THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

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Anchorage, AK 99501
Main: 907.269.0350

MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: August 10, 2023

FROM: Kristina Serezhenkov, Regulations Specialist

RE: Title 4 Rewrite and Status of Restaurant or Eating Place license issued under 04.11.400(d)

AS 04.11.400(d) currently allows for the issuance of a beverage dispensary tourism or a restaurant or eating place tourism license. The vast majority of licenses held under AS 04.11.400(d) are for beverage dispensary tourism licenses and, historically, there have been only a handful of restaurant or eating place tourism licenses issued. The rewrite of Title 4 repeals AS 04.11.400(d) effective 01/01/2024 (Sec. 164 of SB9). Title 4 allows for the continuation of the beverage dispensary tourism license but not for the continuation of the restaurant or eating place tourism license. No other conversion of the restaurant or eating place tourism license type is in the Title 4 rewrite.

Under current AS 04.11.400(d) there is one active license that exists as a restaurant or eating place tourism license. License #3794 dba Excursion Restaurant is located in the City of Gustavus. The information for this license is attached to this memo.

Our office asks the Board to consider the options for license #3794 as we move towards the implementation date of the Title 4 rewrite. One possibility is converting the existing restaurant or eating place tourism license into a restaurant or eating place license. Our office has reached out to licensee David Olney about the upcoming implementation of Title 4 and his license type. Should the Board wish to convert license #3794 to a restaurant or eating place license, Mr. Olney has indicated that he is in agreement with this type of conversion.

The population counts for Gustavus will not be affected by the proposed conversion of license #3794 to a restaurant or eating place license. Population counts allow for 1 restaurant or eating place license in the City of Gustavus. Currently, there are 2 restaurant or eating place licenses counted and it appears that license #3794 is one of them. As this license is already counted as a restaurant or eating place license there will be no change in the population counts by converting it to a restaurant or eating place license.