

HB

234

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT

MAY 19 2003

SENATE FINANCE COMMITTEE

DATE: 5/14/03

FURTHER:

DATE TURNED IN TO OFFICE: 5/19/03

Finance Committee considered CS FOR HOUSE BILL NO. 234(RLS) am

HB 234 BREW/PUBS; ABC BOARD

"An Act extending the termination date of the Alcoholic Beverage Control Board; relating to the sale of beer manufactured at a brewpub; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous S CS CS HB 234 (YBC)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title
- new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
DPS	4/24	*		2
Rev	4/8		✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>			✓	
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>		✓		

REPORTED ON
MAY 19 2003

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 234(L&C)
(H) Publish Date: 4/14/03

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
Title Brewpubs; ABC Board BRU ABC Board
Component ABC Board
Sponsor Representative McGuire
Requester House Labor and Commerce Component No. 100

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type-Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation would remove the statutory limitation on the volume of beer that a brewpub can sell to a licensed wholesaler. This change would not effect the operating expenses of the ABC Board.

This legislation also would extend the sunset date of the ABC Board from June 30, 2003 to June 30, 2006.

Prepared by: Douglas B. Griffin, Executive Director
Division: Alcoholic Beverage Control Board
Approved by: Larry Persily, Deputy Commissioner
Agency: Department of Revenue

Phone 269-0350
Date/Time 4/8/03 7:28 AM
Date 4/8/2003

MAY 9 2003

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: CSHB 234(FIN)
(H) Publish Date: 4/28/03

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
Title Brewpubs; ABC Board BRU Statewide Support
Component Alcohol Beverage Control Board
Sponsor Representative McGuire
Requester House Finance Component No. 2690

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services	*	*	*	*	*	*
Travel	*	*	*	*	*	*
Contractual	*	*	*	*	*	*
Supplies	*	*	*	*	*	*
Equipment	*	*	*	*	*	*
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	*	*	*	*	*	*

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	*	*	*	*	*	*
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	*	*	*	*	*	*

Estimate of any current year (FY2003) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time	*	*	*	*	*	*
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

CSHB 234(FIN) extends the repeal of the ABC Board to FY2007. FY2004 funding for the ABC Board in the Department of Public Safety is as follows:

\$755.0 of GF and \$157.5 of I/A in the following line items: PS, \$672.2; Travel, \$28.3; Contractual, \$192.1; Supplies, \$6.6; and Equipment, \$13.3.

Prepared by: Karen Morgan, Director Phone 465-5488
Division Administrative Services Date/Time 4/24/03 9:57 AM
Approved by: Commissioner William Tandeske Date 4/24/2003
Agency Department of Public Safety

Withdrawn

SENATE CS FOR CS FOR HOUSE BILL NO. 234(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES MCGUIRE, Crawford, Croft, Gara, Lynn

A BILL

FOR AN ACT ENTITLED

1 "A. Act relating to the Alcoholic Beverage Control Board; relating to the sale of beer
2 manufactured at a brewpub; and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 04.06.010 is amended to read:

5 **Sec. 04.06.010. Establishment of board.** There is established in the
6 Department of Public Safety the [THE] Alcoholic Beverage Control Board [IS
7 ESTABLISHED] as a regulatory and quasi-judicial agency. The Board is in the
8 Department of Public Safety [REVENUE, BUT FOR ADMINISTRATIVE
9 PURPOSES ONLY].

10 * **Sec. 2.** AS 04.06.020 is amended to read:

11 **Sec. 04.06.020. Appointment and qualifications.** The board consists of
12 seven [FIVE] members. Five members shall be appointed by the governor, one
13 member shall be the commissioner of public safety, and one member shall be the
14 commissioner of revenue. All members except for the commissioner of public

*or designee
with
drawn*

1 safety and the commissioner of revenue shall be [AND] confirmed by a majority of
2 the members of the legislature in joint session. Except for the commissioner of
3 public safety and the commissioner of revenue, a [A] member of the board may not
4 hold any other state or federal office, either elective or appointive. Two members of
5 the board shall be persons actively engaged in the alcoholic beverage industry, except
6 that no member may hold a wholesale license or be an officer, agent, or employee of a
7 wholesale alcoholic beverage enterprise. No three members of the board may be
8 engaged in the same business, occupation, or profession. At least three members of
9 the board shall represent the general public. A board member representing the general
10 public or an immediate family member of a board member representing the general
11 public may not have any financial interest in the alcoholic beverage industry. In this
12 section, "immediate family member" means a spouse, child, or parent.

