



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE

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MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: Friday, November 15, 2024

FROM: Joe Bankowski, Enforcement Supervisor

RE: Enforcement Report, Alcohol

AMCO Enforcement has continued to make significant progress towards increasing inspections of licensed alcohol establishments. We continue to use inspections as educational opportunities whenever possible.

The recruitment for our Criminal Justice Technician 2 vacancy closed on November 12th, 2024. We are currently reviewing applicants and plan to hold interviews within the next two weeks. I am hopeful that the successful candidate will be in place before the end of the year.

Human Resources and Classification are in the final stages of updating the minimum qualifications for the Special Investigator job class within AMCO to align with the recent regulation requiring law enforcement certification. I am also hopeful that our Special Investigator vacancy will be posted in December.

Over the last several months, multiple licensees have been issued citations for not having valid alcohol server education. The cases have been closed in the court system after conviction with no contest pleas. I am seeking guidance from the Board on how it wants to address these convictions.

AS 04.11.370 reads as follows: Suspension and revocation of licenses and permits. (a) A license, endorsement, or permit shall be suspended or revoked if the board finds (1) misrepresentation of a material fact on an application made under this title or a regulation adopted under this title; (2) continuation of the manufacture, sale, or service of alcoholic beverages by the licensee or permittee would be contrary to the best interests of the public; (3) failure on the part of the licensee to correct a defect that constitutes a violation of this title, a condition or restriction imposed by the board, a regulation adopted under this title, or other laws after receipt of notice issued by the board or its agent; (4) conviction of a licensee of a violation of this title, a regulation adopted under this title, or an ordinance adopted under AS 04.21.010;

SB 9 (as revised) added paragraph AS 04.16.180(g)(1), which defines conviction to include "conviction of a violation, a misdemeanor, and a felony[.]". SB 9 also added subsection AS 04.16.180(e), which provides

In addition to the criminal penalties specified in this title and AS 12.55, a holder of a license under this title who is convicted of a crime or offense involving the violation of a provision of this title or a regulation adopted under this title is subject to suspension or revocation of the license under this section and other administrative penalties imposed by the board. For purposes of administrative penalties under this subsection, each violation is a separate offense.