

SENATE BILL NO. 230

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY SENATOR KAWASAKI

Introduced: 2/24/02

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to a performing arts theater license; and providing for an effective**
2 **date."**

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

4 *** Section 1.** AS 04.11.080 is amended to read:

5 **Sec. 04.11.080. Types of licenses and permits.** Licenses and permits issued
6 under this title are as follows:

- 7 (1) beverage dispensary license;
8 (2) duplicate beverage dispensary license for additional rooms;
9 (3) restaurant or eating place license;
10 (4) club license;
11 (5) bottling works license;
12 (6) brewery license;
13 (7) package store license;
14 (8) general wholesale license;

- (9) wholesale malt beverage and wine license;
- (10) distillery license;
- (11) common carrier dispensary license;
- (12) retail stock sale license;
- (13) recreational site license;
- (14) pub license;
- (15) winery license;
- (16) caterer's permit;
- (17) special events permit;
- (18) conditional contractor's permit;
- (19) brewpub license;
- (20) golf course license;
- (21) outdoor recreation lodge license;
- (22) destination resort license;
- (23) performing arts theater license.**

* **Sec. 2.** AS 04.11 is amended by adding a new section to read:

Sec. 04.11.205. Performing arts theater license. (a) A performing arts theater license authorizes the holder of a beverage dispensary license to sell alcoholic beverages and the holder of a restaurant or eating place license to sell beer and wine at multiple noncontiguous locations at a specified performing arts theater site for consumption on the licensed premises.

(b) The biennial performing arts theater license fee is \$1,250.

(c) The holder of a performing arts theater license may not sell or serve alcoholic beverages as provided under the license during an event that is expected to attract an audience predominantly composed of attendees under 21 years of age.

(d) The holder of a performing arts theater license may sell or serve alcoholic beverages as provided under the license only

(1) in designated areas on the licensed premises; and

(2) for a period beginning two hours before the event until one hour after the event.

(e) The holder of a performing arts theater license shall post the license

1 conspicuously in the performing arts theater during times when alcoholic beverages
2 are sold.

3 (f) The board may not approve an application for the transfer of a performing
4 arts theater license to another location.

5 (g) An application for a performing arts theater license must clearly identify
6 designated areas for the sale and consumption of alcoholic beverages, which may
7 include portions of the audience viewing area at the performing arts theater site. The
8 board may approve an application for a performing arts theater license only if the
9 application is approved by the local governing body of the municipality in which the
10 performing arts theater site is located or, for a performing arts theater site outside a
11 municipality, approved by the law enforcement agency that has jurisdiction over the
12 performing arts theater site.

13 (h) In this section, "performing arts theater" means a location where events are
14 presented by live performers on a stage, such as plays, operas, orchestra concerts,
15 readings, and similar activities as determined by the board.

16 * **Sec. 3.** AS 04.11.330(d) is amended to read:

17 (d) Notwithstanding (a)(3) of this section, a **performing arts theater license**
18 **issued under AS 04.11.205 or a** recreational site license issued under AS 04.11.210
19 may be renewed if the license was exercised at least once during each of the two
20 preceding calendar years.

21 * **Sec. 4.** AS 04.16.049(a) is amended to read:

22 (a) A person under 21 years of age may not knowingly enter or remain in
23 premises licensed under this title unless

24 (1) accompanied by a parent, guardian, or spouse who has attained 21
25 years of age;

26 (2) the person is at least 16 years of age, the premises are designated
27 by the board as a restaurant for the purposes of this section, and the person enters and
28 remains only for dining;

29 (3) the person is under 16 years of age, is accompanied by a person
30 over 21 years of age, the parent or guardian of the underaged person consents, the
31 premises are designated by the board as a restaurant for the purposes of this section,

1 and the person enters and remains only for dining;

2 (4) the person is permitted on the premises under a club license issued
3 under AS 04.11.110(g); or

4 (5) otherwise provided under (c), (d), [OR] (g), or (i) of this section.

5 * **Sec. 5.** AS 04.16.049 is amended by adding a new subsection to read:

6 (j) Notwithstanding any other provision of this section, a person under 21
7 years of age may be present on licensed premises of a performing arts theater for the
8 purpose of viewing an event presented by live performers on a stage or attending a
9 performing arts-related activity if the person is

10 (1) at least 16 years of age; or

11 (2) under 16 years of age and

12 (A) is accompanied by a person who is at least 21 years of age;

13 and

14 (B) the person's parent or guardian consents.

15 * **Sec. 6.** AS 04.21.065(a) is amended to read:

16 (a) A holder of one of the following types of licenses or permits shall post on
17 the licensed or designated premises three separate warning signs as described in (b) of
18 this section:

19 (1) beverage dispensary license;

20 (2) restaurant or eating place license;

21 (3) club license;

22 (4) brewery license; this paragraph applies only to a brewery that
23 permits a person to sample portions of the brewery's product;

24 (5) package store license;

25 (6) common carrier dispensary license;

26 (7) recreational site license;

27 (8) pub license;

28 (9) winery license; this paragraph applies only to a winery that permits
29 a person to sample portions of the winery's product;

30 (10) distillery license; this paragraph applies only to a distillery that
31 permits a person to sample portions of the distillery's product;

- 1 (11) caterer's permit;
- 2 (12) special events permit;
- 3 (13) conditional contractor's permit;
- 4 (14) **performing arts theater license;**
- 5 **(15)** another license or permit issued by the board authorizing
- 6 consumption of alcoholic beverages.
- 7 * **Sec. 7.** This Act takes effect immediately under AS 01.10.070(c).