13 * Sec. 3. AS 04.06.030(a) is amended to read:

14 (a) Except for the commissioners of public safety and revenue, members
15 [MEMBERS] of the board shall be appointed for overlapping terms of three years.

16 * Sec. 4. AS 04.06.040 is amended to read:

17 Sec. 04.06.040. Per diem and expenses. Members of the board do not
18 receive a salary, but are entitled to per diem and travel expenses authorized by law for
19 other boards and commissions. This section does not apply to a member of the
20 board who is the commissioner of public safety or the commissioner of revenue.

21 * Sec. 5. AS 04.06.060 is amended to read:

22 Sec. 04.06.060. Quorum and majority. Four [THREE] members of the
23 board constitute a quorum for the conduct of business, except that a majority of the
24 whole membership of the board must approve all applications for new licenses, and all
25 renewals, transfers, suspensions, and revocations of existing licenses. If a majority of
26 the board is present and voting, the director, with the consent of the members present,
27 may cast a tie-breaking vote.

28 * Sec. 6. AS 04.06.110 is amended to read:

29 Sec. 04.06.110. Peace officer powers. The director and the persons employed
30 for the administration and enforcement of this title may, with the concurrence of the
31 commissioner of public safety, exercise the powers of peace officers when those

1 powers are specifically granted by the board. Powers granted by the board under this
2 section may be exercised only when necessary for the enforcement of the criminally
3 punishable provisions of this title and [,] regulations of the board [, AND OTHER
4 CRIMINALLY PUNISHABLE LAWS AND REGULATIONS, INCLUDING
5 INVESTIGATION OF VIOLATIONS OF LAWS AGAINST PROSTITUTION AND
6 PROMOTING PROSTITUTION DESCRIBED IN AS 11.66.100 - 11.66.130 AND
7 LAWS AGAINST GAMBLING, PROMOTING GAMBLING, AND RELATED
8 OFFENSES DESCRIBED IN AS 11.66.200 - 11.66.280].

9 * Sec. 7. AS 04.11.135(d) is amended to read:

10 (d) Notwithstanding (a) of this section, the holder of a brewpub license who
11 under the provisions of AS 04.11.450(b) formerly held a brewery license and a
12 restaurant or eating place license and who, under the former brewery license,
13 manufactured beer at a location other than the premises licensed under the former
14 restaurant or eating place license may

15 (1) manufacture not more than 150,000 gallons of beer in a calendar
16 year on premises other than the premises licensed under the beverage dispensary
17 license;

18 (2) provide a small sample of the manufactured beer free of charge at
19 the location the beer is manufactured unless prohibited by AS 04.16.030; and

20 (3) sell the beer authorized to be manufactured under this subsection

21 (A) on the premises licensed under the beverage dispensary
22 license or other licensed premises of the beverage dispensary licensee that are
23 also licensed as a beverage dispensary;

24 (B) to a wholesaler licensed under AS 04.11.160; sales under
25 this subparagraph may not exceed 15,000 gallons or the amount sold under this
26 subparagraph in calendar year 2001, plus 10 percent, whichever amount is
27 greater; or

28 (C) to an individual who is present on the premises described
29 under (A) of this paragraph, or where the beer is manufactured, in quantities
30 of not more than five gallons per day.

31 * Sec. 8. AS 44.66.010(a)(1) is amended to read:

1
2
3

(1) Alcoholic Beverage Control Board (AS 04.06.010) - June 30, 2004

[2003];

* **Sec. 9.** This Act takes effect July 1, 2003.

23-LS0862NE
Ford
5/19/03

SENATE CS FOR CS FOR HOUSE BILL NO. 234(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES MCGUIRE, Crawford, Croft, Gara, Lynn

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to the Alcoholic Beverage Control Board; relating to the sale of beer
2 manufactured at a brewpub; and providing for an effective date."

