



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

### MEMORANDUM

TO: Alcoholic Beverage Control Board      DATE: June 30, 2023  
FROM: Kristina Serezhenkov, Regulations Specialist      RE: Alternating Licensed Premises

At the March 2023 meeting, the board sent the draft – as amended at the meeting – out for public comment. Public comment closed June 9, 2023. It received thirteen comments.

The intent of this regulation is to expand the license types eligible to apply for alternating licensed premises.

3 AAC 304.225 is proposed to be amended as follows:

- AS 04.11.130 (brewery license), AS 04.11.140 (winery license) and AS 04.11.170 (distillery license) are added to the license types able to apply.

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

The introductory language of 3 AAC 304.225 is amended to read:

**3 AAC 304.225. Alternating licensed premises.** Upon a licensee's written request accompanied by a detailed premises diagram, the board may approve a portion of a premises licensed under AS 04.11.090 (beverage dispensary license), AS 04.11.100 (restaurant eating place license), sec. 170, ch. 8, SLA 2022 (seasonal restaurant or eating place tourism license), AS 04.11.115 (golf course license), **AS 04.11.130 (brewery license), AS 04.11.140 (winery license), AS 04.11.170 (distillery license)**, AS 04.11.180 (common carrier dispensary license), AS 04.11.210 (recreational site license), AS 04.11.225 (outdoor recreation lodge license), AS 04.11.255 (destination resort license), or AS 04.11.400(d) to alternate as a licensed or unlicensed premises under the following conditions:

...

(Eff. 12/16/2016, Register 220; am 8/17/2018, Register 227; am 4/9/2023, Register 246; am \_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

<b>Authority</b>	AS 04.06.090	<u><b>AS 04.11.130</b></u>	<u><b>AS 04.11.225</b></u>
	AS 04.06.100	<u><b>AS 04.11.140</b></u>	<u><b>AS 04.11.255</b></u>
	AS 04.11.090	<u><b>AS 04.11.170</b></u>	AS 04.11.400

**AS 04.11.100**

AS 04.11.180

**sec. 170, ch. 8, SLA 2022**

**AS 04.11.115**

**AS 04.11.210**

**From:** [Sheri Musgrave](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** RE: Alternating License #39 dba Alaska State Fair  
**Date:** Thursday, May 11, 2023 3:18:28 PM  
**Attachments:** [image001.png](#)

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You don't often get email from [sheri@alaskastatefair.org](mailto:sheri@alaskastatefair.org). [Learn why this is important](#)

Thank you so much Kristina. Your answer was so fast and your explanation was easy for me to understand! I really appreciate that.

Best,

*sheri*

sheri musgrave

[Day Vendor](#), [Facility Rental](#) and Beverage Manager  
[Alaska State Fair, Inc](#) 907-746-7173 Direct



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**From:** CED AMCO REGS (CED sponsored) <[amco.regs@alaska.gov](mailto:amco.regs@alaska.gov)>  
**Sent:** Thursday, May 11, 2023 2:22 PM  
**To:** Sheri Musgrave <[sheri@alaskastatefair.org](mailto:sheri@alaskastatefair.org)>  
**Cc:** CED AMCO REGS (CED sponsored) <[amco.regs@alaska.gov](mailto:amco.regs@alaska.gov)>  
**Subject:** RE: Alternating License #39 dba Alaska State Fair

Hello,

Thank you for reaching out with your question. As you mentioned, the grandfathered Recreational Site (**AS 04.11.210**) license held by Alaska State Fair Inc will be going away as a license type due to the Title 4 rewrite. I am happy to go over the process and timeline for this change as regards your license type.

The Recreational Site (grandfathered) license type will no longer be available to new applicants as of 1/1/2024, the date the new Title 4 is scheduled to be implemented. A holder of this license type will need to apply for a **new license** and in most cases, this will be the new Sporting Activity or Event license. In your case, you will apply for the new Fair license. **In this sense, your current license is not being ‘converted’ but expired and you are replacing it with the new Fair license.**

The Fair license is considered a ‘retail license’ and therefore **qualifies to add**

**alternating licensed premises.** When you submit the new application for a Fair license you may include the application for alternating licensed premises as well. The expectation from the AMCO office is that you will operate under your current grandfathered Recreational Site license with existing alternating licensed premises until the Fair License with alternating licenses premises is ready to issue and then move seamlessly from one license type to the other with no lapse in licensure.

