

Introduced: 2/21/86  
Referred: State Affairs,  
Judiciary and Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2

HOUSE BILL NO. 692

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the issuance, renewal, transfer  
7 of ownership, and relocation of liquor licenses; and  
8 providing for an effective date."

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

10 \* Section 1. AS 04.11.090(b) is amended to read:

11 (b) The biennial [ANNUAL] beverage dispensary license fee is  
12 \$2,500 [\$1,250].

13 \* Sec. 2. AS 04.11.100(d) is amended to read:

14 (d) The biennial [ANNUAL] fee for a restaurant or eating place  
15 license is \$600 [\$300].

16 \* Sec. 3. AS 04.11.110(c) is amended to read:

17 (c) The biennial [ANNUAL] club license fee is \$1,200 [\$600].

18 \* Sec. 4. AS 04.11.120(c) is amended to read:

19 (c) The biennial [ANNUAL] bottling works license fee is \$500  
20 [\$250].

21 \* Sec. 5. AS 04.11.130(d) is amended to read:

22 (d) The biennial [ANNUAL] brewery license fee is \$1,000 [\$500].

23 \* Sec. 6. AS 04.11.140(d) is amended to read:

24 (d) The biennial [ANNUAL] winery license fee is \$500 [\$250].

25 \* Sec. 7. AS 04.11.150(b) is amended to read:

26 (b) The biennial [ANNUAL] package store license fee is \$1,500  
27 [\$750].

28 \* Sec. 8. AS 04.11.160(a) is amended to read:

29 (a) A general wholesale license authorizes the holder to sell

1 alcoholic beverages in the original package, and wine in bulk, in  
 2 quantities of not less than five gallons. A holder of a general  
 3 wholesale license may not sell to a person not licensed under this  
 4 title, except as provided in AS 04.21.040. A holder of a general  
 5 wholesale license may not sell alcoholic beverages unless any stamps  
 6 required to be affixed to the package by state or federal law are  
 7 intact on the package. A wholesaler shall [MUST] obtain a general  
 8 wholesale license for each distributing point. The biennial [ANNUAL]  
 9 general wholesale license fee is \$2,000 [\$1,000 FOR THE FIRST \$100,000  
 10 OF BUSINESS TRANSACTED], payable at the time of making an original  
 11 application or an application for renewal. In addition, the following  
 12 annual fees shall be paid by a holder of a general wholesale license:

<u>Total Business Transacted During Calendar Year</u>	<u>Annual Fee</u>
14 over \$100,000 and not over \$150,000 .....	\$ 500
15 over \$150,000 and not over \$200,000 .....	\$ 1,000
16 over \$200,000 and not over \$250,000 .....	\$ 1,500
17 over \$250,000 and not over \$300,000 .....	\$ 2,000
18 over \$300,000 and not over \$350,000 .....	\$ 2,500
19 over \$350,000 and not over \$400,000 .....	\$ 3,000
20 over \$400,000 and not over \$500,000 .....	\$ 4,000
21 over \$500,000 and not over \$600,000 .....	\$ 5,000
22 over \$600,000 and not over \$700,000 .....	\$ 6,000
23 over \$700,000 and not over \$800,000 .....	\$ 7,000
24 over \$800,000 and not over \$1,000,000 .....	\$ 9,000
25 over \$1,000,000 .....	\$10,000

26 \* Sec. 9. AS 04.11.160(b) is amended to read:

27 (b) A wholesale malt beverage and wine license authorizes the  
 28 holder to sell malt beverages and wine in the original packages in  
 29 quantities of not less than five wine gallons. The holder of a

1 wholesale malt beverage and wine license may not sell to a person not  
 2 licensed under this title except as provided in AS 04.21.040. The  
 3 biennial [ANNUAL] wholesale malt beverage and wine license fee is \$400  
 4 [\$200 FOR THE FIRST \$20,000 OF BUSINESS TRANSACTED DURING A YEAR],  
 5 payable at the time of making an original application or application  
 6 for renewal. In addition, the following annual fees shall be paid by  
 7 a holder of a wholesale malt beverage and wine license:

<u>Total</u> Business Transacted During <u>Calendar</u> Year	<u>Annual</u> Fee
over \$20,000 and not over \$50,000 .....	\$ 300
over \$50,000 and not over \$100,000 .....	\$ 1,000
over \$100,000 and not over \$150,000 .....	\$ 1,500
over \$150,000 and not over \$200,000 .....	\$ 2,000
over \$200,000 and not over \$400,000 .....	\$ 4,000
over \$400,000 and not over \$600,000 .....	\$ 6,000
over \$600,000 and not over \$800,000 .....	\$ 8,000
over \$800,000 .....	\$10,000

