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Cc: [Oates, Sarah D \(CED\)](#); [Calder, John P \(CED\)](#); [Dinegar, Harriet C \(LAW\)](#)
Subject: Conduct of Board Meetings; Board Packets Coming Your Way Tomorrow or Thursday
Date: Tuesday, February 02, 2016 10:17:06 AM

Hello Board Members,

In preparing for the February meetings, on the ABC side we always have an agenda item for selection of the chair. Turns out that is because of this regulation:

[3 AAC 304.025. Conduct of board meetings](#) (a) The board will, at the first meeting of each calendar year, select a chairman from among its members to preside over board meetings during the ensuing year. (b) The board will meet at the call of the chairman after reasonable public notice is given. (c) For the purposes of [AS 04.06.060](#), the "whole membership" is all persons appointed and serving as members of the board. If necessary, the director shall cast a tie-breaking vote with the consent of the board executed at the beginning of the meeting. (d) The director is responsible for preparing an informative agenda for each board meeting. A copy of the agenda will be available for inspection by persons who request it.

This regulation for the ABC is part of an article of regulations called Administration. I have copied the entire article here because it is short:

[Article 1](#)
Administration

[3 AAC 304.005. Submissions to the board](#) Except as otherwise specifically provided in this chapter, applications and communications of a formal nature must be submitted in writing, upon prescribed forms as appropriate, to the board at its main office, and are not considered timely filed until received there.

[3 AAC 304.015. Staff](#) (a) The director of the board is responsible for the management of the board's offices, the administration of the board's functions and the enforcement of [AS 04](#) and this chapter. (b) The director will employ and supervise necessary clerical and investigative personnel and will prescribe their duties and authority. (c) The director will prescribe forms for application for new licenses, transfers, renewals and for permits, petitions, and other necessary documents.

[3 AAC 304.025. Conduct of board meetings](#) (a) The board will, at the first meeting of each calendar year, select a chairman from among its members to preside over board meetings during the ensuing year. (b) The board will meet at the call of the chairman after reasonable public notice is given. (c) For the purposes of [AS 04.06.060](#), the "whole membership" is all persons appointed and serving as members of the board. If necessary, the director shall cast a tie-breaking vote with the consent of the board executed at the beginning of the meeting. (d) The director is responsible for preparing an informative agenda for each board meeting. A copy of the agenda will be available for inspection by persons who request it.

3 AAC 304.035. Public comment at board meetings (a) At its public meetings, the board will receive public comment upon items of agenda business and other issues of public interest related to alcoholic beverages, including the conduct of business by licensees and the compliance by licensees and others with the statutes and regulations related to alcoholic beverages. Public comment may also be submitted to the board in writing by any person at any time. (b) The right to be heard provided for in this section does not constitute intervention in a proceeding or exhaustion of an administrative remedy.

Of course, we failed to get any similar regulations in place for the MCB. I am placing Conduct of the Board Meetings on your agenda for the board to decide when it will elect its chair. If the board chooses, it can ask to open a regulations project to get regulations in place regarding these housekeeping matters.

Thanks for reviewing this. We expect to have board packets to you by Thursday at the latest. Sarah and I are meeting with Bruce today to review the agenda.

Cynthia Franklin, Director
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