

NOTICE OF A PROPOSED NEW CHAPTER OF THE ALCOHOLIC BEVERAGE
CONTROL BOARD UNDER TITLE 3 OF ALASKA ADMINISTRATIVE CODE

BRIEF DESCRIPTION

The Alcoholic Beverage Control Board proposes to adopt a new chapter (305) under Title 3 of the Alaska Administrative Code and repeal the previous chapter (304). The new Articles under this notice are 1, 2, 3, 4, 5, 6, 7 and 8.

The Alcoholic Beverage Control Board proposes to repeal 3 AAC 304 in its entirety and adopt a new chapter (305) under Title 3 of the Alaska Administrative Code. The Articles affected by this notice consist of the chapter 304 articles 1, 2, 3, 4, 5, 6, 7, and 8 dealing with Board; Administration; Licensing; Fees, Manufacturer Licenses; Endorsements; Permits, Retail Licenses; Endorsements; Permits, Wholesale Licenses, Provisions Applicable to More Than One License Type, Alcohol Server Education Course, Enforcement; Civil Penalties, and General Provisions. These articles will be repealed and readopted as chapter 305 articles 1, 2, 3, 4, 5, 6, 7, and 8. In addition to readopting the material provisions of current chapter 304 into the newly organized chapter 305, the proposed regulations will implement statutory changes to the alcoholic beverage licenses, permits, and enforcement including the following:

- Implementation of changes made to alcoholic beverage statutes in ch. 8, SLA 2022, including changes regarding new license types, new endorsements to licenses, and increased local control over the number and types of licensed establishments.
- Amendments to current processes to account for electronic applications and systems to obtain an alcoholic beverage license or endorsement.
- Adoption of 3 AAC 305.150 establishing fees for alcoholic beverage permits as directed by statute.
- Amendments accounting for the regulation of Internet sales and delivery of alcoholic beverages.
- Amendments to the Alcoholic Beverage Control Board's ability to enforce license violations and the appeal and resolution of license violations.

You may comment on the proposed regulations, including the potential costs to private persons of complying with the proposed regulations, by submitting written comments to Alcohol and Marijuana Control Office at 550 W. 7th Avenue, Suite 1600, Anchorage, Alaska, 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 on September 22, 2023.**

You may submit written questions relevant to the proposed action to Alcohol and Marijuana Control Office by email to amco.regs@alaska.gov or by mail to 550 W. 7th Avenue, Suite 1600, Anchorage, Alaska, 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

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substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and <https://www.commerce.alaska.gov/web/amco/>

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Kristina Serezhenkov at amco.regs@alaska.gov or at 907-269-0359 not later than September 15, 2023 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulations is available on the Alaska Online Public Notice System and by contacting the Alcohol and Marijuana Control Office at amco.regs@alaska.gov

After the public comment period ends, the Alcoholic Beverage Control Board will either adopt the proposed regulations 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 04.06.005; AS 04.06.010; AS 04.06.050; AS 04.06.060; AS 04.06.075; AS 04.06.080; AS 04.06.090; AS 04.06.100; AS 04.06.110; AS 04.11.340; AS 04.11.400

Statutes being implemented, interpreted, or made specific: AS 04.06.050; AS 04.06.060; AS 04.06.075; AS 04.06.080; AS 04.06.090; AS 04.06.100; AS 04.06.110; AS 04.09.010; AS 04.09.200; AS 04.09.210; AS 04.09.220; AS 04.09.230; AS 04.09.240; AS 04.09.250; AS 04.09.260; AS 04.09.270; AS 04.09.280; AS 04.09.290; AS 04.09.300; AS 04.09.310; AS 04.09.320; AS 04.09.330; AS 04.09.340; AS 04.09.350; AS 04.09.360; AS 04.09.370; AS 04.09.400; AS 04.09.410; AS 04.09.420; AS 04.09.430; AS 04.09.440; AS 04.09.450; AS 04.09.460; AS 04.09.470; AS 04.09.480; AS 04.09.490; AS 04.09.500; AS 04.09.510; AS 04.09.600; AS 04.09.610; AS 04.09.620; AS 04.09.630; AS 04.09.650; AS 04.09.670; AS 04.09.680; AS 04.09.685; AS 04.09.690; AS 04.11.010; AS 04.11.030; AS 04.11.045; AS 04.11.050; AS 04.11.055; AS 04.11.135; AS 04.11.210; AS 04.11.260; AS 04.11.270; AS 04.11.280; AS 04.11.290; AS 04.11.310; AS 04.11.320; AS 04.11.330; AS 04.11.340; AS 04.11.350; AS 04.11.360; AS 04.11.370; AS 04.11.400; AS 04.11.410; AS 04.11.450; AS 04.11.460; AS 04.11.480; AS 04.11.491; AS 04.11.510; AS 04.11.520; AS 04.11.540; AS 04.11.560; AS 04.11.575; AS 04.11.580; AS 04.11.610; AS 04.11.630; AS 04.11.670; AS 04.11.680; AS 04.16.017; AS 04.16.080; AS 04.16.120; AS 04.16.160; AS 04.16.220; AS 04.21.012; AS 04.21.025; AS 04.21.050; AS 04.21.060; AS 04.21.070; AS 04.21.076; AS 04.21.080.

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 Alcohol and Marijuana Control Office at amco.regs@alaska.gov giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

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Individuals can also signup to receive automated notifications of all State of Alaska notices, including public notice for regulation changes, by subscribing to the Alaska Online Public Notices System: <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx>.

Date: 8/17/2023



Kristina Serezhenkov, Regulations Specialist