17 \* Sec. 10. AS 04.11.160(d) is amended to read:

18 (d) No later than February 28 of each year [FOLLOWING THE YEAR  
 19 FOR WHICH A LICENSE HAS BEEN ISSUED UNDER THIS SECTION], the licensee  
 20 shall file with the board an affidavit showing the total business  
 21 transacted during the preceding calendar year under the [HIS] license  
 22 and the location of the licensed premises at which the business was  
 23 transacted. At the time of filing the affidavit, the licensee shall  
 24 pay the additional annual [LICENSE] fees accrued under (a) and (b) of  
 25 this section during the preceding calendar year.

26 \* Sec. 11. AS 04.11.170(c) is amended to read:

27 (c) The biennial [ANNUAL] distillery license fee is \$1,000  
 28 [\$500].

29 \* Sec. 12. AS 04.11.180(b) is amended to read:

1 (b) The biennial [ANNUAL] fee for a common carrier dispensary  
2 license is \$700 [\$350] for each vehicle, boat, aircraft, or railroad  
3 buffet car in which alcoholic beverages are served.

4 \* Sec. 13. AS 04.11.210(b) is amended to read:

5 (b) The biennial [ANNUAL] fee for a recreational site license is  
6 \$800 [\$400].

7 \* Sec. 14. AS 04.11.220(d) is amended to read:

8 (d) The biennial [ANNUAL] fee for a pub license is \$800 [\$400].

9 \* Sec. 15. AS 04.11.250(a) is amended to read:

10 (a) A conditional contractor's permit authorizes the holder to  
11 sell beer or wine for consumption only on designated premises for two  
12 years [ONE YEAR] from the date of issuance of the permit at construc-  
13 tion sites that [WHICH] are located outside a city and inside the  
14 boundaries of a military or naval reservation.

15 \* Sec. 16. AS 04.11.250(b) is amended to read:

16 (b) An applicant for a conditional contractor's permit shall  
17 [MUST] obtain and file with the board written permission from the  
18 commanding officer of the military or naval reservation and the prime  
19 contractor of the remotely situated project for the conduct of the  
20 activities authorized by the permit. A conditional contractor's  
21 permit may be renewed biennially [ANNUALLY] upon reapplication for a  
22 permit and may be revoked or suspended at the discretion of the com-  
23 manding officer or the prime contractor.

24 \* Sec. 17. AS 04.11.250(d) is amended to read:

25 (d) The biennial [ANNUAL] conditional contractor's permit fee is  
26 \$1,200 [\$600].

27 \* Sec. 18. AS 04.11.260(c) is amended to read:

28 (c) An applicant for a new license or permit shall [MUST]  
29 include with the [HIS] application

1 (1) proof satisfactory to the director that all notices  
2 [NOTICE] required by AS 04.11.310 have [HAS] been timely given;

3 (2) any petitions required to be secured under AS 04.11.460  
4 before a license may be issued;

5 (3) proof satisfactory to the director [EVIDENCE] of any  
6 approval by public authorities required to be obtained under AS 04.-  
7 11.090(e), 04.11.220(c), 04.11.230(b), 04.11.240(b), or 04.11.250(b),  
8 before a new license or permit may be issued.

9 \* Sec. 19. AS 04.11.270(a) is amended to read:

10 (a) Each application for renewal of a license or renewal of a  
11 conditional contractor's permit must [SHALL] include [:]

12 (1) the information required for a new license or permit  
13 under AS 04.11.260(a), (b), and (c)(1), and, for a pub license, proof  
14 that renewal has been approved by the governing body of the college or  
15 university as required under AS 04.11.220 [AS 04.11.260 EXCEPT THAT  
16 PROOF OF NOTICE UNDER AS 04.11.310 IS NOT REQUIRED]; and

17 (2) a list of all convictions of the applicant or its  
18 directors, officers, or principals of violations of this title, a  
19 regulation adopted under this title, or an ordinance adopted under  
20 AS 04.21.010, which occurred in the preceding license period [YEAR].

