



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development


ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

MEMORANDUM

TO: Alcohol Beverage Control

DATE: Friday, April 01, 2022

FROM:  James Hoelscher, Enforcement Supervisor

RE: Enforcement Report, Alcohol

The Alaska Police Standards Council has accredited our course for “Alcohol & Marijuana Laws for Patrol Officers”. We will be teaching our first class on April 4, 2022 to Village Public Safety Officers.

Investigator Chiesa is currently working on the material for the on-line module for training, and I anticipate that this will be completed and approved prior to the fall. This is a huge step towards having the availability of education for all Alaska law enforcement on current Alcohol & Marijuana laws.

We remain fully staffed and Investigator Chiesa has settled into his post in the Mat-Su Valley. Investigator Chiesa has recently been accepted as a member of the Professional Development Committee by the National Liquor Law Enforcement Association. This panel has 10 members appointed throughout the Country, making this an exceptional achievement.

Investigator Moses has also been adjusting to his new position with AMCO in Fairbanks. There have been no major changes for the Anchorage or Juneau based Enforcement.

AMCO Enforcement has continued to provide enforcement to both Alcohol & Marijuana industries. Sometimes this causes one industry to appear to get more “attention” than the other. Investigative assignments are however solely by scope and need.

Enforcement has continued to have staff meetings on varying topics with the goal of improvement and streamlining.

Lastly, regarding our activity that reflects our principles, we have created separate and combined graphs for each board in hopes that they are easier to understand and interpret. If there is not number associated with a specific principle, it is because we have not received a report regarding that principle. I anticipate that the more we are able to educate and build a solid line of communication with other law enforcement, these reported number will increase.

Distilled spirits in Kegs – AMCO has received complaints and multiple questions regarding distilleries packaging distilled spirit cocktails.

- One report was that a few package stores were repackaging these cocktails and allowing them for sale to customer at the growler bar. Advisories were issued and licensees were informed that 3 AAC 304.365: Package Store License Repacking only allowed for repackaging of beer and wine.
 - AMCO Enforcement has received complaints that this practice is still happening. We are currently working on an advisory to alcohol licensees to inform them that this practice was not permitted in regulation.
- We were asked if a distillery would be permitted to package the cocktails in a keg and have them available for sale direct to customers for off-site consumption. The individual was notified that this was not permitted by our regulations (determination supported by our attorney) and it also was not permitted by Federal law, specifically the authorized container sizes for distilled spirits.

Tap Trucks – AMCO has also been made aware that non-licensees were advertising and renting out “Tap Trucks”, from our research, these are generally vintage, modified trucks that have refrigerated spaces and tap hook ups, the individual renting the vehicle would have to purchase the alcohol separately, but in most cases, the owner of the “Tap Truck” would provide the service of hooking up the kegs and then it “becomes a stationary tap”.

- This individual was informed that this would be a violation of:
 - AS 04.16.090. Prohibition of bottle clubs.
 - (a) A person may not maintain a place in which alcohol beverages are received or kept, or to which alcoholic beverages are brought, for consumption by members of the public or by members of a club, corporation, or association, unless the person is authorized to do so under this title.
 - (b) A person may not maintain, operate, or lease premises for the purpose of providing, for a consideration, a place for drinking alcoholic beverages by members of the public or other persons, unless the person is authorized to do so under this title.
 - (c) For the purposes of this section, “consideration” includes but is not limited to cover charge, the sale of food, ice, mixers, or other liquids used with alcoholic beverage drinks, or the furnishing of glassware or other containers for use in the consumption of alcoholic beverages.
- They were also informed that if they were to lease their “Tap Truck” to a licensee and the licensee apply for a permit, this would be a lawful approach to utilizing their vehicle to dispense alcohol.

