

3 AAC 304 is amended by adding a new section to read:

3 AAC 304.642 Wine clubs. (a) A package store licensee may enter into a standing shipment order agreement with a purchaser for periodic shipment of wine of the licensee's choice to the purchaser if

(1) the licensee has an original or clear photocopy of a proof-of-age document in accordance with 3 AAC 304.645(b);

(2) agreement is signed and dated by the purchaser and contains the information required for written orders under 3 AAC 304.645(c)(2) - (6); and

(3) the agreement requires that payment for the wine be received by the licensee at least five working days before the date of shipment and allows the licensee or purchaser to terminate the agreement by giving five days, written notice of termination.

(b) Before shipping wine into an area that has restricted the sale of alcoholic beverages under AS 04.11.491(a)(1), (2), or (3) or (b)(1) or (2), the licensee shall consult the database maintained by the board under AS 04.06.095 in the manner required under AS 04.11.150(g). Shipment of the wine must be in compliance with applicable provisions of

3 AAC 304.645(e)(2)(B), (3), and (f).

(c) For each standing shipment order agreement, a licensee shall keep a file that contains the agreement along with a copy of all documents required by this section. The licensee shall retain the agreement file for at least one year after termination of the agreement. In addition, the licensee shall maintain a log of monthly shipments of wine in a manner that allows cross-reference to the documents for each order. The log must assign an order number to each

shipment, and must show for each order the date payment for the shipment was received, the date the order was shipped, and the address to which shipment was made.

(d) If the agreement requires the licensee to ship wine to an area that has restricted the sale of alcoholic beverages under AS 04.11.491(a)(1), (2), or (3) or (b)(1) or (2), the licensee shall enter a written order, not later than 24 hours after receiving full payment, into the written order database established under AS 04.06.095.

(e) After written notification to the board by a municipality that it has imposed a sales and use tax on alcoholic beverages under AS 04.21.010(c)(4), a package store licensee may not ship wine under a standing shipment order agreement into that municipality until payment for the taxes is collected at the licensed premises in accordance with the ordinances of that municipality.

The licensee shall remit the payments of taxes to the municipality for which the tax was collected. (Eff. __/__/__, Register _____)

Authority:	AS 04.06.090	AS 04.11.150	AS 04.16.060
	AS 04.06.095	AS 04.11.491	AS 04.16.125
	AS 04.06.100	AS 04.16.051	AS 04.21.010
	AS 04.11.010	AS 04.16.052	

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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Crystal Koeneman, AAC Contact
Department of Commerce, Community, & Economic Development

FROM: Scott Meriwether 
Special Assistant
907.465.3509

DATE: July 23, 2013

RE: Filed Permanent Regulations: Alcoholic Beverage Control Board
Regulations re: wine clubs: 3 AAC 304.642

Attorney General File:	JU2013200049
Regulation Filed:	7/19/2013
Effective Date:	8/18/2013
Print:	207, October 2013

cc with enclosures: Linda Miller, Department of Law
Jim Pound, Administrative Regulation Review Committee
Judy Herndon, LexisNexis

JU2013200049

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE ALCOHOLIC BEVERAGE CONTROL BOARD

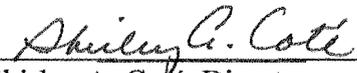
The attached two pages of regulations, dealing with allowing annual membership applications for the purpose of fulfilling periodic written orders are certified to be a correct copy of the regulation changes that the Alcoholic Beverage Control Board adopted at its June 11, 2013 meeting, under the authority of AS 04.06.090, 04.06.100, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Alcoholic Beverage Control Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor as provided in AS 44.62.180.

DATE: June 26, 2013
Anchorage, Alaska


Shirley A. Cofé, Director
Alcoholic Beverage Control Board

FILING CERTIFICATION

I, Mead Treadwell, Lieutenant Governor for the State of Alaska, certify that on

19 July, 2013 at 2:18 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.


Lieutenant Governor

Effective: August 18, 2013
Register: 207, October.2013

3 AAC 304 is amended by adding a new section to read:

← ^{CGM2. lowercase} 3 AAC 304. Wine Clubs

(a) A package store licensee may enter into ~~and honor~~ a standing shipment order agreement with a purchaser for periodic shipment of wine of the licensee's choice to the purchaser if

(1) the licensee has an original or clear photocopy ^{of} a ^{proof-of-age} document bearing the ^{accordance with} purchaser's signature described in 3 AAC 304.645(b);

(2) the ~~standard shipment order~~ agreement is signed and dated by the purchaser and contains the information required for written orders ^{under} by 3 AAC 304.645(c)(2)- (6);
and

(3) the agreement requires that payment for the wine be received by the licensee at least five working days ^{before} prior to the date of shipment and allows the licensee or purchaser to terminate the agreement by giving ^{Five} 5 days written notice of termination.

← (b) Before shipping wine into an area that has restricted the sale of alcoholic beverages under AS 04.11.491(a)(1) ⁵ (2), or (3) or (b)(1) or (2) ⁵ the licensee shall consult the database maintained by the board under AS ^{04.06.095} 04.11.095 in the manner required ^{under} by AS 04.11.150(g). Shipment of the wine must be in compliance with applicable provisions of 04.11.150(g). When shipping the wine the purchaser shall comply with

3 AAC 304.645(e)(2)(B), ~~(e)~~(3), and (f).

← (c) ^{lowercase} A licensee shall keep a file ^{Cap} for each standing shipment order agreement ^{under} that contains the agreement along with a copy of all documents required by this section. The licensee shall retain the agreement file for at least one year after termination of the agreement. In addition, the licensee shall maintain a log of monthly shipments of wine in a manner that allows cross-reference to the documents for each order. The log must assign an order number to each

C, the date the order was

shipment, and must show for each order the date payment for the shipment was received and shipped, and the address to which shipment was made.

← (d) If the agreement requires the licensee to ship wine to an area that has restricted the sale of alcoholic beverages under AS 04.11.491(a)(1), (2), ^{or} (3) or (b)(1) or (2), the licensee shall enter a written order, not later than within 24 hours after receiving full payment, into the written order database established under AS 04.06.095.

← (e) After written notification to the board by a ~~local~~ ^{local} option municipality that it has imposed a sales and use tax on alcoholic beverages under AS 04.21.010(c)(4), a package store licensee may not ship wine under a standing shipment order agreement into that municipality until payment for the taxes is collected at the licensed premises in accordance with the ordinances of that municipality. The licensee shall remit the payments of taxes to the municipality for which the tax was collected. (Eff. 8/18/2013, Register 207)

Authority:	AS 04.06.090	AS 04.11.150	AS 04.16.060
	AS 04.06.095	AS 04.11.491	AS 04.16.125
	AS 04.06.100	AS 04.16.051	AS 04.21.010
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