21 \* Sec. 20. AS 04.11.270(b) is repealed and reenacted to read:

22 (b) A license shall be renewed as follows:

23 (1) on or before December 1 of each year, the director  
24 shall mail a renewal application to each licensee whose license,  
25 unless renewed, will expire on the following January 31; the applica-  
26 tion shall be mailed to the licensee at the licensed premises or at a  
27 mailing address furnished in writing by the licensee;

28 (2) the licensee shall submit the completed renewal appli-  
29 cation and the biennial license fee to the director on or before

1 January 31 of the renewal year; proof, satisfactory to the director,  
2 that all notices required by AS 04.11.310 have been timely given, must  
3 be submitted with the application;

4 (3) a renewal application filed after January 31 of the  
5 renewal year is delinquent and must be accompanied by a \$400 penalty  
6 fee;

7 (4) if January 31 falls on a weekend or a state holiday,  
8 the deadline is extended to the first business day following  
9 January 31.

10 \* Sec. 21. AS 04.11.270 is amended by adding a new subsection to read:

11 (c) The board may not accept an application for renewal after  
12 March 31 of the renewal year.

13 \* Sec. 22. AS 04.11.280 is amended to read:

14 Sec. 04.11.280. APPLICATION FOR TRANSFER OF A LICENSE TO ANOTHER  
15 PERSON. (a) An application for transfer of a license to another  
16 person must [SHALL] contain the same information about the transferee  
17 as is required of an applicant for a new license under AS 04.11.260  
18 and must [SHALL] include other information required by the board. The  
19 application must also be accompanied by proof, satisfactory to the  
20 director, that the notices required by AS 04.11.310 have been timely  
21 given.

22 (b) An application for the transfer of a license to another  
23 person must [SHALL] be accompanied by a statement, under oath, execut-  
24 ed by the transferor, listing all debts of the business and all taxes  
25 due by the business. [THE BOARD SHALL PROMPTLY INFORM EACH LISTED  
26 CREDITOR OF THE APPLICATION AND THE AMOUNT SHOWN AS OWED TO THAT  
27 CREDITOR.]

28 \* Sec. 23. AS 04.11.290 is amended to read:

29 Sec. 04.11.290. APPLICATION FOR RELOCATION OF LICENSE [TRANSFER

1 OF LICENSE LOCATION]. An application for relocation [A TRANSFER] of a  
2 license must [TO A NEW LOCATION SHALL] contain the information re-  
3 quired by the board, and must [SHALL] be accompanied by proof, satis-  
4 factory to the director, that the notices [NOTICE] required in AS 04.-  
5 11.310 have [HAS] been timely given, and must be accompanied by any  
6 petitions required [TO BE SECURED] under AS 04.11.460 [BEFORE A LI-  
7 CENSE MAY BE TRANSFERRED].

8 \* Sec. 24. AS 04.11.310 is repealed and reenacted to read:

9 Sec. 04.11.310. NOTICE OF APPLICATION. (a) An applicant for  
10 the issuance, relocation, or transfer of ownership of a license shall  
11 give public notice of the application as provided in this subsection.  
12 The public notice process shall be completed not more than 30 days  
13 before a copy of the application is provided to the local governing  
14 body under (b)(1) of this section or, if there is no local governing  
15 body, at least 30 but not more than 60 days before the application is  
16 filed with the board. The applicant shall

17 (1) post a copy of the completed application for 10 consec-  
18 utive days at the location of the proposed premises and at any addi-  
19 tional locations designated by the board; and

20 (2) publish notice of the application once each week for  
21 three consecutive weeks in a newspaper or by radio; the board may  
22 designate the form and content of the notice and the languages in  
23 which it must be given.

24 (b) An applicant shall serve the following notices of an appli-  
25 cation at least 30 days, but not more than 60 days, before the appli-  
26 cation is filed with the board:

27 (1) if the application is for the issuance, renewal, relo-  
28 cation, or transfer of ownership of a license for premises or proposed  
29 premises located within an established village, an incorporated city,

1 an organized borough, or a unified municipality, the applicant shall  
2 serve a copy of the completed application on the appropriate officer  
3 of the local governing body;

4 (2) if the application is for the issuance, renewal, relo-  
5 cation, or transfer of ownership of a license for premises or proposed  
6 premises located within or adjacent to an area of a municipality that  
7 is under the jurisdiction of a community council established by munic-  
8 ipal charter or ordinance to advise the municipal governing body, the  
9 applicant shall serve a copy of the completed application on the  
10 community council; and

