

# Definition of Recreational or Gaming Opportunities

## Q&A

**Q.** Will a tasting room be penalized if an organization/person advertises a "meet up" in a tasting room? How can they be expected to police what the public chooses to do?

**A.** Licensees are responsible for the actions on the licensed premises and are expected to follow Alaska Statute Title 4 and the regulations set forth in 3 AAC 304. When the manufacturer licenses were expanded to include tasting rooms, those laws included restrictions on activities on those licensed premises. A licensee is responsible for ensuring that activities on their premises are compliant with statutes and regulations.

**Q.** Why is a coffee shop with a beer & wine license allowed to have performances?

**A.** AS 04.11.100 allows for a restaurant or eating place licensee to provide entertainment on the licensed premises between the hours of 3 pm and 11 pm.

**Q.** Why are performances allowed where temporary alcohol permits are issued? What claim do bar owners have to performances and presentations and displays of creative expression that distillery owners and brewers do not?

**A.** Caterer's Permits and Special Events Permits have their own separate rules in Title 4 and 3 AAC. Only a Beverage Dispensary licensee may be issued a caterer's permit, and many of the rights and restrictions that apply to that license type are permitted at the catered event. Special events permits are only issued to nonprofit fraternal, civic, or patriotic organizations active for a period of at least two years. No more than five permits will be issued to an organization in a year, and the holder is only permitted to sell beer and wine. Manufacturing licenses were given limited rights to retail their products to the public, but the limitations include prohibitions on certain types of entertainment, games, and recreation.

**Q.** Shouldn't the taprooms be allowed to enjoy the benefits that restaurants & bars do?

**A.** Tasting rooms hold a different license type with different rules, and also pay different license fees.

**Q.** What statutory authority do you, as the Alcohol Beverage Control Board, have to regulate anything beyond alcohol?

**A.** Alaska Statute 04.06.100 grants the Alcoholic Beverage Control Board the authority to "adopt regulations governing the manufacture, barter, sale, consumption and possession of alcoholic beverages in the state." This includes requirements relating to the conditions upon which a license may be issued,

the accommodations of the licensed premises, and also the creation of classifications of licenses or permits.