

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

ORAL HEARING

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.

This is a SUPPLEMENTAL NOTICE adding to the NOTICE OF A PROPOSED NEW CHAPTER OF THE ALCOHOLIC BEVERAGE CONTROL BOARD issued on August 21, 2023, concerning the above-proposed revisions, contained in the Department of Law File No. 2023200110. The board has released this SUPPLEMENTAL NOTICE to advise the public that the board will take oral testimony at an oral hearing and extend the written comment period on the proposed new chapter. The oral hearing will be held during a Special Board Meeting on September 29, 2023. Please prepare to share your oral comments by telephone or Zoom only. You may join the meeting online via Zoom virtual platform at <https://amco-alaska.gov.zoom.us/j/89319380712?pwd=SlBuU2ZseVJaSW9BcCtmcEhleXQ0Zz09> or by entering Meeting ID 893 1938 0712 Access Code 525482 on the Zoom app. You may also participate via teleconference by calling +12532050468,,89319380712# US or +12532158782,,89319380712# US (Tacoma) and entering the Meeting ID and Code noted above. Written comments can be submitted to amco.regs@alaska.gov.

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 These articles will be repealed and readopted as chapter 305 articles 1, 2, 3, 4, 5, 6, 7, and 8.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.

APPENDIX B-2: Notice of Proposed Regulations (Non-Newspaper)

- 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 28, 2023.**

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 22, 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.

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.

Date: 9/13/2023

APPENDIX B-2: Notice of Proposed Regulations (Non-Newspaper)



Kristina Serezhenkov, Regulations Specialist