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

4 * Section 1. AS 04.06.010 is amended to read:

5 Sec. 04.06.010. Establishment of board. There is established in the
6 Department of Public Safety the [THE] Alcoholic Beverage Control Board [IS
7 ESTABLISHED] as a regulatory and quasi-judicial agency. The Board is in the
8 Department of Public Safety [REVENUE, BUT FOR ADMINISTRATIVE
9 PURPOSES ONLY].

10 * Sec. 2. AS 04.06.020 is amended to read:

11 Sec. 04.06.020. Appointment and qualifications. The board consists of
12 seven [FIVE] members. Five members shall be appointed by the governor, one
13 member shall be the commissioner of public safety, ^{or commissioner's designee} and one member shall be the
14 commissioner of revenue. All members except for the commissioner of public

or commissioner's designee.

Concept #1

SENATE FINANCE COMMITTEE

1 / 2003 COMMITTEE ACTION

Bill Number	HB 234 , Version "E"		
Amendment	#1		
Motion	Adopt Concept #1		
Motion by	Wilken		
Objection by	Taylor		
Removed			
Second Objection by			
Committee Member	Y	Vote	N
Senator Olson			
Senator Stevens			
Senator Taylor			
Senator Bunde			
Senator Hoffman			
Co-Chair Green			
Co-Chair Wilken			
Tally			
Yea			
Nay			
Absent			
MOTION	Withdrawn		

Amendment # 2

Voided by the withdrawal of the motion to adopt version "E"
WORK DRAFT
23-LS0362AE
Ford
5/19/03

Taylor

SENATE CS FOR CS FOR HOUSE BILL NO. 234(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES MCGUIRE, Crawford, Croft, Gara, Lynn

delete sections 2-4

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Alcoholic Beverage Control Board; relating to the sale of beer
2 manufactured at a brewpub; and providing for an effective date."

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

4 * Section 1. AS 04.06.010 is amended to read:

5 Sec. 04.06.010. Establishment of board. There is established in the
6 Department of Public Safety the [THE] Alcoholic Beverage Control Board [IS
7 ESTABLISHED] as a regulatory and quasi-judicial agency. The Board is in the
8 Department of Public Safety [REVENUE, BUT FOR ADMINISTRATIVE
9 PURPOSES ONLY].

10 * Sec. 2. AS 04.06.020 is amended to read:

11 Sec. 04.06.020. Appointment and qualifications. The board consists of
12 seven [FIVE] members. Five members shall be appointed by the governor, one
13 member shall be the commissioner of public safety, and one member shall be the
14 commissioner of revenue. All members except for the commissioner of public

delete

continued ->

1 safetv and the commissioner of revenue shall be [AND] confirmed by a majority of
 2 the members of the legislature in joint session. Except for the commissioner of
 3 public safety and the commissioner of revenue. a [A] member of the board may not
 4 hold any other state or federal office, either elective or appointive. Two members of
 5 the board shall be persons actively engaged in the alcoholic beverage industry, except
 6 that no member may hold a wholesale license or be an officer, agent, or employee of a
 7 wholesale alcoholic beverage enterprise. No three members of the board may be
 8 engaged in the same business, occupation, or profession. At least three members of
 9 the board shall represent the general public. A board member representing the general
 10 public or an immediate family member of a board member representing the general
 11 public may not have any financial interest in the alcoholic beverage industry. In this
 12 section, "immediate family member" means a spouse, child, or parent.

13 * Sec. 3. AS 04.06.030(a) is amended to read:

14 (a) Except for the commissioners of public safety and revenue, members
 15 [MEMBERS] of the board shall be appointed for overlapping terms of three years.

16 * Sec. 4. AS 04.06.040 is amended to read:

17 **Sec. 04.06.040. Per diem and expenses.** Members of the board do not
 18 receive a salary, but are entitled to per diem and travel expenses authorized by law for
 19 other boards and commissions. This section does not apply to a member of the
 20 board who is the commissioner of public safety or the commissioner of revenue.

