

NOTICE OF PROPOSED CHANGES ON DEATH OF A LICENSEE
IN THE REGULATIONS OF THE ALCOHOLIC BEVERAGE CONTROL BOARD

The Alcoholic Beverage Control Board proposes to adopt regulation changes in 3 AAC 304 of the Alaska Administrative Code, dealing with death of a licensee, including the following:

3 AAC 304.215 is repealed and readopted: subsection (a) clarifies that this subsection applies to sole proprietors and sole owners of entities, (b) sets out the steps an administrator or executor must follow upon the death of a licensee and (c) outlines what “administrator or executor” means for this purpose.

3 AAC 304.216 is a new section to address the death of a licensee with a controlling interest in a license issued to a business entity. (a) sets out the requirements of the surviving licensee or licensees to follow upon the death of the licensee who owns controlling interest in the entity. (b) would allow the board to approve an extension request not to exceed one year as long as the extension request is submitted before the expiration of the applicable deadline, unless the board approves a petition submitted after the deadline for good cause and the license is still available for transfer.

3 AAC 304.217 is a new section to address the death of a licensee with less than a controlling interest in a license issued to a business entity. (a) sets out the requirements of the surviving licensee or licensees to follow upon the death of a licensee who owns less than controlling interest in the entity. (b) would allow the board to approve an extension request not to exceed one year as long as the extension request is submitted before the expiration of the applicable deadline, unless the board approves a request submitted after the deadline for good cause.

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 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 email 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 4:30pm on December 11, 2020.**

You may submit written questions relevant to the proposed action to the Alcohol and Marijuana Control Office at 550 West 7th Avenue, Suite 1600, Anchorage, AK 99501 or to amco.regs@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Alcohol and Marijuana Control Office 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 (907) 269-0490 not later than November 27th, 2020, 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 amco.regs@alaska.gov or (907) 269-0490.

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. Written comments received are public records and are subject to public inspection.

Statutory authority: AS 04.06.090 AS 04.06.100 AS 04.11.030

Statutes being implemented, interpreted, or made specific: AS 04.11.030

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

The Alcohol and Marijuana Control Office keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the Alcoholic Beverage Control Board notices of proposed regulation changes. To be added to or removed from the list, send a request to the AMCO office at amco.regs@alaska.gov, giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

Date: November 2, 2020



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Alcohol and Marijuana Control Office