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**OFFICE OF THE LIEUTENANT GOVERNOR
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MEMORANDUM

TO: Debbie Morgan
Department of Commerce Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor
465.4081 

DATE: January 24, 2020

RE: Filed Permanent Regulations: Alcoholic Beverage Control Board

Alcoholic Beverage Control Board regulation re: alcohol server education courses (3 AAC 304.465)

Attorney General File:	2019200005
Regulation Filed:	1/24/2020
Effective Date:	2/23/2020
Print:	233, April 2020

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF ALCOHOLIC BEVERAGE CONTROL BOARD

The attached two pages of regulations, dealing with server education course, are certified to be a correct copy of the regulation changes that the Alcohol Beverage Control Board adopted at its November 12, 2019 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: 12/24/2019



Glen Klinkhart, Interim Director

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on Jan. 24th, 2020 at 10:32 A.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.



Lieutenant Governor

Effective: February 23, 2020

Register: 233, April 2020

~~(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)~~

3 AAC 304.465(c)(8) is amended to read:

(8) **pricing and marketing** [#]~~[HAPPY HOUR]~~_^ laws;

3 AAC 304.465(e) is amended to read:

(e) Rural premises are those licensed premises not on a statewide road system or further than 50 miles on a road system from a community where a course is **held** ~~[OFFERED]~~ at least once every month. For the purpose of training for rural premises, course providers may provide video or audiotapes and written materials to a licensee that cover all topics required under (c) of this section, and conduct telephonic question and answer sessions for the students. A course provider may present training for rural premises by means of an Internet-based program. An Internet-based program must include steps that the course provider takes to verify the identity of the persons receiving the instruction, testing, and certification of alcohol server training. The verification process must be approved by the board and may be reviewed and reevaluated on an annual basis to determine its validity and effectiveness. The students shall, under the supervision of the licensee or licensee's manager, take the test required under (d) of this section. The licensee or licensee's manager, whoever supervises the test, shall certify to the course provider that the student did not receive outside help in taking the test and that no copies of the test have been kept.

3 AAC 304.465(j) is repealed:

(j) Repealed 2/23/2020.

3 AAC 304.465 is amended by adding a new subsection to read:

(l) The fee for a new server education course is \$800 and the fee for review of an existing server education course is \$250.

(Eff. 4/1/94, Register 129; am 8/24/2001, Register 159; am 12/13/2009, Register 192; am 9/16/2017, Register 223; am 2/23/2020, Register 233)

Authority: AS 04.06.090 AS 04.06.110 AS 04.21.025
AS 04.06.100