21 * Sec. 5. AS 04.06.060 is amended to read:

22 **Sec. 04.06.060. Quorum and majority.** Four [THREE] members of the
 23 board constitute a quorum for the conduct of business, except that a majority of the
 24 whole membership of the board must approve all applications for new licenses, and all
 25 renewals, transfers, suspensions, and revocations of existing licenses. If a majority of
 26 the board is present and voting, the director, with the consent of the members present,
 27 may cast a tie-breaking vote.

28 * Sec. 6. AS 04.06.110 is amended to read:

29 **Sec. 04.06.110. Peace officer powers.** The director and the persons employed
 30 for the administration and enforcement of this title may, with the concurrence of the
 31 commissioner of public safety, exercise the powers of peace officers when those

delete

SENATE FINANCE COMMITTEE
5 / 19 / 2003 COMMITTEE ACTION

Bill Number	HB 234		
Amendment	#2		
Motion	Delete Section #2-5		
Motion by	Taylor		
Objection by	Taylor, Wilken		
Removed			
Second Objection by			
Committee Member	Y	Vote	N
Senator Stevens			
Senator Taylor			
Senator Bunde			
Senator Hoffman			
Senator Olson			
Co-Chair Green			
Co-Chair Wilken			
Tally			
Yea			
Nay			
Absent			
MOTION			

"Version E"
#2-5

~~Not for the record~~

This Amendment
 was voided by
 the withdrawing
 of the motion
 to adopt Version E

SENATE FINANCE COMMITTEE
5 / 19 / 2003 COMMITTEE ACTION

Bill Number	HB 234	
Amendment		
Motion	Adopt CS "E"	
<u>Motion by</u>	Wilken	
<u>Objection by</u>	Taylor	
<u>Removed</u>		
<u>Second Objection by</u>		
<u>Committee Member</u>	Y	<u>Vote</u> N
Senator Taylor		
Senator Bunde		
Senator Hoffman		
Senator Olson		
Senator Stevens		
Co-Chair Green		
Co-Chair Wilken		
<u>Tally</u>		
Yea		
Nay		
Absent		
<u>MOTION</u>	Withdrawn	

Alaska State Legislature

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State Capitol
Juneau, AK 99801
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Fax: (907) 465-6592



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Anchorage, AK 99501-2133
Phone: (907) 269-0250
Fax: (907) 269-0249

Representative Lesil McGuire
Chair, Judiciary Committee

SCSCSHB 234 (L&C) 23-LS0862\c

"An Act relocating the Alcoholic Beverage Control Board from the Department of Revenue to the Department of Public Safety; extending the termination date of the Alcoholic Beverage Control Board; relating to the sale of beer manufactured at a brewpub; and providing for an effective date."

AMENDED TITLE

Sponsor Statement

Senate Committee Substitute for Committee Substitute for House Bill 234 contains three primary components. First, this version establishes the Alcoholic Beverage Control Board under the Department of Public Safety. Because the ABC Board is a quasi-judicial agency under statute and investigators of the board have significant investigative responsibilities, the Department of Public Safety believes this reorganization to be in the public interest to establish uniform investigative procedures among all agencies and boards under its charge.

Second, SCSCSHB 234 addresses current inconsistencies under AS 04.11.135(d) regarding sales of beer by brewpubs in quantities of not more than 5 gallons per day (so-called "growlers"). Under current statutory language, sales of these growlers are limited to brewpubs that brew their beer on their premises but this restriction unfairly disadvantages Alaskan brewpub operators who may brew their product in one location in the state and dispense their product at another. Although most brewpub operators in Alaska are not hindered by this restriction, brewing and dispensing their product in the same location, this amendment will lift this arbitrary restriction for any current and future operators who brew and dispense in two different locations within the state of Alaska.

Lastly, SCSCSHB 234 extends the life of the Alcoholic Beverage Control Board until June 30, 2007.

Alaska State Legislature

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Representative Lesil McGuire

Chair, Judiciary Committee

SCSCSHB 234 (L&C)

23-LS0862NC

"An Act relocating the Alcoholic Beverage Control Board from the Department of Revenue to the Department of Public Safety; extending the termination date of the Alcoholic Beverage Control Board; relating to the sale of beer manufactured at a brewpub; and providing for an effective date."

