

NOTICE OF PROPOSED CHANGES REGARDING WINE AUCTION PERMITS,
SEASONAL LICENSES, OPERATING REQUIREMENTS, AND LOCAL
GOVERNING BODY PROTESTS

The State of Alaska Alcoholic Beverage Control Board proposes to adopt regulation changes in 3 AAC 304 of the Alaska Administrative Code, dealing with wine auction permits, seasonal licenses, operating requirements, and local governing body protests, including the following:

3 AAC 304.145 is proposed to allow a local governing body with jurisdiction to protest a license application and to uphold a protest with a 180 day abeyance if the protest is subject to rescission.

3 AAC 304.170 (h) is proposed to extend the deadline for waiver application to the last meeting of the calendar year.

3 AAC 304.170 (j) is amended to revise minimum operating requirement language.

3 AAC 304.170(k) is proposed to add new language requiring proof of minimum operating requirements.

3 AAC 304.190 is proposed new language regarding rights, privileges and restrictions for seasonal licenses.

3 AAC 304.699(a) is amended to clarify regulations for wine auction permits.

3 AAC 304.990 is amended to define “wine pull.”

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to the Alcohol and Marijuana Control Office at 550 West 7th Avenue, Suite 1600, Anchorage, AK 99501. Additionally, the Alcoholic Beverage Control Board will accept comments by electronic mail at amco.regs@alaska.gov . Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 4:30 pm on October 10, 2018.

You may submit written questions relevant to the proposed action to Alcoholic Beverage Control Board by email at amco.regs@alaska.gov or at 550 West 7th Avenue, Suite 1600, Anchorage, AK 99501. The questions must be received at least 10 days before the end of the public comment period. The Alcoholic Beverage Control Board will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and AMCO Website.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact the Alcohol and Marijuana Control Office at amco.regs@alaska.gov or call (907) 269-0350 not later than October 1, 2018, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting the Alcohol and Marijuana Control Office at (907) 269-0350 or

amco.regs@alaska.gov.

After the public comment period ends, the Alcoholic Beverage Control Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

Statutory authority: AS 04.06.080; AS 04.06.090; AS 04.06.100; AS 04.11.010; AS 04.11.090; AS 04.11.100; AS 04.11.110; AS 04.11.115; AS 04.11.135; AS 04.11.150; AS 04.11.210; AS 04.11.220; AS 04.11.225; AS 04.11.255; AS 04.11.330; AS 04.11.360; AS 04.11.480; AS 04.11.510; AS 04.11.520; AS 04.11.540; AS 04.11.680; AS 04.21.060; AS 04.21.080

Statutes being implemented, interpreted, or made specific: AS 04.11.480; AS 04.11.330; AS 04.11.680; AS 04.11.240

Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

Date: September 7, 2018



Erika McConnell, Director
Alaska Alcohol and Marijuana Control Office