



## MEMORANDUM

TO: Bob Klein, Chair, and Members of the Alcoholic Beverage Control Board      DATE: February 19, 2019

FROM: Erika McConnell, Director      RE: Regulations Project: Online Server Education Course; Fee for Server Education Course

**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:** Public comment period closed February 8, 2019

**Proposals:** This proposal removes the restriction that only persons who live in rural areas, as defined in the regulation, may take a server education course on the internet. The proposal would allow any person to take the server education course on the internet. In addition, the proposal adds an \$800 fee for the initial review of a server education course and for the required three-year review.

- There are multiple public comments that are not in support of this proposed change. Reasons given include the benefits of being able to ask questions of an instructor, verification of the card holder actually having taken the test, the benefits of role-playing, and keeping jobs in Alaska. If the board is disinclined to adopt these changes, I recommend putting the following changes out for public comment:

Amend 3 AAC 304.465(e) as follows:

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.

This change would address the issue we hear from licensees of classes being cancelled or instructors not showing up. In December or early January, AMCO requested information from CHARR regarding how many classes have been cancelled in the last year or two, but the information has not yet been provided.

Repealing 3 AAC 304.465(j) should be retained.

In addition, I recommend the following change that is not included in the current proposal:

Amend 3 AAC 304.465(c)(8) to change “happy hour laws;” to “pricing and marketing.”

The use of the term “happy hour” is a colloquial expression that does not fully encompass Alaska laws relating to drink pricing, and this has been a source of confusion for licensees.

- One of the public comments objects to the \$800 fee and states that six hours of investigator time comes to \$250. In fact, six hours of investigator time for a new investigator paid at the lowest range is \$462. I would find a \$500 fee acceptable, for both new classes and the three year review, as a full review of the entire course must happen every three years.

Board options:

- Vote to adopt.
- Amend and put out for public comment.
- Send back to staff for additional revisions.

**Background:** AS 04.21.025 requires a licensee and a licensee’s agent/employee who sells or serves alcoholic beverages to complete an alcohol server education course approved by the board for eight license types. Each course is required to cover 16 subjects, and the licensee/agent/employee is required to keep proof of successful completion of the course on the licensed premises during working hours. A card indicating successful completion of a course is valid for three years. The board is required to review each server education course at least once every three years.

The statute specifically states that “the board shall consider the needs of both urban and rural licensees regarding access to an approved alcohol server education course.” This language has been in statute at least since 1993, before the internet was widely available.

In regulations adopted by the board at 3 AAC 304.465(e), it states:

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 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.

This means that the only individuals permitted to take an internet-based server education course are those persons who live either off a statewide road system, or further than 50 miles on a road system from a community where a course is offered at least once a month.

Alcohol server education is required in some states and voluntary in others. According to 2003 information found online, eleven states have mandatory server education. I was able to find information on nine states, and in each of the nine, required server education is available in person

and online. (Delaware, Montana, New Hampshire, New Mexico, Oregon, Rhode Island, Utah, Washington, Wisconsin) Although I did not do an exhaustive search, I could find no state other than Alaska that prohibits or limits online server education.

Close to 20 percent of all NOV's issued to alcohol licensees are for expired or missing server education. Allowing for online server education would provide licensees and their agents and employees with more opportunities to take a server education course at a time that is most convenient for their lives.

Anecdotally we have heard that people are unable to attend classes that are 50 miles away, or that scheduled classes are cancelled for lack of enough people signing up. We have requested class records from CHARR regarding where and when they have offered classes and whether or not the classes have been held or canceled, but CHARR has not provided the requested information. If the board does not wish to allow on-line

AS 04.21.025 requires the board to review each server education course at least once every three years. Sometime in the past, the board delegated the review of new server education courses, and the three-year review of approved courses, to the enforcement staff. Staff review of courses is time consuming, often requiring multiple reviews when changes are necessary to conform to the statutes and regulations. A fee for a new server education course and for the three year review of an approved server education course would pay for staff's time.

3 AAC 304.465 is repealed and readopted to read:

**3 AAC 304.465. Alcohol server education course.** (a) While selling or serving alcoholic beverages, a person required under AS 04.21.025 to complete an alcohol server education course and the person's on-duty supervisor shall carry or have available to show a current course card or a photocopy of the card certifying completion of an approved alcohol server education course. The alcohol server education course card is effective for three years from the date of issuance during which time the person shall complete another approved course or successfully complete a written test demonstrating an understanding of the course subjects as required by AS 04.21.025(c). The card must include the name and date of birth of the card holder, the name of the course, and the date of expiration of the card. If the card does not include a photograph of the holder, the person shall also carry a valid identification under 3 AAC 304.425(b). The card or a photocopy of the card must be shown upon request of a peace officer or board representative. If the person cannot show a current card or a copy of it on file on the premises, or show a date of hire less than 30 days earlier, the person shall immediately cease selling or serving alcoholic beverages, or checking identification.

(b) State or nationally recognized organizations or associations that address the subject of responsible alcoholic beverage service may obtain approval of an alcohol server education course by making written application on forms provided by the board. The application must include the course information to be provided to students, any video or audio presentations that will be used, the written test required under (d) of this section, detailed lesson plans, and if applicable, a description of the qualifications of and training provided to course instructors.

(c) In addition to written materials and audio and video presentations provided to students, an instructor shall be available during an alcohol server education course that is not an Internet-based program to answer questions from students. Subjects covered by alcohol server education courses must include:

(1) function of Alcoholic Beverage Control Board, licensing procedures, and types of licenses;

(2) server responsibilities to the employer, patron, and law;

(3) criminal and civil liability, including discussion of criminal negligence standard;

(4) effects of alcohol consumption, including

(A) effect of food on alcohol consumption;

(B) blood alcohol levels;

(C) identifying a drunken person; and

(D) fetal alcohol syndrome and fetal alcohol effect;

(5) drunken persons and intervention;

(6) underage persons;

(A) checking identification;

(B) identifying valid identification; and

(C) obtaining "statement of proof of age";

(7) state and local hours of service and cutting off service;

(8) "happy hour" laws;

(9) restaurant designation;

(10) other permits;

(11) local option provisions;

(12) warning signs;

(13) gambling, drugs, and prostitution;

(14) adulteration;

(15) penalties for licensees and their agents and employees; and

(16) sale by package stores in response to written orders.

(d) A provider of an alcohol server education course shall issue a card as described under (a) of this section to a student who successfully completes the course. Before issuing the card, the course provider shall require the student to pass a written test that demonstrates that the student understands the course subjects.

(e) A course provider may present training 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.

(f) The board will issue a certificate of approval for each alcohol server education course the board approves. Certificates of approval may not be transferred.

(g) A course provider shall

(1) maintain records of each student's participation, and completion of server training, including rural training;

(2) use, at a minimum, the course approved by the board; and

(3) make its records available to peace officers or board investigators.

(h) An organization or association that has received board approval for an alcohol server education course shall apply for board reapproval within 33 months of last board approval.

Application must be made on a form provided by the board. If application for reapproval is not approved by the board within 36 months after last board approval, training must cease. The application for reapproval must state the following for training provided since the last application:

(1) the number and names of students trained;

(2) the locations and dates of training; and

(3) the names of instructors.