AMENDED TITLE

Sectional Analysis

Section 1 – Amends AS 04.06.010 by establishing the Alcoholic Beverage Control Board within the Department of Public Safety. The floor amendment to the original Rules committee substitute reinserts the language "for administrative purposes only." **Section 2 in CSHB 234 (FIN) removing peace officer powers from ABC Board investigators for the purposes of investigating prostitution and gambling related offenses has been removed.**

Section 2 – Amends AS 04.11.135 (d) by removing the same language as found in AS 04.11.135 (a) regarding the amount of beer that maybe sold to a wholesaler and amends AS 04.11.135 (d)(2)(C) by adding language that will allow brewpub licensees to sell beer to an individual present on the premises, in quantities of 5 gallons a day or less, at the same location where that brewpub licensee also is the holder of beverage dispensary license¹

Section 3 – Amends AS 44.66.010(a)(1) by extended the date of existence for the Alcoholic Beverage Control Board from: June 30, 2003 to June 30, 2007.

Section 4 – Provides for an effective date for provisions of this Act of July 1, 2003.

¹ This corrects the arbitrary restriction on Alaska's brewpub licensees who may manufacture their beer in one location in the state, and dispense it in another.

Introduced in the House: 3/5/03

Referred: Community and Regional Affairs, State Affairs

Introduced in the Senate: 3/6/03

Referred: Community and Regional Affairs, State Affairs

EXECUTIVE ORDER NO. 110

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, I order the
2 following:

3 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
4 to read:

5 FINDINGS. As governor, I find that it is in the best interest of efficient administration
6 to transfer the Alcoholic Beverage Control Board and its functions from the Department of
7 Revenue to the Department of Public Safety. The enforcement of Alaska law addressing the
8 manufacture, use, possession, and sale of alcoholic beverages will be strengthened by this
9 transfer because the board and its staff will have the law enforcement expertise of the
10 Department of Public Safety to assist them in their duties.

11 * **Sec. 2.** AS 04.06.010 is amended to read:

12 **Sec. 04.06.010. Establishment of board.** The Alcoholic Beverage Control
13 Board is established as a regulatory and quasi-judicial agency. The board is in the
14 Department of Public Safety [REVENUE], but for administrative purposes only.

15 * **Sec. 3.** AS 04.06.090(e) is amended to read:

16 (e) The board shall promptly notify all licensees and municipalities of major
17 changes to this title and to regulations adopted under this title. However, if changes
18 only affect specific classifications of licenses and permits, the board need only notify
19 those licensees and municipalities directly affected by the changes. Current copies of
20 this title and current copies of the regulations adopted under it shall be made available
21 at all offices in the state of the Department of Public Safety [REVENUE] and the
22 detachment headquarters and posts maintained by the division of Alaska state troopers
23 in the [.] Department of Public Safety [, IN THE STATE].

1 * **Sec. 4.** AS 04.11.590 is amended to read:

2 **Sec. 04.11.590. Disposition of money.** (a) Money collected from licenses and
3 civil fines under this title shall be transferred by the board to the Department of **Public**
4 **Safety** [REVENUE] and deposited in the general fund.

5 (b) A fee prescribed by the board in addition to fees authorized under this title
6 shall be transferred to the Department of **Public Safety** [REVENUE] and deposited in
7 the general fund.

8 (c) The annual estimated balance in the account maintained by the
9 commissioner of administration under AS 37.05.142 may be used by the legislature to
10 make appropriations to the Department of **Public Safety** [REVENUE] to carry out the
11 purposes of AS 04.06.

12 * **Sec. 5.** AS 04.11.610(b) is amended to read:

13 (b) If the officers of a municipality fail to actively enforce local ordinances,
14 laws of the United States and the state, and the regulations relating to the manufacture
15 and sale of alcoholic beverages in the state, the commissioner of **public safety**
16 [REVENUE] may deny the refund provided for under (a) of this section until the
17 board finds the enforcement of the ordinances, laws, and regulations is resumed.

18 * **Sec. 6.** AS 04.11.610(c) is amended to read:

19 (c) The Department of **Public Safety** [REVENUE] shall recover any amounts
20 erroneously refunded under (a) of this section. The Department of **Public Safety**
21 [REVENUE] shall schedule repayments of erroneously refunded amounts over a
22 sufficient period of time to minimize financial hardship to the municipality involved.