The timeline for this process is addressed in the Title 4 rewrite and allows licensees, such as yourselves, some leeway to choose when you replace your Recreational Site license. Your current license, #39, renews in even years. The new Title 4, **04.09.270(f) Sporting activity or event license**, outlines how long you may take. It reads:

(f) The holder, on the day before the effective date of this section, of a recreational site license issued under former AS 04.11.210 who offered brewed beverages and wine for sale to the public for consumption on the licensed

premises may continue to offer brewed beverages and wine for sale to the public

for consumption on the premises until December 31, 2027, for a license renewing on an

odd-numbered year, or December 31, 2028, for a license renewing on an even-

numbered year, if the holder of the license is otherwise in compliance with the

requirements of this title as it read on the day before the effective date of this section.

With the above timeline defined you may apply for a Fair license and be issued one after the implementation of the new Title 4 scheduled for 1/1/2024 at any time. Once you are issued the Fair license the Recreational Site license will be expired. To move seamlessly from the Recreational Site license to the Fair license you must have your new Fair license ready to effectuate (issue) no later 12/31/2028. On 1/1/2029 Recreational Site licenses will be expired. Of course, our office recommends you not wait that long to change license types but it is your option to do so should you wish.

Please let me know if you have any additional questions.

Respectfully,

Kristina Serezhenkov  
Regulations Specialist 2  
Alcohol and Marijuana Control Office  
550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, Alaska 99501

907-269-0359

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**From:** Sheri Musgrave <[sheri@alaskastatefair.org](mailto:sheri@alaskastatefair.org)>  
**Sent:** Tuesday, May 9, 2023 11:56 AM  
**To:** Serezhenkov, Kristina R (CED) <[kristina.serezhenkov@alaska.gov](mailto:kristina.serezhenkov@alaska.gov)>  
**Subject:** Alternating License

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the content is safe.

Hi Kristina,  
The Alaska State Fair has held a recreational license with two of our venues being alternating. We have always adhered to the requirements of the alternating license. Now that we are going to be switched to the "Fair" license, will we still have the grandfathered in alternating premises? We desperately need them. For instance, Raven Hall holds many events that desire beer and wine, but it also has events like Halloween Hollow, where children are the main attendees and beer and wine cannot be served.  
Help!  
Thank you!

*sheri*  
sheri musgrave  
[Day Vendor, Facility Rental and Beverage Manager](#)  
[Alaska State Fair, Inc](#)  
A 501C3 Non Profit Corporation  
2075 Glenn Hwy  
Palmer, AK 99645  
907-746-7173 Desk  
907-745-4827 Main



## **CED AMCO REGS (CED sponsored)**

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**From:** Ben Millstein <bmill@ak.net>  
**Sent:** Thursday, May 25, 2023 2:35 PM  
**To:** CED AMCO REGS (CED sponsored)  
**Subject:** Title IV

[You don't often get email from bmill@ak.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

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Greetings,

I am writing to support the draft regulations as proposed in Articles 3, 6, and 7. I am additionally writing to support the proposed regulations allowing manufacturers to alternate premises.

Thanks,

--

Ben Millstein

Kodiak Island Brewing & Still

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.kodiakbrewery.com%2F&data=05%7C01%7CAMCO.regs%40alaska.gov%7C2aecdc6367ab4c1486be08db5d705256%7C20030bf67ad942f7927359ea83fca38%7C0%7C0%7C638206509232394766%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikh1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=DsCSplqpfrH0fROAEE3JE0V%2F49%2FpDICOenv8RBa%2FnCU%3D&reserved=0>

907\*486\*ALES (2537)

Beer is Art, and the Palate is Yours.

