

# Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

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THE STATE  
*of* **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## MEMORANDUM

TO: Alcoholic Beverage Control Board      DATE: January 21, 2020  
FROM: Jane P. Sawyer, Regulations Specialist      RE: Regulations Project – Combined  
Tasting Rooms

The board opened this regulations project at the September 2019 meeting to clarify the limits on quantity sold of an alcoholic beverage when there are combined manufacturing tasting rooms at the same licensed premises.

A draft was brought to the board at the November 2019 meeting. The board sent the draft back to staff because there was confusion about the meaning of “location”. A new draft attempting to address that confusion, but not make it overly complicated, is attached.

A new section would be created under Article 4. General Provisions Regarding Licensees and Licensed Premises in 3 AAC 304.

The intent of the new section is to make it clear that when a licensee holds two or more manufacturing licenses at the same licensed premises, not more than three drinks total may be sold each day to a person for consumption on the licensed premises. Furthermore, it defines what a drink is for the purpose of the regulation.

Options for the board:

- Put out for public comment
- Amend and put out for public comment
- Send back to staff for revisions
- Close the project without action

3 AAC 304 is amended by adding a new section to read:

**3 AAC 304.475. Overlapping On-Premises Consumption for Manufacturing**

**Licenses.** Unless prohibited under AS 04.16.030, when a licensee holds two or more manufacturing licenses at the same licensed premises, the licensee or employee or agent of the licensee may sell each day to a person for consumption on the licensed premises not more than three drinks total. For the purpose of this section, one drink is

- (1) six ounces of the winery's wine, mead, or cider or 12 ounces of any of the winery's cider that contain less than 8.5 percent alcohol by volume;
- (2) 12 ounces of the brewery's product; or
- (3) one ounce of the distillery's product. (Eff. \_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_)

**Authority:** AS 04.06.090 AS 04.06.100 AS 04.11.395