11 (3) if the application is for the transfer of ownership of  
12 a license, the applicant shall serve written notice of the proposed  
13 transfer, on a form prescribed by the board, on all creditors of the  
14 licensed business, including all taxing authorities and creditors  
15 whose claims are disputed by the transferor; the notice must state

16 (A) that a transfer of the license is proposed;

17 (B) the name and business address of the transferor;

18 (C) all names and business addresses used by the  
19 transferor for the licensed business in the preceding three  
20 years;

21 (D) an explanation of how, when, and to what extent  
22 creditors' claims will be paid by the transferor or transferee;

23 (E) that any creditor whose claim is not satisfied may  
24 seek to prevent the transfer by filing written notice of the  
25 unsatisfied claim with the board within 30 days after the notice  
26 was served; and

27 (F) other information required by the board.

28 (c) Service under (b) of this section may be accomplished by  
29 either personally delivering the notice or by mailing the notice. The

1 date of service by mail is the date the notice is postmarked.

2 \* Sec. 25. AS 04.11.330(a) is amended to read:

3 (a) An application requesting renewal of a license shall be  
4 denied if

5 (1) the board finds, after review of all relevant informa-  
6 tion, that renewal of the license would not be in the best interests  
7 of the public;

8 (2) the license has been revoked for any cause;

9 (3) the applicant has not operated the licensed premises  
10 for at least 45 [30] eight-hour days during each of the two preceding  
11 12-month periods [THE IMMEDIATELY PRECEDING CALENDAR YEAR], unless the  
12 board determines that the licensed premises are under construction or  
13 cannot be operated through no fault of the applicant;

14 (4) the board finds that issuance of an existing license  
15 under AS 04.11.400(g) has not encouraged tourist trade;

16 (5) the requirements of AS 04.11.420 - 04.11.450 relating  
17 to zoning, ownership of the license, and financing of the licensee  
18 have not been met;

19 (6) renewal of the license would violate the restrictions  
20 pertaining to the particular license under this title;

21 (7) renewal of the license is prohibited under this title  
22 as a result of an election conducted in accordance with AS 04.11.502;

23 (8) the application has not been completed in accordance  
24 with AS 04.11.270;

25 (9) the license was issued under AS 04.11.400(j), and the  
26 board finds that the public convenience does not require renewal.

27 \* Sec. 26. AS 04.11.330(d) is amended to read:

28 (d) Notwithstanding (a) (3) of this section, a recreational site  
29 license issued under AS 04.11.210 may be renewed if the license was

1 exercised at least once during each of the two [THE IMMEDIATELY]  
2 preceding calendar years [YEAR].

3 \* Sec. 27. AS 04.11.360 is amended to read:

4 Sec. 04.11.360. DENIAL OF TRANSFER OF A LICENSE TO ANOTHER  
5 PERSON. An application requesting approval of a transfer of a license  
6 to another person under this title shall be denied if

7 (1) the board finds, after review of all relevant informa-  
8 tion, that transfer of a license to another person would not be in the  
9 best interests of the public;

10 (2) the application has not been completed in accordance  
11 with AS 04.11.280;

12 (3) the application contains false statements of material  
13 fact;

14 (4) the transferor has not paid all [DEBTS OR] taxes aris-  
15 ing from the conduct of the business licensed under this title, or has  
16 not paid a debt, arising from the conduct of the licensed business,  
17 that is owed to a creditor who filed written notice of the unsatisfied  
18 debt with the board within the time stated in the notice served under  
19 AS 04.11.310(b)(3)(E), unless

20 (A) the transferor or transferee [HE] gives security  
21 for the payment of the debt [DEBTS] or taxes satisfactory to the  
22 creditor or taxing authority; or

23 (B) the transfer is in accordance with [PURSUANT TO] a  
24 promise given as collateral by the transferor to the transferee  
25 in the course of an earlier transfer of the license and under the  
26 [WHICH] promise the transferor is obliged to transfer the license  
27 back to the transferee in the event of default in payment for  
28 property conveyed as part of the earlier transfer of the license;

29 (5) transfer of the license to another person would result

1 in violation of the provisions of this title relating to identity of  
2 licensees and financing of licensees;

3 (6) transfer of the license to another person would violate  
4 the restrictions pertaining to the particular license under this  
5 title;

