

Introduced: 1/15/76
Referred: Commerce and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

CS HOUSE BILL NO. 576 *am re-en.*

2
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to alcoholic beverages; and
7 providing for an effective date."

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

9 * Section 1. AS 04.10 is amended by adding a new section to read:

10 Sec. 04.10.135. IN-FLIGHT CATERING LICENSE. The holder of an
11 in-flight catering license may sell intoxicating liquors in the
12 original package and wine in bulk with prepared meals catered to
13 certificated domestic and international air carriers. The holder of
14 an in-flight catering license may not sell to a consumer and must
15 purchase intoxicating liquor, wine and beer from a wholesaler licensed
16 under sec. 110 of this chapter. The inflight catering license fee is
17 \$600.

18 * Sec. 2. AS 04.10.020 is amended by adding a new subsection to read:

19 (o) in-flight catering license.

20 * Sec. 3. AS 04.10.300 is amended to read:

21 Sec. 04.10.300. PROTEST OF ISSUANCE. A resident of an area
22 outside the incorporated boundaries of a municipality [AN INCORPORATED
23 CITY] who desires to protest the issuance of a license in the voting
24 area in which he resides, shall serve upon the applicant and the board
25 a written statement of the reasons for his protest. Upon the receipt
26 of the protest, the board may give notice and hold a hearing, in the
27 voting precinct in which the protestant resides, at which all persons
28 interested may be heard. If at the hearing it appears that the
29 majority of the citizens over the age of 19 years, residing within two

1 miles of the place for which a license is sought, object to the
2 issuance of the license, the board shall refuse to issue the license.

3 * Sec. 4. AS 04.10.310 is amended to read:

4 Sec. 04.10.310. PUBLIC APPROVAL FOR LICENSES IN REMOTE AREAS.
5 No license for the sale of intoxicating liquor may be issued in any
6 area outside [, WHICH IS 50 MILES OR MORE FROM] the incorporated
7 boundaries of a municipality, unless a petition containing the signa-
8 tures of two-thirds of the bona fide residents, 19 years of age or
9 over, residing within two miles of the place where intoxicating liquor
10 is to be sold [A RADIUS OF FIVE MILES OF THE NEAREST UNITED STATES
11 POST OFFICE STATION], is filed with the board asking that a license be
12 issued within the area. [IF THERE ARE TWO OR MORE UNITED STATES POST
13 OFFICE STATIONS WITHIN THE VICINITY OF THE PLACE WHERE INTOXICATING
14 LIQUOR IS TO BE SOLD, THE NEAREST STATION TO SUCH PLACE CONSTITUTES
15 THE POINT OF BEGINNING.] A petition is not necessary for a reissuance
16 of any license granted under this section. [IF NO POST OFFICE STATION
17 EXISTS WITHIN A RADIUS OF FIVE MILES OF THE PLACE WHERE INTOXICATING
18 LIQUOR IS TO BE SOLD THEN SEC. 440 OF THIS CHAPTER APPLIES.]

19 * Sec. 5. AS 04.10.330(b) is amended to read:

20 (b) Application for the transfer of ownership of an existing
21 license shall be accompanied by a statement, under oath, executed by
22 the transferor in which he lists all debts and the amounts which he
23 owes to a creditor of the business and the taxes due. The board shall
24 promptly inform each creditor of the application of the amount owed
25 that creditor. The board shall determine those debts and taxes which
26 must be paid or for which satisfactory security must be given before
27 an application for transfer will be approved. [THE BOARD SHALL NOT
28 APPROVE THE APPLICATION FOR TRANSFER UNLESS ALL OF THE DEBTS AND TAXES
29 ARE PAID, OR THE TRANSFEROR GIVES SECURITY FOR THE PAYMENT OF THEM

1 SATISFACTORY TO THE CREDITOR OR TAXING AUTHORITY PRIOR TO APPROVAL OF
2 THE APPLICATION.]

3 * Sec. 6. AS 04.10.350(c)(4)(A) is amended to read:

4 (A) upon application filed during the 30-day [SIX-
5 MONTH] period beginning with February 28;

6 * Sec. 7. AS 04.15 is amended by adding a new section to read:

7 Sec. 04.15.095. POSSESSION OF ALCOHOLIC BEVERAGES. A person who
8 possesses or brings into the state without a license intoxicating
9 liquor for commercial purposes in excess of 20 wine gallons is guilty
10 of a misdemeanor and upon conviction is punishable by imprisonment of
11 not more than one year, or by a fine of not more than \$500, or by
12 both.

13 * Sec. 8. AS 04.10.440 is repealed.

14 * Sec. 9. This Act takes effect immediately in accordance with AS 01.-
15 10.070(c).

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