

Introduced: 2/13/79
Referred: Commerce and
Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 228

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

10 * Section 1. AS 04.10.110 is amended to read:

11 Sec. 04.10.110. WHOLESale LICENSE. (a) The holder of a general
12 wholesale license may sell intoxicating liquors in the original pack-
13 age, and wine in bulk, in quantities of not less than five wine gallons
14 to holders of licenses. The holder of a general wholesale license may
15 not sell to a consumer. Liquor requiring internal revenue strip
16 stamps shall have the stamps intact on the package. A general whole-
17 sale license shall be required for each distributing point. The
18 general wholesale license fee schedule is based upon the total amount
19 of business transacted during any year and is \$500 as a minimum license
20 fee, to accompany the application, and in payment of the fee for the
21 first \$50,000 of business transacted, and, in addition thereto, on the
22 business transacted during any year,

23 above \$50,000 and not

24 over \$75,000

a fee of \$250

25 above \$75,000 and not

26 over \$100,000

a fee of \$500

27 above \$100,000 and not

28 over \$125,000

a fee of \$750

29 above \$125,000 and not

1	over \$150,000	a fee of \$1000
2	above \$150,000 and not	
3	over \$175,000	a fee of \$1250
4	above \$175,000 and not	
5	over \$200,000	a fee of \$1500
6	above \$200,000 and not	
7	over \$250,000	a fee of \$2000
8	above \$250,000 and not	
9	over \$300,000	a fee of \$2500
10	above \$300,000 and not	
11	over \$350,000	a fee of \$3000
12	above \$350,000 and not	
13	over \$400,000	a fee of \$3500
14	above \$400,000 and not	
15	over \$500,000	a fee of \$4500
16	above \$500,000	<u>1 per cent of the business</u>
17		<u>transacted</u>
18		[A FEE OF \$5000]

19 (b) The holder of a wholesale malt beverage and wine license may
20 sell malt beverages and wine in the original packages and malt bever-
21 ages and wine in bulk in quantities of not less than five wine gallons
22 to holders of licenses. The holder of a wholesale malt beverage and
23 wine license may not sell to a consumer. The malt beverages and wine
24 license fee schedule is based on the total amount of business trans-
25 acted in any year and is \$100 as a minimum license fee, to accompany
26 the application, and in payment of the fee for the first \$10,000 of
27 business transacted, and, in addition, on the business transacted
28 during any year,
29 above \$10,000 and not

1	over \$25,000	a fee of \$150
2	above \$25,000 and not	
3	over \$50,000	a fee of \$500
4	above \$50,000 and not	
5	over \$75,000	a fee of \$750
6	above \$75,000 and not	
7	over \$100,000	a fee of \$1000
8	above \$100,000 and not	
9	over \$150,000	a fee of \$1500
10	above \$150,000 and not	
11	over \$200,000	a fee of \$2000
12	above \$200,000 and not	
13	over \$300,000	a fee of \$3000
14	above \$300,000 and not	
15	over \$400,000	a fee of \$4000
16	above \$500,000	<u>1 per cent of the business</u>
17		<u>transacted</u>
18		[A FEE OF \$5000]

19 * Sec. 2. AS 04.10.040(a) is amended to read:

20 (a) The holder of a beverage dispensary license may sell for
21 cash or serve on the premises beer, wine and hard liquors for consump-
22 tion on the premises only. The beverage dispensary license fee is
23 \$750 [\$500] in all unincorporated communities and incorporated cities
24 having a population not exceeding 1,500 persons and \$1500 [\$1,000] in
25 all unincorporated communities and incorporated cities having a popula-
26 tion in excess of 1,500 persons. The population shall be determined
27 at the time of filing the application. Each applicant for a beverage
28 dispensary license shall file with the application a cash bond or a
29 surety bond executed by a surety company approved by the board. The

1 condition of the bond or undertaking shall be that the applicant or
2 applicants are the sole owners of the business to be licensed, and
3 that no other person is financially interested directly or indirectly,
4 and that the applicant or applicants will conduct the business in
5 accordance with the applicable laws pertaining to intoxicating liquor
6 in the state. The bond shall be in the penal sum of \$2,500. Upon
7 revocation of the license, the bond may be forfeited and the amount
8 deposited into the general fund of the state.