6 (7) transfer of the license to another person is prohibited  
7 under the provisions of this title as a result of an election conduct-  
8 ed in accordance with AS 04.11.502;

9 (8) the prospective transferee does not have the qualifica-  
10 tions required under this title of an original applicant;

11 (9) the licensed premises are located in a municipality,  
12 the type of license sought to be transferred is a beverage dispensary  
13 or package store license, and that type of license is already in  
14 effect in the municipality under a community liquor license, unless  
15 the transfer is to become effective after the community liquor license  
16 is no longer effective, whether as the result of a local option elec-  
17 tion or otherwise;

18 (10) the authority sought is authority to operate a beverage  
19 dispensary or package store under a community liquor license for  
20 premises to be located in a municipality where the authority sought is  
21 already held by a private licensee under a beverage dispensary or  
22 package store license, unless the transfer is to become effective  
23 after the privately held license is no longer effective, whether as  
24 the result of a local option election or otherwise [;

25 (11) THE LICENSE WAS ISSUED UNDER AS 04.11.400(j)].

26 \* Sec. 28. AS 04.11.480 is amended to read:

27 Sec. 04.11.480. PROTEST. (a) If a local governing body wishes  
28 to protest the issuance, renewal, relocation, [TRANSFER OF LOCATION]  
29 or transfer to another person of a license, it shall furnish the board

1 and the applicant with a protest and the reasons for the protest  
2 within 30 days after [OF] receipt from the applicant [BOARD] of notice  
3 of [FILING OF] the application. The board shall consider a protest  
4 and testimony received at a hearing conducted under AS 04.11.510(b)(2)  
5 or (b)(4) when it considers the application, and the protest and the  
6 record of the hearing conducted under AS 04.11.510(b)(2) or (b)(4)  
7 shall be retained as part of the board's permanent record of its  
8 review of the application. If an application is protested, the board  
9 may not approve the application unless the board finds that the pro-  
10 test is arbitrary, capricious, and unreasonable.

11 (b) If the permanent residents residing outside of but within  
12 two miles of an incorporated city or an established village wish to  
13 protest the issuance, renewal, relocation, or transfer of a license  
14 within the city or village, they shall file with the board a petition  
15 requesting a public hearing that meets [MEETING] the requirements of  
16 AS 04.11.510(b)(3) [REQUESTING A PUBLIC HEARING] within 30 days after  
17 [OF] the [POSTING OF] notice required under AS 04.11.310 is posted,  
18 or, if the application is for renewal of a license, by January [DECEM-  
19 BER] 31 of the renewal year [APPLICATION IS MADE FOR RENEWAL OF A  
20 LICENSE]. The board shall consider testimony received at a hearing  
21 conducted under AS 04.11.510(b)(3) when it considers the application,  
22 and the record of a hearing conducted under AS 04.11.510(b)(3) shall  
23 be retained as part of the board's permanent record of its review of  
24 the application.

25 \* Sec. 29. AS 04.11.510(a) is amended to read:

26 (a) Unless a legal action relating to the license, applicant or  
27 premises to be licensed is pending, the board shall consider [DECIDE]  
28 whether to grant or deny an application within 60 [90] days after [OF]  
29 receipt of the completed application at the main office of the board.

1 [HOWEVER, THE DECISION MAY NOT BE MADE BEFORE THE 30 DAYS ALLOWED FOR  
2 PROTEST UNDER AS 04.11.480 HAVE ELAPSED UNLESS WAIVED BY THE MUNICI-  
3 PALITY.]

4 \* Sec. 30. AS 04.11.520 is repealed and reenacted to read:

5 Sec. 04.11.520. PROOF OF NOTICE TO LOCAL GOVERNING BODY. The  
6 board may not grant an application for premises within an established  
7 village, an incorporated city, an organized borough, or a unified  
8 municipality without proof that the local governing body has been  
9 given notice of the application under AS 04.11.310.

10 \* Sec. 31. AS 04.11.540 is repealed and reenacted to read:

11 Sec. 04.11.540. LICENSE RENEWAL AND TERMINATION. (a) Notwith-  
12 standing AS 04.11.680, an application for renewal of a license may be  
13 submitted and the authority granted under the license may be exercised  
14 until March 31 of the renewal year. The license terminates at 12:00  
15 midnight March 31 unless the application for renewal and other re-  
16 quired documents have been filed and the required license fees and the  
17 penalty fees have been paid by that time. If March 31 falls on a  
18 weekend or state holiday, the deadline in this section is extended to  
19 the first business day following March 31.