**From:** [Carey Fristoe](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Commenting on article 3, 6 and 7 regulations  
**Date:** Thursday, May 25, 2023 10:49:30 AM

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Hello,

I am writing to support the draft regulations as proposed in Articles 3, 6, and 7. I am additionally writing to support the proposed regulations allowing manufacturers to alternate premises

Cheers,

--

Carey Fristoe (He/Him)  
Head Brewer/Owner  
Black Spruce Brewing Company  
Black Spruce Fruit Project  
3290 Peger Rd STE B  
Fairbanks, AK 99709  
(509) 209-6621

**From:** [Gregory Haas](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Support for Title IV  
**Date:** Friday, May 26, 2023 8:51:26 AM

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Hello,

I am Greg Haas - owner of Stoney Creek BrewHouse.

I am writing to support draft regulations as proposed in Articles 3,6, and 7. I am also vehemently in support of allowing manufacturers to alternate premises.

There are a number of reasons - the most impactful is that the State should not control commercial competition. Especially when it benefits those with the power. Bar owners know their purpose is retail - so to leverage their power (over manufacturers suppresses state revenue and business growth) to diminish competitive growth is alarming with the freedoms Alaska values.

Second, Alaska is a diverse state to have commercial efforts. Allowing an alternate premise corrects the the interpretation behind "adjacent".

Please support this edits as drafted.

Greg Haas

**From:** [DSCC GKJ](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Support  
**Date:** Thursday, May 25, 2023 7:33:49 PM

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Hello,

I am writing to support the draft regulations as proposed in Articles 3, 6, and 7.

Additionally, I'm writing to support the proposed regulations allowing manufacturers to alternate premises; and for manufacturers retail license to overlap with a package store.

Cheers,

Galen Jones, P.E.  
Co-Owner / Co-Founder  
**Double Shovel Cider Co.**  
[www.doubleshovelsider.co](http://www.doubleshovelsider.co)  
c: 907-227-9849

**From:** [Grace Ridge Brewing, Inc.](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Overlapping licensed area  
**Date:** Tuesday, May 9, 2023 3:10:58 PM

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It would be very beneficial if an outdoor seating area could have overlapping licenses. For instance an REPL and a brewery retail license able to share the same outdoor seating area.

Thank you.

Sherry Stead

Grace Ridge Brewing Co

**From:** [Josh Evans](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Title IV Comments  
**Date:** Tuesday, May 30, 2023 5:01:12 PM

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You don't often get email from [josh@lat65brewing.com](mailto:josh@lat65brewing.com). [Learn why this is important](#)

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I am writing to support the draft regulations as proposed in Articles 3, 6, and 7. I am additionally writing to support the proposed regulations allowing manufacturers to alternate premises.

Cheers,  
Josh

**Head Brewer**  
**Lat 65 Brewing Co**  
**541.760.9954**

**From:** [AMCO Local Government Only \(CED sponsored\)](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** FW: NOTICE OF ABC BOARD DISCUSSION AND REQUEST FOR PUBLIC INPUT FOR PROPOSED ARTICLES IN A NEW CHAPTER OF THE ABC BOARD UNDER TITLE 3 OF AAC, ARTICLE 1, MISC FEES AND WAIVER OF OPERATIONS  
**Date:** Thursday, May 11, 2023 3:17:40 PM

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**From:** Peggy Horton <Peggy.Horton@matsugov.us>  
**Sent:** Thursday, May 11, 2023 3:11 PM  
**To:** AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>  
**Cc:** Rick Benedict <Rick.Benedict@matsugov.us>; Taunnie Boothby <Taunnie.Boothby@matsugov.us>  
**Subject:** RE: NOTICE OF ABC BOARD DISCUSSION AND REQUEST FOR PUBLIC INPUT FOR PROPOSED ARTICLES IN A NEW CHAPTER OF THE ABC BOARD UNDER TITLE 3 OF AAC, ARTICLE 1, MISC FEES AND WAIVER OF OPERATIONS

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Good Afternoon,  
Matanuska-Susitna Borough Planning Department has no comments.

