

Offered: 4/24/90  
Referred: Finance

go0699sJ

Original sponsor(s): Rules/Governor

1 IN THE SENATE BY THE JUDICIARY COMMITTEE  
2 HOUSE CS FOR CS FOR SENATE BILL NO. 157 (Judiciary)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL  
6 For an Act entitled: "An Act relating to imposition of a civil fine for  
7 violation of a statute, regulation, or ordinance  
8 related to alcoholic beverages and requiring separate  
9 accounting for fees and fines related to alcoholic  
10 beverages."  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
12 \* Section 1. AS 04.11 is amended by adding a new section to read:  
13 Sec. 04.11.575. CIVIL FINE. (a) Except as provided in (c) of  
14 this section, the board may, in addition to any other penalties impos-  
15 ed under this title, impose a civil fine upon a licensee that the  
16 board determines, at a proceeding under AS 04.11.510(c), has violated  
17 a provision of this title, a regulation adopted under this title, or  
18 an ordinance adopted in accordance with AS 04.21.010.  
19 (b) The board shall by regulation adopt a schedule of fines that  
20 a licensee may be required to pay under this section. A fine may not  
21 exceed the greater of  
22 (1) \$50,000; or  
23 (2) an amount that is three times the monetary gain re-  
24 alized by the licensee as a result of the violation.  
25 (c) If the board is proceeding under AS 04.11.370(4), the board  
26 may not impose a civil fine exceeding the amount specified under  
27 AS 12.55.035 applicable to the offense for which the licensee was  
28 convicted, or with the licensee's consent, the limit imposed under (b)  
29 of this section.

1 \* Sec. 2. AS 04.11.590(a) is amended to read:

2 (a) Money collected from licenses and civil fines under this  
3 title shall be transferred by the board to the Department of Revenue  
4 and deposited in the general fund.

5 \* Sec. 3. AS 04.11.590 is amended by adding a new subsection to read:

6 (c) The commissioner of administration shall separately account  
7 for all application fees, license fees, and civil fines collected  
8 under this title that the Department of Revenue deposits in the gener-  
9 al fund. The annual estimated balance in the account may be used by  
10 the legislature to make appropriations to the Department of Revenue to  
11 carry out the purposes of AS 04.06.