

Kevin Meyer
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
WWW.LTGOV.ALASKA.GOV




530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Amy Demboski
Department of Commerce Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: March 12, 2020

RE: Filed Permanent Regulations: Alcoholic Beverage Control Board

Alcoholic Beverage Control Board regulation re: when a petition is required under AS
04.11.460(a) and (b) (3 AAC 304.115; 3 AAC 304.615; 3 AAC 304.905(d))

Attorney General File:	2019104477
Regulation Filed:	3/12/2020
Effective Date:	4/11/2020
Print:	234, July 2020

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis
Jane Sawyer, Regulations Specialist

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF ALCOHOLIC BEVERAGE CONTROL BOARD

The attached two pages of regulations, dealing with when petition is required by AS 04.11.460(b), are certified to be a correct copy of the regulation changes that the Alcoholic Beverage Control Board adopted at its January 21, 2020 meeting, under the authority of AS 04.06.090 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Alcoholic Beverage Control Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 1-30-2020



Glen Klunkhart, Interim Director

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on

MARCH ^{KM} 12, 2020 at 2:35 P.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.



Lieutenant Governor

Effective: April 11, 2020.

Register: 234, July 2020.

cc Publisher: Existing 3 AAC 304.115(a) and (b) are unchanged.)))

by adding new subsections)

3 AAC 304.115 is amended to read:

~~(a) If required by statute or regulation, a petition is a necessary part of an application for a new license, and for renewal, transfer, or relocation of an existing license. An application submitted without the required petition is incomplete. All petitions must be on forms prescribed by the board. Petition signatures must be obtained within the 90-day period immediately preceding the submission of the application. After an application has been filed, no additional signatures may be added to the petition, and no signatures may be withdrawn.~~

~~(b) A person signing a petition relating to a license must be 21 years of age or older and must be a permanent resident of the geographical area relevant to the petition. A person may have only one permanent residence.~~

3 AAC 304.115(c) is okay. XCH 3/11/2020

(c) Municipal boundaries shall be disregarded when gathering petition signatures.

~~(d) For purposes of AS 04.11.460(a), a petition is not required for transfer of location of a license when the new location is less than one mile from the current location, except that only two transfers of the location of the license are allowed without filing a petition.~~

(e) For purposes of AS 04.11.460(b), a petition is not required for

(1) transfer of ownership of a license;

(2) transfer of location of a license when the new location is less than one mile

from the current location, except that only two transfers of the location of the license are allowed without filing a petition.

Disaffirmed. XCH 3/11/2020

cc boldface and underlining unnecessary.)))

(d) (4) When submitting a petition under AS 04.11.460, an applicant shall assist in the determination of population by submitting the following information with the application:

Repeal force not underlining unnecessary

(1) a graphic designation on a United States Geodetic Survey map with a scale of at least one inch to the mile showing the population within a circle of the applicable radius, and showing where petition signatures were obtained; and

(2) the population within the applicable area and a narrative of how the population was determined. (Eff. 11/29/81, Register 80; am 10/24/87, Register 104; am

4 / 11 / 2020, Register 234)

Authority: AS 04.06.100 AS 04.11.460

3 AAC 304.615 is repealed

3 AAC 304.615. Petitions. Repealed. (Eff. 11/29/81, Register 80; repealed 4 / 11 / 2020, Register 234)

3 AAC 304.905(d) is repealed

(d) Repealed 4 / 11 / 2020. (Eff. 4/28/84, Register 90; am 10/24/87, Register 104; am 4 / 11 / 2020, Register 234)

Authority: AS 04.06.080 AS 04.06.100 AS 04.11.460
AS 04.06.090