on a military, naval, air force or

1 governmental reservation in the state upon furnishing proof in the form  
2 of signed and certified invoices evidencing sales to a military, naval,  
3 air force or governmental liquor dispensary. If the alcoholic beverages  
4 are sold and delivered directly to a governmental agency or instrumen-  
5 tality set out in this subsection without going through a warehouse  
6 located in this state, then a bill of lading shall be attached to the  
7 invoices.

8 (d) Upon receipt of the monthly statement, the department shall  
9 promptly allow credit to the account of, and issue a notice showing  
10 the amount of credit allowed to, the brewer, distiller, bottler,  
11 jobber, wholesaler, manufacturer, or other consignor for that portion  
12 of the excise taxes which have been paid on sales which are exempted  
13 under (c) of this section.

14 (e) To obtain the excise tax credit provided for in this section,  
15 the claimant shall certify in the monthly statement as to the truth-  
16 fulness of the invoice and quantities upon which the claim to the  
17 credit is based. No credit may be claimed or allowed on account of  
18 sales made to civilian clubs or stores located on military, naval, air  
19 force, or governmental reservations.

20 \* Sec. 4. AS 43.60.040(a) is amended to read:

21 (a) Each brewer, distiller, bottler, jobber, wholesaler, or manu-  
22 facturer is primarily liable for the payment of the excise taxes on  
23 liquors sold, and shall furnish a good and sufficient surety bond of  
24 \$25,000 payable to the Department of Revenue and approved by the  
25 Department of Law. If a wholesaler fails to pay the tax to the state  
26 he forfeits the bond and his license shall be revoked. The department,  
27 in its discretion, may issue permits in place of bonds to resident  
28 holders of general wholesale, or wholesale malt beverage [,] and wine  
29 licenses doing business wholly in the state who pay the tax before

1       \* Sec. 5. For the purpose of this Act the inventory of intoxicating  
2 liquors subject to the excise tax under AS 43.60 shall be taken in  
3 accordance with AS 43.60.020(a) on the last day of the month in which the  
4 Act is passed and approved, or on the last day of the month in which the  
5 Act becomes law without approval. The inventory required by this section  
6 shall be taken by a certified public accountant. The excise tax is due  
7 and payable on the last day of the following month in accordance with  
8 AS 43.60.020(b). "In transit" merchandise is taxable on the effective date  
9 of this Act.

10       \* Sec. 6. This Act takes effect on the day after its passage and  
11 approval or on the day it becomes law without approval.

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