Regards,

Peggy Horton  
Matanuska-Susitna Borough  
Development Services Division  
Planner II  
907-861-7862

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**From:** License Reviews <[License.Reviews@matsugov.us](mailto:License.Reviews@matsugov.us)>  
**Sent:** Thursday, May 11, 2023 3:06 PM  
**To:** Rick Benedict <[Rick.Benedict@matsugov.us](mailto:Rick.Benedict@matsugov.us)>; Peggy Horton <[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)>; Taunnie Boothby <[Taunnie.Boothby@matsugov.us](mailto:Taunnie.Boothby@matsugov.us)>  
**Subject:** FW: NOTICE OF ABC BOARD DISCUSSION AND REQUEST FOR PUBLIC INPUT FOR PROPOSED ARTICLES IN A NEW CHAPTER OF THE ABC BOARD UNDER TITLE 3 OF AAC, ARTICLE 1, MISC FEES AND WAIVER OF OPERATIONS

FYI

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**From:** CED AMCO REGS (CED sponsored) <[amco.regs@alaska.gov](mailto:amco.regs@alaska.gov)>  
**Sent:** Thursday, May 11, 2023 1:18 PM

**Cc:** AMCO Local Government Only (CED sponsored) <[amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)>; CED AMCO REGS (CED sponsored) <[amco.regs@alaska.gov](mailto:amco.regs@alaska.gov)>

**Subject:** NOTICE OF ABC BOARD DISCUSSION AND REQUEST FOR PUBLIC INPUT FOR PROPOSED ARTICLES IN A NEW CHAPTER OF THE ABC BOARD UNDER TITLE 3 OF AAC, ARTICLE 1, MISC FEES AND WAIVER OF OPERATIONS

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Dear local governments,

The Alcoholic Beverage Control Board proposes to adopt a new chapter (305) under Title 3 of the Alaska Administrative Code to implement Title 4 rewrite regulations. The Article affected by this notice is Article 1 and will address miscellaneous fees and waiver of operations. The Board will hold discussion on the second day of its May Board meeting scheduled for May 31, 2023 to discuss the development of these regulations, written comments received, and hear oral comments. The board meeting will be in Anchorage and via Zoom. Comments and questions can be submitted to [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov).

Topic: ABC Board Meeting  
Time: May 31, 2023 starting at 09:30 AM Alaska

Join Zoom Meeting

<https://amco-alaska-gov.zoom.us/j/82677929131?pwd=Q0xxUEExkbVp4NzAydmxuSU1ycVhjZz09>

Meeting ID: 826 7792 9131

Passcode: 775219

Respectfully,

Kristina Serezhenkov  
Regulations Specialist  
DCCED-Alcohol and Marijuana Control Office  
550 W. 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
907-269-0359

Respectfully,

Kristina Serezhenkov  
Regulations Specialist  
DCCED-Alcohol and Marijuana Control Office  
550 W. 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501

**From:** [Kassik's Brewery](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Articles 3,6,7  
**Date:** Thursday, May 25, 2023 9:24:46 AM

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I am writing to support the draft regulations as proposed in Articles 3, 6, and 7. I am additionally writing to support the proposed regulations allowing manufacturers to alternate premises.

Thank you  
Rick McGlasson  
Kassiks Brewery  
Kenai Alaska

**From:** [Sean Heismann](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Comments In Re Articles 3, 6, and 7  
**Date:** Thursday, May 25, 2023 9:15:33 AM

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You don't often get email from sean@insidepassagebrewing.com. [Learn why this is important](#)

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To Whom It May Concern:

I am the owner, brewmaster and license holder for Inside Passage Brewing Company d/b/a Bawden Street Brewing Company. I am writing to support the draft regulations in Articles 3, 6, and 7 as proposed.

The proposed regulations allowing manufacturers to alternate premises in particular would be of gigantic benefit to my brewery, as I could license the parking lot immediately outside my brewery/taproom during the summer for outside seating. Under the current regulatory regime, the lack of a permitting process for seasonal outdoors seating has all my customers (and employees and investors and ...) baffled: "Everywhere else can do this, why can't you?". The best I can do to address their confusion and disappointment is shrug my shoulders and mutter, "It's Alaska." The proposed regulations ameliorate this anomaly, and bring us into line with other states without sacrificing health and safety considerations.

