

1 IN THE SENATE

BY BINKLEY

2

SENATE BILL NO. 404

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to transportation and municipal
7 regulation and taxation of alcoholic beverages."

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

9 * Section 1. AS 04.16 is amended by adding a new section to read:

10 Sec. 04.16.125. TRANSPORTATION OF ALCOHOLIC BEVERAGES BY COMMON
11 CARRIER. (a) A person may not use a common carrier to transport
12 alcoholic beverages unless the alcoholic beverages and any shipping
13 container holding them are clearly labeled and readily identifiable as
14 alcoholic beverages or as containing alcoholic beverages.

15 (b) This section does not apply to a person transporting less
16 than two gallons of wine or malt beverages, or less than one gallon of
17 distilled spirits.

18 (c) In this section, "common carrier" means a motor vehicle,
19 boat, aircraft, or railroad car available for public hire to transport
20 freight.

21 * Sec. 2. AS 04.21.010(a) is amended to read:

22 (a) A municipality may adopt ordinances governing the importa-
23 tion, barter, sale, and consumption of alcoholic beverages within the
24 municipality [AS NECESSARY FOR THE ORDERLY CONDUCT OF THE BUSINESS OF
25 SELLING ALCOHOLIC BEVERAGES WITHIN THE MUNICIPALITY] and may ban
26 possession of alcoholic beverages under AS 04.11.498(d) or (e). An
27 ordinance adopted under this section may not be inconsistent with this
28 title or regulations adopted under this title.

29 * Sec. 3. AS 04.21.010(c) is amended to read:

1 (c) A municipality may not impose taxes on alcoholic beverages
2 except a
3 (1) property tax [TAXES] on alcoholic beverage inventories;
4 (2) sales tax [TAXES] on alcoholic beverage sales if sales
5 taxes are imposed on other sales within the municipality; [AND]
6 (3) sales tax [TAXES] on alcoholic beverage sales that were
7 in effect before July 1, 1985; and
8 (4) sales and use tax on alcoholic beverages if the sale of
9 alcoholic beverages within the municipality has been prohibited under
10 AS 04.11.490.
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