

NOTICE OF ALCOHOLIC BEVERAGE CONTROL BOARD DISCUSSION AND REQUEST
FOR PUBLIC INPUT FOR PROPOSED ARTICLES IN A 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. The Articles affected by this notice are 1 and 2. A Board discussion is scheduled for May 2, 2023 to discuss the development of these regulations, written comments received, and hear oral comments.

The Alcoholic Beverage Control Board proposes to adopt a new chapter (305) under Title 3 of the Alaska Administrative Code. The Articles affected by this notice are 1 and 2 dealing with Board; Administration; Licensing and Fees, Manufacturer Licenses, Endorsements, and Permits, including the following:

Article 1 addresses:

- 10. Conduct of board meetings
- 15. Submissions to the board
- 20. Public comment at board meetings
- 25. Conduct of office
- 30. Issuance of license and endorsement
- 35. Additional delegation of authority
- 40. When licenses become available
- 45. Application for licenses and endorsements
- 50. Application for renewal of a license and endorsement
- 55. Reinstatement of license or license with one or more endorsements
- 60. Application for transfer of a license to another person
- 65. Application for return of a license to a person with a retained security interest
- 70. Application for transfer of location
- 75. Public notice
- 80. Petition for licenses
- 85. Local governing body protest

- 90. Procedure for action on a license or endorsement application
- 95. Procedure on objection or protest; appeals
- 100. Procedure for mutually exclusive and competing applications
- 105. Selection among mutually exclusive and competing applications
- 110. Factors for consideration; denial of an application
- 115. Consideration of endorsement
- 120. Waiver of annual requirement and minimum operating requirements
- 125. Compelled transfer of a license to the prior licensee with a security interest in the license
- 130. Consideration of transfer of location of a license under AS 04.11.400(k)
- 135. Permits
- 140. Application for and board consideration of common carrier approval
- 145. License and endorsement application and biennial fees
- 150. Permits and common carrier approval fees
- 155. General wholesale and limited wholesale additional fees
- 160. Processing fees for renewals after late payment of taxes

Article 2 addresses:

- 200. License required
- 210. Manufacturer sampling endorsement
- 220. Brewery repackaging endorsement
- 230. Inventory resale permit

The Board will be meeting on May 2, 2023, to discuss the development of these regulations, received written public input, and to receive oral input on these drafts. The discussion will take place via Zoom <https://amco-alaska.gov.zoom.us/j/81103128824?pwd=NHB2WFN5YTFpcTRpM3Z4UFQ2S0I4UT09>, and possibly in person at 550 W. 7th Avenue, Suite 1600, Anchorage, AK 99501. 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.

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

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jane P. Sawyer at amco.regs@alaska.gov or at 907-269-0490 not later than April 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

The Alcoholic Beverage Control Board will continue to seek public input on the remaining articles of 3 AAC 305. It will meet in late June to submit the entire regulatory project to the public for public comment and final adoption by this Board.

Statutory authority: AS 04.06.080; 04.06.090; 04.06.100; 04.11.340; 04.11.400; Sec. 1, ch. 8, SLA2022; Sec. 171, ch. 8, SLA 2022.

Statutes being implemented, interpreted, or made specific: AS 04.06.050; AS 04.06.075 - .090; AS 04.06.100; AS 04.11.010; AS 04.11.040 - .055; AS 04.11.260 - .295; AS 04.11.310; AS 04.11.320 - .360; AS 04.11.370 - AS 04.11.400; AS 04.11.420 - AS 04.11.480; AS 04.11.510 - .520; AS 04.11.540 - .550; AS 04.11.670 - .680; Sec. 6, ch. 8, SLA 2022 - Sec. 8, ch. 8 SLA 2022; Sec. 12, ch. 8, SLA 2022 - Sec. 15, ch. 8, SLA 2022; Sec. 25, ch. 8, SLA 2022 - Sec. 44, ch. 8, SLA 2022; Sec. 46, ch. 8, SLA 2022 - Sec. 53, ch. 8, SLA 2022; Sec. 57, ch. 8, SLA 2022 - Sec. 68, ch. 8, SLA 2022; Sec. 73, ch. 8, SLA 2022 - Sec. 75, ch. 8, SLA 2022; Sec. 77, ch. 8, SLA 2022; Sec. 84, ch. 8, SLA 2022 - Sec. 88, ch. 8, SLA 2022.

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.

Individuals can also sign up 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: March 31, 2023



Jane P. Sawyer, Program Coordinator