(i) The board will, in its discretion, terminate approval of a course if the board determines that the course is not being presented as approved, that records are not being maintained as required, that students are being certified who have not successfully completed the course, or for other reasons in the public interest. The board will, in its discretion, make its termination of approval effective immediately, if the board determines that immediate termination is in the public interest.

(j) A provider of an alcohol server education course approved by the board under this section shall advise the board of the methods used to train and certify the instructors providing the training.

(k) The fee for a new server education course or for reapproval of a server education course is \$800. (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 \_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 04.06.090      AS 04.06.110      AS 04.21.025  
AS 04.06.100



Register \_\_\_\_\_, \_\_\_\_\_ 2019 COMMERCE, COMMUNITY, AND EC. DEV.

3 AAC 304.465 is amended to read:

**3 AAC 304.465. Alcohol server education course.** (a) While selling or serving alcoholic beverages, a person required under AS 04.21.025 to complete an alcohol server education course and the person's on-duty supervisor shall carry or have available to show a current course card or a photocopy of the card certifying completion of an approved alcohol server education course. The alcohol server education course card is effective for three years from the date of issuance during which time the person shall complete another approved course or successfully complete a written test demonstrating an understanding of the course subjects as required by AS 04.21.025(c). The card must include the name and date of birth of the card holder, the name of the course, and the date of expiration of the card. If the card does not include a photograph of the holder, the person shall also carry a valid identification under 3 AAC 304.425(b). The card or a photocopy of the card must be shown upon request of a peace officer or board representative. If the person cannot show a current card or a copy of it on file on the premises, or show a date of hire less than 30 days earlier, the person shall immediately cease selling or serving alcoholic beverages, or checking identification.

(b) State or nationally recognized organizations or associations that address the subject of responsible alcoholic beverage service may obtain approval of an alcohol server education course by making written application on forms provided by the board. The application must include the course **information** [BOOK] to be provided to students, any video or audio presentations that will be used, the written test required under (d) of this section, detailed lesson plans, and **if applicable**, a description of the qualifications of and training provided to course instructors. [THE APPLICATION MUST IDENTIFY THE COMMUNITIES WHERE THE COURSE WILL BE PRESENTED AND THE FREQUENCY OF THE PRESENTATION. THE

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APPLICANT SHALL EXPLAIN HOW RURAL PREMISES WILL BE SERVED UNDER (E) OF THIS SECTION.]

(c) In addition to written materials and audio and video presentations provided to students, an instructor shall be available during an alcohol server education course **that is not an Internet-based program** to answer questions from students. Subjects covered by alcohol server education courses must include:

(1) function of Alcoholic Beverage Control Board, licensing procedures, and types of licenses;

(2) server responsibilities to the employer, patron, and law;

(3) criminal and civil liability, including discussion of criminal negligence standard;

(4) effects of alcohol consumption, including

(A) effect of food on alcohol consumption;

(B) blood alcohol levels;

(C) identifying a drunken person; and

(D) fetal alcohol syndrome and fetal alcohol effect;

(5) drunken persons and intervention;

(6) underage persons;

(A) checking identification;

(B) identifying valid identification; and

(C) obtaining "statement of proof of age";

(7) state and local hours of service and cutting off service;

(8) "happy hour" laws;

- (9) restaurant designation;
- (10) other permits;
- (11) local option provisions;
- (12) warning signs;
- (13) gambling, drugs, and prostitution;
- (14) adulteration;
- (15) penalties for licensees and their agents and employees; and
- (16) sale by package stores in response to written orders.

(d) A provider of an alcohol server education course shall issue a card as described under (a) of this section to a student who successfully completes the course. Before issuing the card, the course provider shall require the student to pass a written test that demonstrates that the student understands the course subjects.

(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 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

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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.

(f) The board will issue a certificate of approval for each alcohol server education course the board approves. Certificates of approval may not be transferred.

(g) A course provider shall

(1) maintain records of each student's participation, and completion of server training, including rural training;

(2) use, at a minimum, the course approved by the board; and

(3) make its records available to peace officers or board investigators.

(h) An organization or association that has received board approval for an alcohol server education course shall apply for board reapproval within 33 months of last board approval.

Application must be made on a form provided by the board. If application for reapproval is not approved by the board within 36 months after last board approval, training must cease. The application for reapproval must state the following for training provided since the last application:

(1) the number and names of students trained;

(2) the locations and dates of training; and

(3) the names of instructors.

(i) The board will, in its discretion, terminate approval of a course if the board determines that the course is not being presented as approved, that records are not being

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maintained as required, that students are being certified who have not successfully completed the course, or for other reasons in the public interest. The board will, in its discretion, make its termination of approval effective immediately, if the board determines that immediate termination is in the public interest.

(j) **Repealed.** \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ [FOR THE PURPOSES OF THIS SECTION AND AS 04.21.025, A PERSON WHO, BEFORE 4/1/94, SUCCESSFULLY COMPLETED:

(1) TECHNIQUES OF ALCOHOL MANAGEMENT (ALASKA CABARET, HOTEL, RESTAURANT AND RETAILERS ASSOCIATION);

(2) TRAINING IN INTERVENTION PROCEDURES FOR SERVERS (HEALTH COMMUNICATIONS, INC.);

(3) COME OF AGE (TESORO NORTHSTAR CO.);

(4) SERVE SAFE (ALASKA PROFESSIONAL BARTENDER SCHOOL);

(5) PROVIDING ALCOHOL WITH CARE AND EMPATHY (STUART ANDERSON CATTLE CO.);

(6) RESPONSIBLE ESTABLISHMENTS ALCOHOL CONSUMPTION TRAINED SERVERS (BARTENDERS AGAINST DRUNK DRIVING); OR

(7) ALCOHOL SERVERS KNOWLEDGE (ALASKA TRAINING ACADEMY), HAS COMPLETED AN APPROVED COURSE, BUT SHALL COMPLETE A COURSE APPROVED UNDER (F) OF THIS SECTION WITHIN 36 MONTHS OF 4/1/93.]

(k) A provider of an alcohol server education course approved by the board under this section shall advise the board of the methods used to train and certify the instructors providing the training.

February 6, 2019

AMCO Board

Re: Online Server Education

I am totally opposed to this suggestion to switch to 100% online education courses. In 1984 Alaska CHARR proposed this concept of server education and it was accepted by the State. Since that time Alaska CHARR has provided this service to the industry while complying with Alaska State regulations. Alaska also has one of the highest compliance rates in the country. This does not just happen, but is a direct result of what is learned. Some of this is over time but a lot occurs because of face-to-face education in the TAP classes. This is the number one reason why this proposal is just plain BAD!

Let us take a look at why it is positive to have an in-person class setup. Something that has worked for the last 45 years for the majority of the people that have held TAP cards.

The goal is to provide the highest-quality education to those that are responsible for serving to the general public as a whole. This proposal would diminish the quality and effectiveness of the education process, because we all know that learning is much better attained with the instructor present and the interaction that can take place between them and the other students. Many of these instructors are highly-experienced industry professionals that can answer many of the questions and scenarios that are brought forth by the students, thus everyone learns many more things.

How can you verify who is really taking the test when it occurs online or that the person is not cheating? We have many individuals that receive training in another language, something that is currently not offered online. Those that do not speak English might be more likely to have someone take the class for them.