20 (b) A new license may not be issued to the holder of a termi-  
21 nated license for the same premises except on proof satisfactory to  
22 the board of good cause for the failure to file and pay.

23 \* Sec. 32. AS 04.11.550 is amended to read:

24 Sec. 04.11.550. NOTICE OF TERMINATION [EXPIRATION]. On or  
25 before February 15, the director shall mail a notice of termination  
26 [EXPIRATION] to each licensee who has not either (1) filed an applica-  
27 tion to renew the [HIS] license, along with other required documents  
28 [ANY APPLICABLE AFFIDAVITS] and all license fees due, or (2) notified  
29 the director of the licensee's [HIS] intent not to do so. Failure of

1 the director to mail this notice of termination [EXPIRATION] does not  
2 prevent the license from terminating on March 31 if the application  
3 and other required documents are not filed, and the fees are not paid  
4 [WAIVE THE REQUIREMENT THAT THE APPLICATION FOR RENEWAL BE FILED BY  
5 FEBRUARY 28].

6 \* Sec. 33. AS 04.11.610(a) is amended to read:

7 (a) Biennial [ANNUAL] license fees, excluding biennial [ANNUAL]  
8 wholesale license fees, collected within a municipality shall be  
9 refunded semi-annually to the municipality.

10 \* Sec. 34. AS 04.11.680(a) is amended to read:

11 (a) Upon application and payment of one-half of the biennial  
12 license [ANNUAL] fee, the board may issue a license under this title  
13 that [WHICH] will be effective for two [A] continuous six-month  
14 periods [PERIOD]. Otherwise, all licenses issued under this title  
15 other than a retail stock sale license are effective for the two-year  
16 period ending January 31 [CALENDAR YEAR ENDING DECEMBER 31], unless a  
17 shorter period is prescribed by the board or by law.

18 \* Sec. 35. AS 04.11 is amended by adding a new section to read:

19 ARTICLE 10. GENERAL PROVISIONS.

20 Sec. 04.11.900. DEFINITION. In this chapter, "renewal year"  
21 means the calendar year in which a license issued under this chapter  
22 expires if not timely renewed.

23 \* Sec. 36. TRANSITIONAL PROVISIONS. (a) The authority granted under  
24 licenses due to expire on December 31, 1986 is extended until January 31,  
25 1987, to permit renewal of the licenses in accordance with this Act.

26 (b) Approximately one-half of the applicants for renewal in 1987, as  
27 determined by the director of the Alcoholic Beverage Control Board, shall  
28 be eligible for a one-year license. These licenses expire, unless renewed,  
29 on January 31, 1988, and may be renewed biennially in even-numbered years

1 after that. The 1987 renewal fee for these licenses is  $13/24$  of the bien-  
2 nial license fee, rounded to the nearest dollar.

3 (c) The remaining approximately one-half of the 1987 renewal appli-  
4 cants, as determined by the director, shall be eligible for a two-year  
5 license. These licenses expire, unless renewed, on January 31, 1989, and  
6 may be renewed biennially in odd-numbered years after that. The 1987  
7 renewal fee for these licenses is the biennial license fee plus  $1/24$  of the  
8 biennial license fee, rounded to the nearest dollar.

9 (d) The director shall notify each licensee in writing as to whether  
10 the licensee shall apply for renewal under (b) or (c) of this section, and  
11 of the actual amount of the 1987 renewal fee. The notice must be given not  
12 later than December 1, 1986. However, failure of the director to provide  
13 the notice required in this subsection does not prevent a license from  
14 terminating on March 31, 1987, in accordance with AS 04.11.540, as amended  
15 in sec. 31 of this Act, if the renewal application is not filed on or  
16 before that date.

17 \* Sec. 37. The Alcoholic Beverage Control Board may adopt regulations,  
18 under AS 04.06.100 and other relevant statutes to implement the changes  
19 made by this Act. The regulations take effect in accordance with the  
20 Administrative Procedure Act (AS 44.62), but not before the effective date  
21 of the provisions of this Act that they implement.

22 \* Sec. 38. Section 37 of this Act takes effect immediately in accor-  
23 dance with AS 01.10.070(c).

24 \* Sec. 39. Section 36 of this Act takes effect November 1, 1986.

25 \* Sec. 40. Sections 1 - 35 of this Act take effect December 31, 1986.