

NOTICE OF ADOPTION OF EMERGENCY REGULATION  
ON RESPONSE TO THE HEALTH OUTBREAK RELATED TO COVID-19 OF  
ALCOHOLIC BEVERAGE CONTROL BOARD

On November 17, 2020, the Alcoholic Beverage Control Board adopted, as an emergency regulation, changes in 3 AAC 304 of the Alaska Administrative Code dealing with the health outbreak related to COVID-19 including the following:

- (1) 3 AAC 304.185(g) removes the sunset date of November 15, 2020.
- (2) 3 AAC 304.920 is repealed and readopted for logical progression. The section still outlines privileges, requirements, and responsibilities of a licensee regarding curbside pickup of alcoholic beverages, but the new language is (d) which allows for the COVID-19 health outbreak regulations to be in place until the expiration of the governor's November 15, 2020 order, any extensions or renewals of the order, or any new adoptions of orders suspending Title 4 provisions. It also defines "curbside pickup" and "factory sealed" for the purposes of this section.
- (3) 3 AAC 304.925 is repealed and readopted for logical progression. The section still outlines privileges, requirements, and responsibilities of a licensee regarding home delivery of alcoholic beverages, but the new language is (b) which allows for the COVID-19 health outbreak regulations to be in place until the expiration of the governor's November 15, 2020 order, any extensions or renewals of the order, or any new adoptions of orders suspending Title 4 provisions. It also defines "factory sealed" and "meal" for the purposes of this section.

The emergency regulation took effect November 17, 2020, and will expire March 16, 2021. The Alcoholic Beverage Control Board intends to make the emergency regulations permanent.

You may comment on the regulation changes, including the potential costs to private persons of complying with the changes, by submitting written comments to Alcohol and Marijuana Control Office at 550 West 7<sup>th</sup> Avenue, Suite 1600, Anchorage, AK 99501. Additionally, the Alcohol and Marijuana Control Office will accept comments by electronic email at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov). Comments also may 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 p.m. on December 21, 2020**.

You may submit written questions relevant to the proposed action to Alcohol and Marijuana Control Office to [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) or at 550 West 7<sup>th</sup> Avenue, Suite 1600, Anchorage, AK 99501. **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. The Alcohol and Marijuana Control Office may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in

this process, please contact Alcohol and Marijuana Control Office at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) or 907-269-0490 not later than December 7, 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](mailto:amco.regs@alaska.gov) or (907) 269-0490

The language of the permanent regulation may be different from that of the original emergency regulation and may include other provisions dealing with the same subject. 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 26.23.020

**Statutes being implemented, interpreted, or made specific:** AS 04.11.090; AS 04.11.100; AS 04.11.130; AS 04.11.135; AS 04.11.140; AS 04.11.150; AS 04.11.170.

**Fiscal information:** The regulation is not expected to require an increased appropriation.

Date: November 18, 2020



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