The realism that a student cannot see and feel a fake ID like they can in class and to learn by looking at an ID are the little things they need to be aware of.

Students cannot Role Play. We all know this has worked well from grade school on as a learning tool in the classroom. Some examples would be to how effectively handle a drunken person by refusing service, how to get an intoxicated person to not drive. Both of these issues are extremely important and the track record for this can always improve but the existing classroom format has worked fairly well for the last 45 years.

We would be taking away jobs from Alaskans and exporting them to outside companies that do not even step foot into our establishments.

What is to insure that the online material is updated regularly so that the education is always up to date? Alaska CHARR developed their own Education course after utilizing TAM materials for many, many years. We worked with the State and this Department to make this happen so that the Instructors could provide the best possible education to our members while following the State Statutes and Regulations.

The outcome of one of the highest Compliance Rates in the Country then speaks for itself. Why dramatically change something that is working so well!!

It has also been proposed to utilize Indian ID cards. This suggestion is just wrought with danger to itself and is just exposing the Industry and the State to additional major problems of compliance, fraud, abuse, etc.

As always I appreciate your time and commitment to the industry and I can be contacted at any time to answer further questions.

George H. Tipton  
Multiple License owner and 60+ year resident  
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Alaska Cabaret, Hotel,  
Restaurant and Retailers Association



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February 8, 2019

Alcoholic Beverage Control Board  
[amco.regs@alaska.gov](mailto:amco.regs@alaska.gov)

Re: Proposed Regulatory Changes Regarding Alcohol Server Education Courses

Dear members of the Alcoholic Beverage Control (ABC) Board:

I will divide my comments regarding the proposed changes to the alcohol server education course regulations into two categories:

**Server Education Course Review Fee**

While I agree that there should be a fee to cover the administrative costs of the Alcohol & Marijuana Control Office (AMCO) staff review of a proposed server education course, the fee should be appropriate and proportionate.

The ABC Board recently increased alcohol license application fees to \$500 per new/transfer application and \$300 per renewal application. From my 7.5 years of experience reviewing and processing alcohol license applications and working closely with the AMCO enforcement team, I can say with certainty that the administrative costs of reviewing and processing a license application far exceed those of reviewing an alcohol server education course.

I would recommend that the Board consider a \$250 fee (~6 hours of investigator pay) for a new alcohol server education course, since there is a relatively large amount of material that needs to be reviewed. \$800 is exorbitantly high – there is no logical reason why it would take a staff member 20+ hours to determine whether a proposed course meets requirements.

The reapproval fee should be minimal – maybe \$50 – as staff-review time should be insignificant. As far as I can tell, an application form for Board reapproval of an existing course (contemplated under 3 AAC 304.465(h)) does not exist. The regulatory requirements for reapproval state only minimal information (number and names of students trained, locations and dates of training, and names of instructors) must be provided on the application.

**Online Server Education**

In Ms. McConnell's December 17, 2018 memo to the Board regarding her proposal for this project, the two reasons provided for wanting to allow online server education statewide were that "no state other than Alaska prohibits or limits online server education", and that "close to 20 percent of all NOV's (notices of violation) issued to alcohol licensees are for expired or missing server education".





I have done the exhaustive research, and there are actually nine states that require in-person alcohol server training, including Colorado which allows a modified version via livestreaming.

Additionally, I reviewed every NOV brought before the Board over the past year and found that there were notices regarding alcohol server education issued for 40 people. Here is the breakdown of those:

- **8** were for people who actually **had current cards** – they were just not on the licensed premises;
- **17** were for people in locations that **already qualify for online training**, either because they meet the “rural” definition, or because a regular course is not offered within 50 miles, yet they did not take it for whatever reason; and
- 15 were for people in areas where in-person training is required.

Of those 15 people who required in-person training:

- **6** either **don’t speak English or are ESL**, and they needed to take the Korean or Spanish classes (which CHARR trainers provide but are not available online in any state); and
- **8** were chefs, administrative, or other **staff who do not check IDs or serve alcohol** and did not realize that they needed the training.

While the above figures are sufficient to justify closing this project without action, there are far more important reasons why the proposed language should not be adopted. One of the key elements of the existing alcohol server training in Alaska is the face-to-face attention an instructor offers. Examples of altered or false identification cards are passed around so that students can feel the difference. This is critical now that the new Real IDs are mandatory in our state. Questions from students on nuances of the law can be answered on the spot by highly-experienced trainers, which would no longer be available under the proposed changes.

Instructors are currently able to verify who is attending training sessions, that the students are actually going through the course materials, and that there isn’t cheating while test taking. Last night, I spent about 25 minutes taking one of the online courses linked from AMCO’s website (review Attachment A for the certificate of completion). More specifically, I quickly flipped through the course materials without reading much of anything, selecting random answers to the test questions, and pretending to be my husband (who was across town). I entered his name and an Anchorage address (which should require in-person training), and the only student identification verification was when I was asked three questions at the beginning of the test, none of which I answered correctly (Attachment B). Neither my husband nor I learned a single thing from the course because we were never forced to review the material.

While flipping quickly through the course, one of the information boxes did catch my eye (review Attachment C – black and yellow box on the right). The text in the box states that one of the mandatory warning signs a licensee is required to post on the premises must read “A person under 21 years of age who enters these premises in violation of law could, under AS 04.16.049(e), be civilly liable for damages of **\$1,000.**” The civil penalty had been increased to \$1,500 in 2010 with SB 194 (Attachment D), yet the information provided in this particular course has not been updated in the respective nine years.

Removing the requirement for in-person training for most servers would allow out-of-state large corporations to create subpar courses that meet the absolute minimum requirements set forth in



3 AAC 304.465. That would take away jobs from dozens of Alaskans and funnel Alaskan money outside of the state. More importantly, those out-of-state providers do not pay close attention to the frequently-changing Alaskan laws and regulations, much less update their course material to comply with the changes. This sets business owners and their employees up for failure and puts Alaskans at risk.

Numerous studies on alcohol server training have been conducted by public health organizations and universities around the world (Swedish National Institute of Public Health; Prevention Research Center of Berkeley, California; Georgia Institute of Technology; National Drug Research Institute of Perth, Australia). Those studies have revealed the most important reason for requiring in-person alcohol server training – learning skills through role playing. Their findings all included statements similar to this one from a peer-reviewed scientific publication written by five professors from the University of Minnesota’s Division of Epidemiology, School of Public Health:

*Managers and servers need to increase their skills and confidence in refusing service to underage and intoxicated patrons even in emotional situations such as when a patron is belligerent or when the underage customer is close to the server’s own age. Breaking down the desired behavior into smaller components and having the servers repeat and practice those components – for example, through role playing – leads to greater skill development and self-efficacy.*

While online courses are arguably more convenient than those provided in person, convenience and NOV statistics cannot be the only factors used to determine whether this proposal is in the best interests of the public – which it clearly is not. It is imperative to the welfare of Alaskans that you not adopt these proposed changes. The real goal is to provide the highest-quality education possible to those who are responsible for serving this highly-regulated substance to the public – in order to increase public health and safety – not just to improve compliance statistics.