If I can be of further assistance, feel free to contact me.

Respectfully,

Sean Heismann  
Bawden Street Brewing Company  
Inside Passage Brewing Co., LLC.  
513-324-0762 (cell)  
907-225-4722 (office)

**From:** [CED AMCO REGS \(CED sponsored\)](#)  
**To:** [Grace Ridge Brewing, Inc.](#)  
**Cc:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** RE: licensed area  
**Date:** Tuesday, May 30, 2023 4:41:03 PM

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Good afternoon,

To answer your question; the rewrite of Title 1V does allow for overlapping (stacked) licensed premises.

Please see the online notice for discussion and public input on Article 6 dealing with provisions applicable to more than one license type. You can access the notice and the draft regulations, specifically, Article 6, section 305.660

Overlapping licensed premises at the following link:

<http://notice.alaska.gov/211053>

3 AAC 305.660 Overlapping licensed premises proposes to allow:

A brewery (AS 04.09.020), winery (AS 04.09.030) or distillery (AS 04.09.040) manufacturer licensed premises may overlap with a restaurant or eating place license (AS 04.09.210) or a seasonal restaurant or eating place tourism license (AS 04.09.360).

In addition, brewery (AS 04.09.320), winery (AS 04.09.330) or distillery (AS 04.09.340) retail licensed premises may overlap with a restaurant or eating place or a seasonal restaurant or eating place tourism license as well.

Thank you,

Kristina Serezhenkov  
Regulations Specialist 2  
Alcohol and Marijuana Control Office  
550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, Alaska 99501

907-269-0359

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**From:** Grace Ridge Brewing, Inc. <graceridgebrewing@gmail.com>

**Sent:** Thursday, May 25, 2023 9:39 AM

**To:** CED AMCO REGS (CED sponsored) <amco.regs@alaska.gov>

**Subject:** licensed area

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I know throughout the bill's passage Mr Michiche kept saying this rewrite would allow stacked licenses. So can a manufacturing retail licensed property also carry a REPL license and have a shared outdoor licensed area? This would benefit everyone. . restaurants, distributors, manufactures in allowing shared licensed areas between two liquor licenses.

Example- a restaurant is on the same property as a brewery or another restaurant. If the outdoor licensed area could be shared, that would benefit both establishments. This would be good for both customers and businesses.

Grace Ridge Brewing  
Sherry Stead

**From:** [Zeb Mabie](#)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Title IV updates  
**Date:** Tuesday, May 30, 2023 4:57:21 PM

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I am writing to support the draft regulations as proposed in Articles 3, 6, and 7. I am additionally writing to support the proposed regulations allowing manufacturers to alternate premises

—

**Zeb Mabie**

Co Owner

Lat 65 Brewing Co.

150 Eagle Ave.

Fairbanks, AK 99701

Cell: 907-388-6348

<http://www.lat65brewing.com>

<https://www.facebook.com/Lat65>

<https://www.instagram.com/lat65brew>

**From:** [turnagainbrewing@gmail.com](mailto:turnagainbrewing@gmail.com)  
**To:** [CED AMCO REGS \(CED sponsored\)](#)  
**Subject:** Public Comment: Proposed amendments to 3 AAC 304.225 "Alternating licensed premises".  
**Date:** Thursday, May 25, 2023 10:36:44 AM

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We write today in support of the proposed amendments to 3 AAC 304.225 "Alternating licensed premises". Inclusion of wineries, breweries, and distilleries in the language of this regulation represents an improvement in the equitability of the permissions allowed the various types of licensees. As all license holders face limitations, costs, and restraints on space, it is only fair all be allowed the same opportunity to make the most of their space for their business and their customers.

We encourage AMCO to move forward quickly to enact this regulatory proposal as the outdoor seating season is short and our local government (Anchorage) requires a **minimum** of three weeks to process applications. Approval of this regulatory change at the regularly scheduled meeting in August means that we will not be able to benefit from this change during this summer tourist season. We ask that it be considered at a special meeting of the Board at an earlier point this summer.

Thank you for addressing this issue.

Edward & Mary Rosenzweig  
Owners  
Turnagain Brewing