



MEMORANDUM

TO: Robert Klein, Chair
and Members of the ABC Board

DATE: January 31, 2016

FROM: Cynthia Franklin, Director

RE: Regulations Projects

Throughout calendar year 2015, the staff has been bookmarking issues to bring to the board as regulations projects. These are issues that require discretionary calls on our part because the statute is not clear. These are not issues which have been part of the Title 4 stakeholder's process. Rather, they are smaller issues that clearly fall within the regulatory authority of the board under AS 04.06.100.

We are bringing these matters to the board for its consideration as to whether to open a regulations project pursuant to the APA. Each subject is proposed as an individual project. We will keep the projects moving together if possible, but if one or more project falls behind, the remaining projects can continue to move forward independently.

The projects would move forward on the following timeline barring unforeseen circumstances:

- February 11, 2016- Introduce project to board, board votes whether to open project
- April, 2016- Draft language to board, if board approves draft language, post for public comment
- July, 2016- Review public comment, adopt regulation
- September 2016- Approximate effective date of regulation given law review time and 30 day effective date after Lt. Governor's signature.

A general list of the projects and the statutes they are intended to clarify is as follows. A more detailed explanation of each project will be provided to the board at the meeting for its discussion.

1. AS 04.21.025 and 3 AAC 304.465- A project to include permittees in alcohol server education course requirements
2. AS 04.11.180 and 3 AAC 304. 340 Common Carrier- A project to determine what types of marine vessels (termed "boats" and "watercraft" in Title 4) are "licensed for passenger travel" and clarifying requirements for common carrier licenses



3. AS 04.11.170 Distillery License- A project to define the term “distilled” by regulation to resolve ambiguity in operations of what distilling is and is not.
4. AS 04.11.450 Management agreements- A project to set minimum requirements for inclusion in a management agreement that is consistent with the prohibition on leasing liquor licenses
5. AS 04.11.210 Alternating premises for recreational site licenses- A project to clarify when licensed premises are licensed premises at recreational sites
6. 3 AAC 304.715 Restaurant Designation Permits- A project to add two new license types to the licenses that can apply for RDP’s.