Alaska CHARR staff members have had multiple discussions with AMCO staff over the years about ways in which alcohol server training can be administered online to students without sacrificing quality and integrity (eg: requiring ~30 minutes of roleplaying via livestream/video conference, etc.), but the draft before you does not capture any of those recommendations. If the Board is interested in pursuing more online training opportunities for servers, it should send this project entirely back to the drawing board to ensure that it be done responsibly and with high standards. I would be happy to work with AMCO staff on future drafts.

Thank you for your consideration and interest in continuing to adequately educate and protect Alaskans.

Respectfully,

A handwritten signature in green ink, appearing to read 'Sarah D. Oates', is written over a faint, light green circular watermark or background.

Sarah D. Oates  
President & CEO  
Alaska CHARR

# Certificate of Completion

This Certificate of Completion of  
**eTIPS On Premise 3.0 - Alaska**

provided by Health Communications, Inc.  
is hereby granted to:

**Wesley Canfield**

**For coursework completed on February 08, 2019**

Certification documents to be sent to:  
1503 W 31st Ave Ste 202, Anchorage, AK 99503-3682



HEALTH COMMUNICATIONS INC.



This document is not proof of TIPS certification. It signifies only that you have completed the course. Valid certification documents will be forwarded to you.

**Please answer the following questions for Alaska**

**1. What color is your vehicle?**

Purple

**2. What is your eye color?**

Brown

**3. How many brothers and/or sisters do you have?**

2

**SAVE AND CONTINUE**

Attachment B

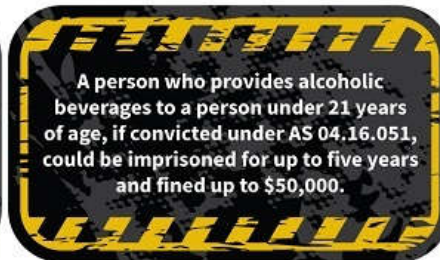


## Warning Signs

Licensed establishments authorized to sell alcohol for consumption must post within the establishments the three warning signs as shown below. Warning signs posted at your establishment must meet the following criteria:

- Size of the sign must be at least 11 inches by 14 inches, with lettering at least one-half inch high and in contrasting colors.
- Signs must be available upon request from the Alcohol and Marijuana Control Office.
- Signs must be posted wherever alcohol is served, including any special events. A peace officer may issue a citation for a violation if this requirement is not met.

Select each warning sign for more information. You must select each image and view the information before you can proceed to the next screen.



Attachment C



# LAWS OF ALASKA

2010

**Source**

HCS CSSB 194(JUD) am H

**Chapter No.**

\_\_\_\_\_

**AN ACT**

Relating to penalties and civil damages for certain alcohol violations relating to minors and persons under 21 years of age and relating to expiration of identification cards issued to persons under 21 years of age.

\_\_\_\_\_

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

THE ACT FOLLOWS ON PAGE 1

**AN ACT**

1 Relating to penalties and civil damages for certain alcohol violations relating to minors and  
2 persons under 21 years of age and relating to expiration of identification cards issued to  
3 persons under 21 years of age.

4

\_\_\_\_\_

5 **\* Section 1.** AS 04.16.049(e) is amended to read:

6 (e) A licensee may bring a civil action against a person who violates this  
7 section if the violation occurs on the premises of that licensee. If judgment is entered  
8 in favor of the licensee, the court shall award civil damages in the amount of **\$1,500**  
9 **[\$1,000]** and award reasonable costs and reasonable attorney fees allowed under the  
10 **Alaska Rules of Civil Procedure**.

11 **\* Sec. 2.** AS 04.16.065(a) is amended to read:

12 (a) A person who has attained 18 years of age, or an emancipated minor, who  
13 violates AS 04.16.060 is, in addition to any criminal penalty provided by law, liable in  
14 a civil action to the licensee for a penalty of **\$1,500** **[\$1,000]** plus costs and reasonable

1 attorney fees.

2 \* **Sec. 3.** AS 04.16.180 is amended by adding a new subsection to read:

3 (e) In addition to other penalties provided in this chapter, the court may  
4 require a person convicted of an offense under this chapter who was less than 21 years  
5 of age at the time the person committed the offense to pay for and enroll in a juvenile  
6 alcohol safety action program if one is available.

7 \* **Sec. 4.** AS 04.21.080 is amended by adding a new paragraph to read:

8 (18) "juvenile alcohol safety action program" means

9 (A) a juvenile alcohol safety action program developed and  
10 implemented or approved by the Department of Health and Social Services  
11 under AS 47.37;

12 (B) any other alcohol education or treatment program approved  
13 by the Department of Health and Social Services under AS 47.37 if a program  
14 described in (A) of this paragraph is not available in the community in which  
15 the person resides; or

16 (C) a program or counseling approved by the court if a program  
17 or treatment described in (A) of this paragraph is not available in the  
18 community where the person resides.

19 \* **Sec. 5.** AS 18.65.310 is amended by adding a new subsection to read:

20 (k) An identification card issued to a person under 21 years of age expires 90  
21 days after the person reaches 21 years of age.

22 \* **Sec. 6.** AS 28.15.183(g) is amended to read:

23 (g) Except as provided under (h) of this section, the department may not issue  
24 a new license or reissue a license to a person whose driver's license, permit, or  
25 privilege to drive has been revoked under this section unless the person, if required to  
26 participate in a juvenile alcohol safety action program, as defined in **AS 04.21.080**  
27 [AS 04.16.050], has successfully completed any education or treatment recommended.

28 \* **Sec. 7.** AS 28.15.211(g) is amended to read:

29 (g) Except as provided under AS 28.15.183(h), the department may not issue a  
30 new license or reissue a license to a person whose driver's license has been revoked  
31 under AS 04.16.050, AS 28.15.183, or 28.15.185 unless the person, if required to



1           participate in a juvenile alcohol safety action program, has successfully completed any  
2           education or treatment recommended. In this subsection, "juvenile alcohol safety  
3           action program" has the meaning given in **AS 04.21.080** [AS 04.16.050].

4       \* **Sec. 8.** AS 04.16.050(*l*)(2) is repealed.

February 6, 2019

My name is Silvia Villamides, executive director of the Alaska Hospitality Retailers representing over 450 members in the state of Alaska under “one voice”. This writing conveys our reasons as to why we support alcohol online training.

Currently, we offer our classroom alcohol training through TIPS. Since 1983, TIPS (Training for Intervention ProcedureS) has been the global leader in education and training for the responsible service, sale, and consumption of alcohol. Programs focus on preventing underage drinking, intoxication, drunk driving, and the general misuse of alcohol. Specifically, TIPS training provides the skills and confidence for servers and sellers to intervene in order to avert alcohol-related tragedies. TIPS is trained in all fifty states, the District of Columbia, and sixty other countries worldwide. In Alaska alone, there are 16 active certified TIPS trainers, and more than 25,000 TIPS-trained servers and sellers. TIPS is one of three approved AMCO alcohol server education providers. TIPS offer both online (rural areas) and classroom training throughout the state, meaning TIPS has a program in place now.

Online training will allow servers and sellers of alcohol to take the course when it is convenient for them. The flexibility of online training makes it an ideal solution for alcohol servers not only in rural areas, but also for those with busy schedules who may not be able to attend an in-person class at the time it is offered in the vicinity.