23 * **Sec. 7.** AS 44.41.020 is amended by adding a new subsection to read:

24 (e) The Department of Public Safety shall supply necessary clerical and
25 administrative services for the Alcoholic Beverage Control Board.

26 * **Sec. 8.** AS 44.25.020(4) is repealed.

27 * **Sec. 9** This Order takes effect July 1, 2003.

DATED: _____

Frank H. Murkowski
Governor

Audit Report

DEPARTMENT OF REVENUE
ALCOHOLIC BEVERAGE CONTROL BOARD
SUNSET REVIEW

November 29, 2002



Audit Control Number:

04-20019-03

Division of Legislative Audit
P.O. Box 113300, Juneau, Alaska 99811-3300

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

DIVISION OF LEGISLATIVE AUDIT

The Legislative Budget and Audit Committee is a permanent interim committee of the Alaska Legislature. The committee is made up of five senators and five representatives, with one alternate from the Senate and two from the House. The chairmanship of the committee alternates between the two chambers every legislature.

The committee is responsible for providing the legislature with audits of state government agencies. The programs and activities of state government now cost more than \$6 billion a year. As legislators and administrators try increasingly to allocate state revenues effectively and make government work more efficiently, they need information to evaluate the work of governmental agencies. The audit work performed by the Division of Legislative Audit helps provide that information.

As a guide to all their work, the Division of Legislative Audit complies with generally accepted auditing standards established by the American Institute of Certified Public Accountants and with government auditing standards established by the U.S. General Accounting Office.

Audits are performed as mandated by Alaska Statutes or at the direction of the Legislative Budget and Audit Committee. Individual legislators or committees can submit requests for audits of specific programs or agencies to the committee for consideration. Copies of all completed audits are available from the Division of Legislative Audit's offices in Juneau, Anchorage, or at our web site <http://www.legaudit.state.ak.us/>

BUDGET AND AUDIT COMMITTEE

Representative Ralph Samuels, Chair
Representative Mike Hawker
Representative Beth Kerttula
Representative Vic Kohring
Representative Jim Whitaker
Representative Reggie Joule (alternate)
Representative Bill Williams (alternate)

Senator Gene Therriault, Vice Chair
Senator Ben Stevens
Senator Gary Wilken
Senator Con Bunde
Senator Lyman Hoffman
Senator Lyda Green (alternate)

DIVISION OF LEGISLATIVE AUDIT

Pat Davidson, CPA
Legislative Auditor

P.O. Box 113300
Juneau, AK 99811-3300

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(907)561-1445, Anchorage
(907)465-2347, Juneau Fax
(907)561-1452 Anchorage Fax

SENATE COMMITTEE REPORT

DATE: 5/7/03

FURTHER: Finance

DATE TURNED
IN TO OFFICE: 5/13/03

Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 234(RLS) am

HB 234 BREWPUBS; ABC BOARD

"An Act extending the termination date of the Alcoholic Beverage Control Board; relating to the sale of beer manufactured at a brewpub; and providing for an effective date."

and recommends:

- be replaced with S CS ~~HB~~ CS HB 234 (L & C)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title - per legal
- new: SCR # 5/9 mem

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
DPS	4/24	*		2
REV	4/8		✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
Davis <i>Bonnie Davis</i>			L	
French <i>[Signature]</i>			✓	
Seekins <i>Calvin Seekins</i>	✓			
G. Stevens <i>[Signature]</i>			X	
Bunde CHAIR: <i>[Signature]</i>	✓			

SENATE FINANCE COMMITTEE

SIGN-IN

HB 234-BREW PUBS; ABC BOARD

NAME: Pat Davidson Subject/Bill No: HB 234
Co./Dept./Title: Leg Audit Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

SITE: Offnets

COMMITTEE: SFIN

DATE: 5/19/03

SUBJECT OF MEETING:

HB234

UPDATE #:



PLEASE SIGN IN

PLEASE PRINT:

DO YOU WANT

NAME

ADDRESS (MAILING & ZIP)

REPRESENTING

TO TESTIFY?

Y or N

✓ **Doug Griffin**

ABC Board

Y