

Original Sponsor: Rules Committee
By Request of the Governor

Offered: 1/30/76
Referred: Finance

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 576

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 providing
7 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 original
12 package and wine in bulk only to certificated domestic and international
13 air carriers. The holder of an in-flight catering license may not sell
14 to a consumer and must purchase intoxicating liquor, wine and beer from
15 a wholesaler licensed under sec. 110 of this chapter. The in-flight
16 catering license fee is \$600.

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

18 (o) in-flight catering license.

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

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

1 license, the board shall refuse to issue the license.

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

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

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

19 (b) Application for the transfer of ownership of an existing
20 license shall be accompanied by a statement, under oath, executed
21 by the transferor in which he lists all [DEBTS AND THE AMOUNTS WHICH
22 HE OWES TO A CREDITOR OF THE BUSINESS AND] taxes due. The board shall
23 promptly inform each creditor of the application and of the amount
24 owed that creditor. The board shall not approve the application for
25 transfer unless all [OF THE DEBTS AND] taxes are paid, or the trans-
26 feror gives security for the payment of them satisfactory to the
27 [CREDITOR OR] taxing authority prior to approval of the application.

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

29 (A) upon application filed during the 30-day [SIX-

1 MONTH] period beginning with February 28;

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

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

9 * Sec. 8. AS 04.10.440 is repealed.

10 * Sec. 9. AS 43.60.010(b) is repealed.

11 * Sec. 10. For the purpose of this Act an inventory of intoxicating
12 liquors subject to the excise tax under AS 43.60 shall be taken in accordance
13 with AS 43.60.020(a) on the last day of the month following the month in
14 which this Act becomes law. The inventory required by this section shall be
15 taken by a certified public accountant. The excise tax is due and payable on
16 the last day of the following month in accordance with AS 43.60.020(b). "In
17 transit" merchandise is taxable on the effective date of this Act.

18 * Sec. 11. This Act takes effect immediately in accordance with AS 01.10.
19 070(c).