

Nancy Dahlstrom
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Sara Chambers, Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor *AS*
465.4081

DATE: September 25, 2024

RE: Filed Permanent Regulations: Alcoholic Beverage Control Board

Alcoholic Beverage Control Board regulations re: Fees for paper applications (3 AAC 305.165)

Attorney General File:	2024200224
Regulation Filed:	9/25/2024
Effective Date:	10/25/2024
Print:	252, January 2025

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis
Jane P. Sawyer, Regulations Specialist
Kristina Serezhenkov, Regulations Specialist



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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September 24, 2024

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *3 AAC 305.165 - AMCO - Fees for paper applications*
Our file: 2024200224

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Alcoholic Beverage Control Board against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by Alcoholic Beverage Control Board after the close of the public comment period.

The regulations concern application fees for paper applications. The regulations add a new \$150 fee for submission of a paper application, except for permits, and a \$50 fee for paper permit applications, if the application was otherwise available via the AK-ACCIS online application process.

The June 20, 2024 public notice and the September 19, 2024 certification of adoption both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**
Digitally signed by
Rebecca C. Polizzotto
Date: 2024.09.24
13:58:10 -08'00'
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

RCP/PWP

CC w/enclosure: Kristina Serezhenkov, Regulations Specialist 2
Department of Commerce, Community and Economic Development

Parker W. Patterson, Assistant Attorney General
Department of Law

Kevin Higgins, Assistant Attorney General
Department of Law

APPENDIX J: Certification Order

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF ALCOHOLIC BEVERAGE CONTROL BOARD

The attached one page of regulations, dealing with the of changes to 3 AAC 305, regarding the implementation of fees for submission of a paper application, are certified to be a correct copy of the regulation changes that the Alcoholic Beverage Control Board adopted at its September 10, 2024, meeting, under the authority of AS 04.06.090 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Alcoholic Beverage Control Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 9/19/2024



Lizzie Rubitz, Acting Director

S. April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

September 25, 2024 at 12:05 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.


for Lieutenant Governor Nancy Dahlstrom

Effective: October 25, 2024

Register: 25, January 2025.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



Nancy Dahlstrom

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Register 252, January 2025 COMMERCE, COMMUNITY, AND EC. DEV.

3 AAC 305.165 is amended by adding new paragraphs to read:

(10) excluding a permit application submitted under 3 AAC 305.135, a non-refundable \$150 for an application submitted on a paper form that was otherwise available to the applicant for submission through an Internet application process via the Alaska - Alcohol & Cannabis Control Information System (AK-ACCIS);

(11) effective January 1, 2025, a non-refundable \$50 for an application for a permit under 3 AAC 305.135 submitted on a paper form that was otherwise available to an applicant for submission through an Internet application process via the Alaska Alcohol & Cannabis Control Information System (AK-ACCIS). (Eff. 1/1/2024, Register 248; am 10 / 25 / 2024, Register 252)

Authority:	AS 04.06.005	AS 04.11.050	AS 04.11.480
	AS 04.06.090	AS 04.11.055	AS 04.11.510
	AS 04.06.100	AS 04.11.330	AS 04.21.060
	AS 04.11.045		

(((Publisher: Please change the period at the end of 3 AAC 305.165(9) to a semicolon.)))