Currently, AMCO Marijuana board offers online training, and the Department of Health offers online training for employee food handlers as for the managers food certification.

Our association, makes no money from the training, we as a responsible association, simply would like to see our staff trained as it is the responsible thing to do by making all training needs convenient and accessible.

In your proposed changes to the alcohol server education course, we would like to point out two (2) items for your consideration.

1. Section (e) requires **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**. This provision is calling for a proctored exam which defeats the purpose of internet-based training. TIPS can have the student certify via an affidavit that they didn’t “receive outside help in taking the test and that no copies of the test have been kept,”. We would be opposed to requiring third-party proctoring as it isn’t necessary and there is no other state that requires this added step.
2. We encourage the ABC board to consider requiring that Internet-based providers also be required to offer an approved classroom version of the program. This proposed revision would prevent outside IT companies that have little to no expertise in the field of alcohol server training from entering the market.

On behalf of the Alaska Hospitality Retailers Board of Directors, we thank you for your consideration.

Respectfully,  
Silvia Villamides

February 8, 2019

RE: Online Server Education

Members of the AMCO Board:

I am writing today to inform you of my opposition to the suggestion that server education in Alaska be moved to an online format.

I am a life-long Alaska resident and heavily involved in the Southeast Alaska business community as a Board member for Southeast Conference, the Greater Ketchikan Chamber of Commerce, and Ketchikan CHARR. I work full-time as an Account Manager for Alaska Marine Lines, but I also enjoy working as a part-time bartender at the Sourdough Bar here in Ketchikan. Needless to say, I am a pro-business advocate and a fan of the hospitality industries.

What I have learned over time is that the public is supportive of industries that are regulated well and regulated efficiently—whether the industry be hospitality or fishing or oil and gas. Industries that self-regulate well and cooperate with government are seen even more favorably. As someone that supports business, entrepreneurship, and growth in the Alaskan economy, it seems to me that we should be supportive of procedures that encourage this sort of behavior from businesses and reduce negative externalities associated with a particular industry—whether they be real or merely public perception.

Alaska CHARR, which represents the hospitality industry, has provided server education to both members and non-members alike for many, many years; this has made the Alaskan hospitality industry, in my opinion, a shining example of the sort of self-regulation and cooperation with Alaska law that I referenced above.

Given this, it seems extremely unwise to make the switch from Alaska CHARR's hands-on, comprehensive server education classes to an online course format. I hold a TAP card, and I can tell you that without the ability to ask questions of my instructor, interact with other students in my class, touch and feel real IDs, and understand in a classroom format the gravity of my responsibilities as a bartender, I would not be able to represent the industry as well as I do when I am behind the bar. Additionally, I don't believe that an online course can be properly monitored to ensure that cheating does not occur. While online education may work for some curricula, an industry that is heavily regulated and which places individuals in a position of liability for the behavior of themselves, their customers, and their employer requires more serious treatment.

I believe that the move to online server education will degrade the quality of training provided to servers and bartenders in our state and, in turn, be the cause of mistakes and misunderstandings that will degrade public trust in the industry and tarnish public perception of food and beverage establishments.

As a pro-business advocate, believer in a diversified Alaskan economy, and cheerleader for an enjoyable quality of life for all Alaskans, I cannot support a move that would put the hospitality industry at risk in this way. It is a bad move and that would be bad for business and bad for the people of Alaska who are our customers. Period.

Sincerely,

Chelsea Goucher  
Employee, Sourdough Bar  
(907) 220-2133

1/29/2019

Dear Alcoholic Beverage Control Board members,

I am writing in response to the proposed regulation change to 04.21.025 Alcohol Server Education, which would allow on line server education from anywhere in the state.

I have been teaching the TAP class in Juneau, Alaska for the past year and a half. Also, prior to working in the alcohol industry, I was an educator in the Juneau School district for 17 years. In my experience, I have found that the most valuable instruction and learning takes place when there is a classroom setting with instructor and student interaction. I have structured the TAP class to include opportunities for students to share common experiences in pairs, small groups, and the large class setting. In addition, students are able to ask questions that arise as a result of these discussions and during the presentation of the curriculum. Typically my classes are a mixture of students who are just entering the industry, with others who have several years of experience. The classroom setting allows for the novice to learn from not only my instruction, but the expertise of their peers who have been in the industry for 3 years or more. There are many difficult situations that can arise while serving alcohol in any capacity. The classroom setting allows students to role play and practice such things as: proper techniques for checking ID's, how to identify and handle fake ID's, how to identify drunkenness, how to refuse service to a drunken person in a way that is not discriminatory, other reasons to cut off a customer, and many other common difficult situations. Furthermore, allowing the online course to be taken from anyone anywhere in the State would have a negative impact on my business as TAP instructor for the Juneau area. I have worked hard to accommodate the individuals and businesses in Juneau to offer courses on a consistent basis and frequently enough to ensure all can participate.

In my opinion, where a classroom setting TAP class is available, students should still be required to utilize that course.

Sincerely,

John Wahl

Juneau TAP Instructor

907-321-8006

ak\_cache\_2@hotmail.com



February 7, 2019

Re: Proposal for on-line alcohol education training

ABC Board:

The Landing Hotel and Restaurant would like to see the alcohol server education stay as an in-person training process rather than an on-line training process proposed. We feel this is important for the reasons listed below:

- It is impossible to verify who is actually taking the test, and whether or not that person is cheating.
- Students cannot touch and examine actual fake identification cards like they can in a class.
- Students do not get to role play – a very important component of teaching servers how to effectively refuse service to a drunken person, or how to try to dissuade an intoxicated person from operating a motor vehicle. Both of these issues are extremely important in this state, particularly when there are many powerful/influential people who may need to be cut off in an establishment. Studies show that particularly for alcohol server education, in-person training and role playing is vital to effective training on this subject matter.
- Students cannot ask questions from highly-experienced industry members/instructors like they can in class.
- Providers of strictly online courses do not ensure that the material being taught is updated with often-changing statutes and regulations.
- We have several individuals who do not understand the English language and need some assistance to understand fully what the trainer is discussing, which if on-line they are unable to do and which is done now by the in-person trainer.
- This would be taking away many jobs from Alaskans and exporting them outside Alaska – benefitting corporations.
- The primary goal here is to provide the highest-quality education to those who are responsible for serving a highly-regulated substance to the public. This proposal would decrease the quality and effectiveness of education provided to those who are in charge of making sure that alcohol is being distributed to the public in a responsible manner. This is a huge public health and safety issue.

Thank you for your time and consideration.

Linda Peters  
General Manager  
KTN CHARR Board Member

3434 Tongass Avenue  
Ketchikan, AK 99901  
907-225-5166 Fax: 907-225-6900  
landinghotel.com email: info@landinghotel.com

**From:** [Donna Luther](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Cc:** [STEVEN KANTOR](#); [George Tipton](#); [lindapeters@landinghotel.com](mailto:lindapeters@landinghotel.com); [airport.lounge@me.com](mailto:airport.lounge@me.com); [Carrie M. Hm](#); [Chelsea Goucher](#)  
**Subject:** Online Server Education  
**Date:** Friday, February 08, 2019 2:01:15 PM

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February 8, 2019

AMCO Board

Re: Online Server Education

Having been in the liquor industry for 46 years, I am a current TAPs card holder & attend the TAPs class on my renewal year.