Tap Trucks - Example #1



Tap Trucks - Example #2

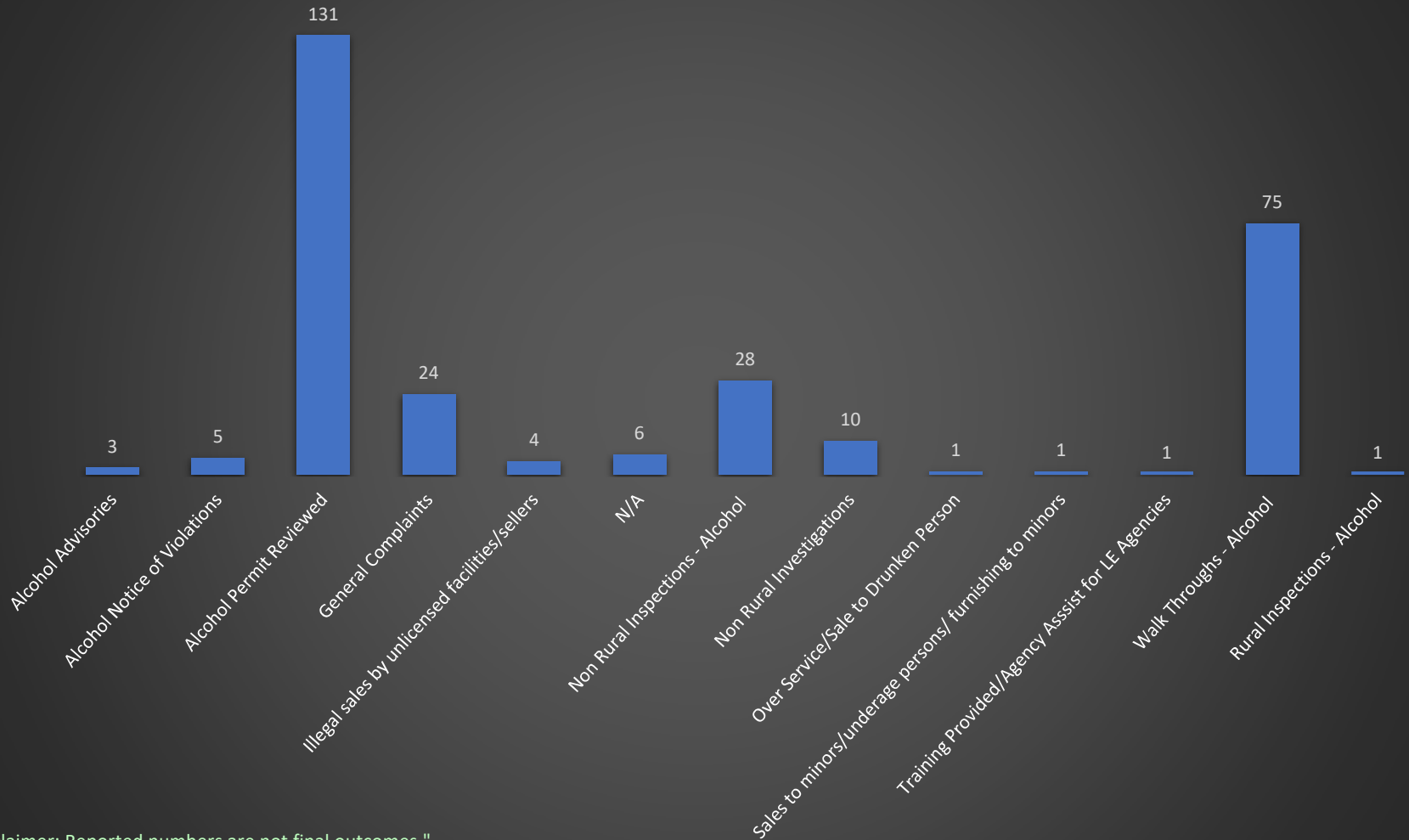


Tap Trucks - Example #3



January 1st, 2022 - March 24th, 2022

ABC Enforcement Principles

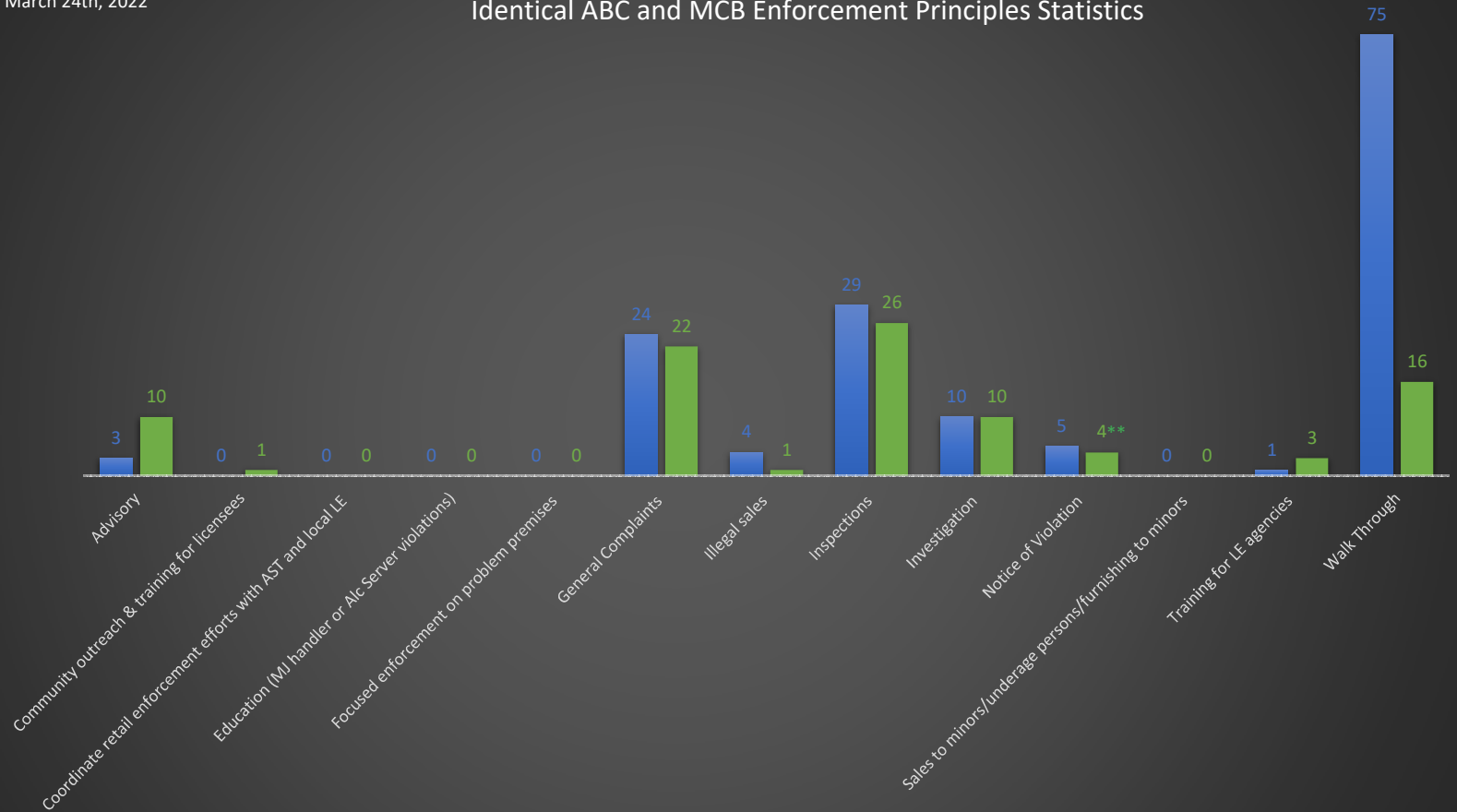


"Disclaimer: Reported numbers are not final outcomes."

January 1st, 2022 - March 24th, 2022

Identical ABC and MCB Enforcement Principles Statistics

Alcohol
Marijuana



**Tax delinquency violations is not included.

"Disclaimer: Reported numbers are not final outcomes."