



MEMORANDUM

TO: Bob Klein, Chair, and Members of the
Alcoholic Beverage Control Board

DATE: June 12, 2018

FROM: Erika McConnell, Director

RE: Potential Regulations Change:
Local Governing Body Protests

Statutory Authority: AS 04.06.100(a): “The board shall adopt regulations governing the manufacture, barter, sale, consumption, and possession of alcoholic beverages in the state that are consistent with this title and necessary to carry out the purpose of this title in a manner that will protect the public health, safety, and welfare.”

Status: No draft proposed as yet

Background: Staff proposes to clarify in 3 AAC 304.145 that the local governing body that has jurisdiction over a particular interest has protest rights for a license. When a license is located in a city that is within a borough, generally the interpretation has been that the city is the local governing body that has the right to protest. However, in many situations, the borough retains some relevant jurisdiction, such as land use, and should be able to protest on issues over which they have jurisdiction.

If the board is amenable to this idea, staff will bring a draft to the next meeting.