I require all staff members to attend the 3 hour class on their renewal dates as well. Rather than simply retest. Why? Because each class offers more insight, knowledge & updates on how to responsibly serve the drinking public.

Each class, brings together in one room the experienced and unexperienced alcohol servers.

Each class, includes all current legal updates to the industry.

Each class, offers an assist to those who do not have English as their primary language. Or speak little English and can read & comprehend even less.

Each class, insures that the server training subject matter is covered in a manner that actually educates and offers a guarantee that the server / bartender can honestly pass the test required.

What I have seen over time in each class, is the positive interaction between the experienced and inexperienced servers. Questions asked and clarified in a positive informative environment. An environment that stresses, along with your hospitality skills you have a responsibility to understand the Legalities & Liabilities to your position as a server/bartender.

While online training may work for some industries I believe it is a bad move to make the TAPS training course an online course, considering the legalities & liabilities to such a heavily regulated industry.

I believe the licensee deserves to have continued confidence in the education & testing process of the employees so valuable to the success or failure of his business & safety of his customers.

I believe that attending a classroom TAP class is far more beneficial to the server/bartender & better serves the licensee. The personal interaction of attending a class offers a platform for discussion and clarification of many questions that online training simply cannot.

In 1984 Alaska CHARR, stepped up and recommended that alcohol server training be mandatory. Since that time Alaska CHARR which represents the hospitality industry, has succeeded in having the Highest Compliance Rates for the alcohol industry in the country. That is success of the highest rating.

The program is not broken, SO WHY CHANGE IT NOW.

**Let that success speak for itself, do not implement online server training.**

Donna Luther ....Manager,

Sourdough Bar & Liquor

301 Front Street

Ketchikan, Alaska

907-225-2217

sourdoughbar@hotmail.com

Sent from [Mail](#) for Windows 10



**From:** [Thomas Manning](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Server Education Program  
**Date:** Friday, February 08, 2019 2:36:21 PM

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I am writing to speak against the proposed regulation change to allow on-line server education programs. The TAP program developed by CHARR in cooperation with AMCO staff offers both a clear interactive manual explaining Alaska alcohol server regulations and law and a training opportunity that emphasizes communication with experienced alcohol professionals. Each time I have taken the training program I have benefited from the real world experiences offered from the TAP trainers and the professionals that are taking the training for recertification. An on-line training program eliminates that interaction with alcohol professionals which I believe is the most valuable part of the training program and certification process. Why weaken an important training program that stresses responsible alcohol server practices by allowing an on-line class that really just offers convenience instead of comprehensive training?

I encourage AMCO staff and Board members to support the TAP program and not allow regulation changes that would replace it with an on-line training program.

Thank you for your consideration,

Tom Manning  
Duck Creek Market  
Juneau, Ak.



February 7, 2019

Dear ABC Board,

I have some concerns with the proposed regulation that allows for online testing for state-wide alcohol server education. Specifically, online exams don't seem like the best way to test someone's knowledge on this important subject.

Any type of online exam makes it relatively easy to get the answers online or from someone else who has already taken the exam. Not to mention how do you verify that someone else isn't taking the test for the intended test-taker? It seems like it would be all too easy to sign up for a test, and then ask someone else to fill it out.

I believe Alaska does a good job of updating statutes and regulations, so, how do you ensure that these exams change often enough to keep current with the updates? Alaska based companies might not have these issues, but how do we verify that out-of-state organizations offering online exams stay in-line with our often updating laws? The last thing any employer wants to worry about is whether their employees are following current laws or not. With the system currently in place, business owners know that new employees and recertified employees have taken a class and test instructed by people who know the current regulations well. A non-Alaskan organization does not ensure that their tests keep with Alaska Law, which puts everyone at risk.

Finally, how is a test-taker supposed to handle a fake-ID or roleplay real-life scenarios in an online class? A picture or an explanation of a fake-ID is not the same as seeing it with your own eyes. It seems like it would be easier to spot a fake-ID if you've seen one before. And while a test might say "What you do in this situation?", in-person classes allow test takers to get a chance to roleplay the scenario. No employer wants an employee to freeze up when trying to refuse a drink or urging someone to take a cab. Roleplaying these scenarios provide necessary experience and training in handling these situations that answering a question online simply can't replicate.

I trust the board will reconsider the idea of allowing statewide server education to be taken online. I don't see this proposed regulation benefitting Alaskans in any way.

Thank You,

Marty Metiva  
Director of Alaska Operations  
Coming Attractions Theatres



PO Box 3910 Palmer, Ak 99645 907-830-1858 matsucharr.com matsucharr@gmail.com

Dear Alcoholic Beverage Control Board members,

I am writing in response to the proposed regulation change to 04.21.025 Alcohol Server Education, which would allow on line server education from anywhere in the state.

Through classroom training, the alcohol industry in Alaska has made great strides in the prevention of sales of alcohol to anyone underage by learning proper techniques for checking identification, how to recognize fake ID's and how to determine when someone is using someone else's ID. Instilling responsible alcohol service through classroom training has been taken to the next level by teaching alcohol sellers in package store how to prevent third party sales attempts of alcohol from underage persons who may be waiting in the parking lot for someone of age to purchase for them. Classroom training is proven to be best method for learning how to recognize the signs of drunkenness and how to deal with a drunken person who enters the premises through role playing and real life examples. Many inexperienced alcohol servers & sellers are often times nervous and unsure how to deal with someone who is attempting to purchase alcohol illegally. In a classroom setting, students are given an opportunity to share with their industry peers experiences and proven methods for dealing with what can sometimes be a difficult situation.

Best Regards,

Michele Shapiro  
Executive Director  
Mat-Su CHARR



PO Box 3910 Palmer, Ak 99645 907-830-1858 matsucharr.com matsucharr@gmail.com

Dear Alcoholic Beverage Control Board members,

I am writing in response to the proposed regulation change to 04.21.025 Alcohol Server Education, which would allow on line server education from anywhere in the state.

Through classroom training, the alcohol industry in Alaska has made great strides in the prevention of sales of alcohol to anyone underage by learning proper techniques for checking identification, how to recognize fake ID's and how to determine when someone is using someone else's ID. Instilling responsible alcohol service through classroom training has been taken to the next level by teaching alcohol sellers in package store how to prevent third party sales attempts of alcohol from underage persons who may be waiting in the parking lot for someone of age to purchase for them. Classroom training is proven to be best method for learning how to recognize the signs of drunkenness and how to deal with a drunken person who enters the premises through role playing and real life examples. Many inexperienced alcohol servers & sellers are often times nervous and unsure how to deal with someone who is attempting to purchase alcohol illegally. In a classroom setting, students are given an opportunity to share with their industry peers experiences and proven methods for dealing with what can sometimes be a difficult situation.

Through my 15 years of experience training industry members all over the state the importance of responsible alcohol sales and service, I understand that servers and sellers of alcohol benefit greatly from the highly experienced instructors who engage their students in the classroom setting.