9 * Sec. 3. AS 04.10.050 is amended to read:

10 Sec. 04.10.050. RESTAURANT LICENSE. The holder of a restaurant
11 license may sell beer and wine in a restaurant with meals furnished in
12 good faith to patrons. The restaurant license fee is \$500 [\$300].

13 * Sec. 4. AS 04.10.060 is amended to read:

14 Sec. 04.10.060. ROADHOUSE LICENSE. The holder of a roadhouse
15 license whose licensed premises are located not less than 18 miles
16 from the corporate limits of a city and who serves food to the travel-
17 ing public, may sell beer and wine for consumption on the premises
18 only. The roadhouse license fee is \$250 [\$150].

19 * Sec. 5. AS 04.10.070 is amended to read:

20 Sec. 04.10.070. CLUB LICENSE. A club license gives to clubs,
21 fraternal organizations, and patriotic organizations, that have a
22 state or national charter, and that have been so incorporated and
23 active for a period of two years or more, the right to sell intoxicat-
24 ing liquors to members and their families only in their club rooms.
25 The club license fee is \$800 [\$400], except that where any club has
26 certified to the board that the gross sales of intoxicating liquor for
27 the preceding year were less than \$5,000 the club license fee is \$200.

28 * Sec. 6. AS 04.10.080 is amended to read:

29 Sec. 04.10.080. BOTTLING WORKS LICENSE. The holder of a bottling

1 works license may operate a bottling works where beer and wine may be
2 bottled and sold. No sale of beer or wine may be made to a consumer
3 or in quantities less than five wine gallons. The bottling works
4 license fee is \$500 [\$100].

5 * Sec. 7. AS 04.10.100 is amended to read:

6 Sec. 04.10.100. RETAIL LICENSE. The holder of a retail license
7 may sell for cash in his establishment intoxicating liquors in the
8 original packages and wine in bulk. All liquor requiring internal
9 revenue strip stamps shall have the stamps intact upon the packages.
10 The consumption of intoxicating liquor on premises licensed under this
11 provision is prohibited. Sales under a retail license are limited to
12 less than 20 wine gallons to any one person in any one sale. The
13 retail license fee is \$1,000 [\$600], but the retail license fee for a
14 retail liquor store having gross sales from the sale of intoxicating
15 liquors not exceeding \$20,000 in any calendar year is \$300.

16 * Sec. 8. AS 43.60.010(a) is amended to read:

17 (a) Every brewer, distiller, bottler, jobber, retailer, whole-
18 saler, or manufacturer who sells intoxicating liquors in the state or
19 who consigns shipments of intoxicating liquors into the state, whether
20 or not the liquors are brewed, distilled, bottled, or manufactured in
21 the state, shall pay on all malt beverages (alcoholic content of one
22 per cent or more by volume), wines, and hard or distilled liquors, the
23 following taxes: (1) malt beverages at the rate of 32 1/2 [25] cents a
24 gallon or fraction of a gallon; (2) wine or other liquor of less than
25 14 [21] per cent alcohol by volume [OR LESS] at the rate of \$1 [60
26 CENTS] a gallon or fraction of a gallon; (3) wine or other liquor of
27 at least 14 per cent alcohol by volume but not more than 21 per cent
28 alcohol by volume at the rate of \$1.35 a gallon or fraction of a
29 gallon; and (4) [(3)] other liquors having a content of more than 21

1 per cent alcohol by volume at the rate of \$5 [\$4.00] a gallon.

2 * Sec. 9. This Act takes effect July 1, 1979.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29