Michele Shapiro  
Executive Director  
Mat-Su CHARR

February 7, 2019

Alcoholic Beverage Control Board  
550 W 7th Ave #1600  
Anchorage, AK 99501

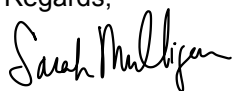
RE: Statewide Online Alcohol Server Education

I understand the board seeks to allow alcohol server education to be taken online. While I appreciate the board trying to improve accessibility, I'm in a unique position as having taught thousands of students in the TAP course and now in sales work with many of the Anchorage licensees on a daily basis. I'd like to share some of the main points from industry members that may not have the time to write a public comment regarding the proposed regulation:

1. Employers can't afford to hire someone so green that they don't know how to refuse service to someone clearly too intoxicated or how to urge someone not to drive home. In person TAP classes covers these type of scenarios with roleplaying, but online classes put everyone at risk by not adequately covering these situations. In person classes shows the gravitas of decision making in the moment for each server. I cannot tell you how many people to this day come up to me to tell me how my personal stories from working behind the bar had impacted their decisions while serving alcohol for the better.
2. Students won't be able to ask experienced industry members any questions if they are in an online class. New servers will instead ask industry members at their work, forcing employers to train new servers on subjects that should have been covered in class. Not having an experienced industry members help train students in classes shifts the burden of education solely to the employer.
3. Students won't be able to handle a fake identification card in an online class. Having people holding fake IDs and having a discussion about what to look for is one of the most valuable tools for an in person class. It also shows them the resources that are available to them and how to use it, i.e. the ID resource guide.
4. Educators and trainers are worried that they might lose their job to non-Alaskan corporations that offer an easier, "fast-track" education that teaches less.
5. Employers are worried that there is no way to guarantee that future employees didn't have someone else take the online class for them or that they didn't cheat on the test. In person courses are extremely valuable for ESL trainees- it allows the trainer to take more time to express in detail the importance of serving alcohol properly and consequences for not doing so.
6. Employers are also worried that if these online courses don't update with the often updated regulations in Alaska, that their future employees will be trained on old and incorrect regulations, putting everyone at risk.

Is the ease of access to training worth the decrease in quality and/or effectiveness of the training? I hope you take the time to review these public comments and reach out to members of the industry for their serious concerns regarding this regulation.

Regards,



Sarah Mulligan

Bargreen Ellingson Restaurant Supply & Design



Paul Thomas, President  
Alaska Cache Liquor  
156 South Franklin Street  
Juneau, Alaska 99801  
(907) 723-7717 Mobile

January 20, 2019

Comments on Open Draft Regulation Project:  
Server Education Courses

I want to voice my concerns regarding the planned attempt to weaken the current system of Server Education requirements. As an industry, and as the board with the responsibility for control of sales of alcohol beverages, all efforts should be made to achieve the highest level of training possible for servers of alcohol to the public. The idea of **Quantity over Quality** is not one that belongs in a training of such critical aspects required for alcohol service such as:

- Checking identification for age restriction and fraudulent documentation.
- Server responsibilities to patrons.
- The effects of alcohol.
- Identifying drunken persons.
- Interventions (cutting off) drunken persons.

CHARR/The Industry, has always strived for high quality server training, introducing the idea of server education courses, pushing for statewide required server education, continually updating training materials, and requiring a higher test score in order to pass the training. Many positive results have been achieved under the current system and it will only improve over time as more instructors are added while still allowing for consideration for those off the road system or more than 50 miles from a regular in-person class.

In-person training offers several advantages over on-line models, including:

- **Real-time interaction** - Just the fact that you are in a room with other industry members spurs conversation currently relevant in the industry and the geographical location where the class is being taught. Experienced servers interact with new members of the industry in these in-person class sessions, effectively exchanging information. Students can ask questions during the course while the concepts are fresh in their mind, getting immediate responses, not only from trained teachers, but also experienced servers that have seen a variety of possible scenarios. Online-training does nothing to foster this open communication and interaction. In fact, online training presents an opportunity for students to participate disingenuously; just clicking through the curriculum, instead of participating to understand, is a direct consequence of the anonymity that naturally comes with online training.
- **Role playing** - In-person instructors can use role-playing scenarios to effectively teach students how to deal with difficult situations. Stopping service to an intoxicated person, discouraging driving under the influence of alcohol, and diffusing volatile situations are all better communicated, learned, and retained with in-class models where discussion of current relevant events, role-playing, and Q&A with trained instructors and experienced peers are available. Difficult situations like cutting off elders, influential, or aggravated patrons takes real practice that can be best provided with an in-person classroom approach.
- **Hands-on identification** - Being in class enables students to handle and review fake identification and other materials that are used during discussions to prevent access to licensed premises of individuals that are either not of legal age or are legally prevented from obtaining alcohol.
- **Timely and accurate certification** - Alcohol Server cards can be received immediately upon completion of class so members can get to work that day with a laminated, numbered, verifiable card in hand. Cards are only issued to servers in the class with matching legal identification that can be verified by an accredited instructor. Online training gives an anonymity that makes it highly possible that the person that takes the test may not be the person registered. Unlike in-person classes where the teacher interacts

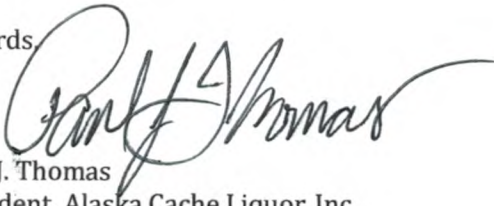
with the actual student and a matching legal ID, we will never know for sure who is sitting behind a screen. These abuses are common in online-training sessions and it is very difficult to prevent these unscrupulous acts from occurring 100% of the time. Providing a path to having untrained individuals serving alcohol is unacceptable under any circumstances and a huge liability that the board can avoid by staying with the current system.

- **Flexible curriculum** - Classes can stay more engaging and relevant as instructors draw on current state and local events in the process of presenting the required material. Instructors can also use comments from course reviews to enhance curriculum to tailor topics and discussion to provide the best educational experience possible. However, with online training it is likely that more providers will not be local and will be hosting a canned training curriculum on a server, that in a worst-case scenario may only be reviewed and updated when the material needs to be recertified every three years.

It is well proven that in-person training offers a superior learning environment to online training and there are less instances of miscommunication and misinterpretation than in virtual or online training. The advantages discussed above leaves students feeling more confident and knowledgeable on completion of their training and able to function at a higher level than an online training will ever be able to offer.

I ask the board not to be responsible for weakening a proven instruction method with decades of success by repealing existing strong standards in favor of and expansion of online server courses which will offer no advantages over the current system. The current regulation allows for the highest quality training possible to all servers regardless of location with a path for more servers to have access to high quality in-person classes in the future.

Regards

A handwritten signature in black ink, appearing to read "Paul J. Thomas". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Paul J. Thomas  
President, Alaska Cache Liquor, Inc.

---

**K&T Investments LLC, 49'er Bar & Liquor Store**

PO Box 23663  
Ketchikan, AK. 99901  
(907)617-8419  
[usspirits.ktn@gmail.com](mailto:usspirits.ktn@gmail.com)



February 2019

**AMCO Staff**

**Dept. of Commerce and Economic Development | AMCO the  
Alcohol and Marijuana Control Office**

550 W. 7<sup>th</sup> Ave. Ste. 1600 Anchorage, AK 99501 | 907.269.0350

Dear Board,

As a licensee of both on and off premise licenses I strongly disagree with the idea of removing the requirement for in person alcohol server education. As a certified Alaska CHARR TAP Instructor, I can tell you without reservation students are better prepared with in person classes. One of the most misunderstood aspects our hospitality industry is comprehending criminal & civil liability that comes with serving alcohol. Whenever I teach a class to new or even seasoned professionals the most interactive & lively discussions arrive from **Section 04.21.020 Civil liability of persons providing alcoholic beverages.**

No online course can drive home the aspects of criminal liability than shared experiences from veteran servers & license holders alike. There is no oversight in cyberspace. No one to interact with. In Ketchikan we have a concentrated population of foreign and seasonal workers that come from communities that may have no concept of "Civil Liability" these laws become even more important to break down in person.

We at CHARR have spent decades educating Alaskan servers, Legislators and consumers in responsible serving techniques. Removing the opportunity to receive this irreplaceable instruction from industry leaders is nothing short of working backwards. Ensuring a knowledgeable and responsible workforce is the best solution in the protection of our employees & licenses.

Sincerely,

**Steven M. Kantor**

**Owner, 49'er Bar & Liquor store**

**President Ketchikan CHARR**

**Alaska CHARR Certified TAP instructor.**



January 27<sup>th</sup>, 2019

Alcoholic Beverage Control Board  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501

Re: Proposed Regulation Change to Allow Statewide Online Alcohol Server Education

To Whom It May Concern,

I am writing to let you know that I oppose the proposed regulation project that would allow for online alcohol server education to be taken by workers statewide. There are many reasons why this proposed regulation project would be detrimental for the state, but I will focus on highlights from a training perspective. While online classes work for some subjects, alcohol server education is not one of those subjects. Filling out answers in a digital format does not provide the same experience as an in-person class.

For example, when taught by in a classroom setting, students have an opportunity to handle fake identification cards and compare them to real identification cards. While images may show some of the differences, being able to physically handle and examine fake and real identification cards clearly demonstrates the difference in size and thickness, as well as the holographic and other security features implemented in Alaska IDs or the tactile text in the new Real IDs. As fake identification cards become more advanced, it is important for students to have the opportunity to inspect these cards as to give them more insight into what they are searching for when trying to determine if an ID is real or not.

Another important aspect of in-person training is the ability to practice scenarios that reflect real situations. While an online test might ask the test taker how they would approach or handle a situation, the training is significantly less-effective than roll playing with other students as if experiencing the situation firsthand. Taking a class in person can provide the student with the opportunity to simulate a variety of scenarios in class. Being able to practice refusing service to an intoxicated person or convincing someone that they are not sober enough to drive will give the student invaluable experience to better handle those types of inevitable circumstances that occur in the industry.

Additionally, there are some aspects of serving alcohol that probably will not appear on any test. The benefit from an in-person class is that an experienced industry member will be there to help fill in the gaps. Not only are instructors there to deliver personal knowledge that tests simply aren't able to cover, but they also provide students opportunities to ask the instructor questions. Someone taking an online test who either wants more information/clarification on a subject would have almost no recourse, while students in a class taught by someone who has the relevant experience would be able to ask their questions and benefit from the discourse. Group learning also occurs this way: if one student asks a question that other students wouldn't have considered, the result is that all of the students learn from the answer.

Furthermore, online testing would undoubtedly cause many instructors to lose their jobs as potential servers-in-training flock towards the easier option: online exams. This would take money out of the pockets of Alaskans and place it into the hands of non-Alaskan corporations, as they take advantage of the ability to simply provide a simple online course.

In conclusion, if the goal is to provide the highest-quality training possible to those responsible for serving and distributing alcohol to the public in a safe and responsible manner, this regulation project is not the way to go.

Thank you for your consideration,

Suzanne McCarthy  
PO Box 672415  
Chugiak, AK 99567

**From:** [Leeann Thomas](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Alcohol server Education program  
**Date:** Thursday, February 07, 2019 5:06:48 PM

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Dear Alcohol Beverage Control Board,

I would like to provide comments on proposed changes of the Alcohol Server Education Courses. I feel very strongly the board should keep the state law which requires in-person training of alcohol serving classes. I understand the need for online education opportunities in the rural setting, but I do not agree with online classes in larger towns on the road system.

The State of Alaska wants all the alcohol servers in the state to have the best chance of learning our complicated laws about alcohol. One class which is less than a ½ day, every three years is not a lot of time to educate people in the first place. In-person classes allow time to cover the approved basic class, also time for servers to ask questions, and a time for discussion of what is happening locally. I have attended many classes were servers talk about the fake IDs that are going around town. This is very helpful for everyone attending the class. These discussions add to the quality of the class.

Online classes will decrease the opportunity for servers to learn. Online classes do not allow questions and answer time. They defiantly do NOT allow the chance for servers to help educated other servers about current issues in their own town. I feel online classes will increase the amount of people taking tests for others. It would be easy for a person to register any name and take the online test for the person.

We need to protect our current server education system, not decrease the quality of training our servers receive. Please keep the current in-person training of TAP class wherever possible.

Thank You,

Leeann Thomas  
251 Front Street  
Juneau, AK 99801

February 5, 2019

Alaska Alcohol and Marijuana Control Office  
550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage AK 99501

To the Alaska Alcoholic Beverage Control Board:

Health Communications, Inc., providers of the Training for Intervention Procedures (TIPS) alcohol server training program, would like to submit the following comments for the record in regards to the recently proposed regulation changes in 3 AAC 304.465 of the Alaska Administrative Code dealing with alcohol server education courses.

TIPS is the global leader in education and training for the responsible service, sale, and consumption of alcohol. Proven effective by third-party studies, TIPS is a skills-based training program designed to prevent intoxication, underage drinking, and drunk driving. Over the past 35 years, TIPS has certified more than 5 million participants. TIPS is trained in all 50 states, U.S. territories, the District of Columbia, and over 50 countries. TIPS offers unique programs for a variety of venues where alcohol is served, sold, or consumed. In Alaska alone, TIPS has certified more than 25,000 servers and sellers of alcoholic beverages and 18 TIPS Trainers.

TIPS is recommending that the following provisions of the proposed regulations be modified:

1) Section (e) requires **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.** This provision is calling for a proctored exam which defeats the purpose of internet-based training. TIPS can have the student certify via an affidavit that they didn't "receive outside help in taking the test and that no copies of the test have been kept," but we would be opposed to requiring third-party proctoring. It isn't necessary and there is no other state that requires this added step.

2) We encourage the ABC board to consider requiring that Internet-based providers also be required to offer an approved classroom version of the program. This proposed revision would prevent outside IT companies that have little to no expertise in the field of alcohol server training from entering the market. The last thing Alaska wants is poorly designed, poorly supported certification courses being offered in their state.

TIPS looks forward to working with the Board in bringing accessible online training to all of Alaska. We would like the Board to consider our knowledge, experience, and expertise in this field. When doing so, please consider our proposed solutions. We would be happy to expand on our concerns and, more importantly, continue to offer concrete solutions.

Sincerely,

Nicole M. Blossé  
Government Relations Manager, TIPS