



MEMORANDUM

TO: The Alcoholic Beverage Control Board

DATE: August 10, 2023

FROM: Joan M. Wilson

RE: Director's Report

Introduction

This report details AMCO activities from the last regular meeting of the Alcoholic Beverage Control Board ("Board") on May 18, , 2023, to the present.

Licensing

With the licensing staff at full staff, the licensing team has been busy getting through the backlog of license applications. We will provide you updated queue information the date of the meeting. If the Board considers having a special meeting to address regulatory projects before the November meeting, it is our intent to bring the Board a delegated consent agenda as well.

Simultaneous to this effort, the licensing team has also been busy preparing for the Title 4 Rewrite. Their work has included weekly training on the Title 4 Rewrite, weekly practice sessions on complicated licensing matters that the Title 4 Rewrite will impact, participation in training for licensees, and validating the new online licensing system.

Enforcement

Chief Hoelscher and Investigator Johnson will update the Board on new developments with the Enforcement Unit. Their work has been stellar.

Title 4 Rewrite Developments

Implementation of the Title 4 Rewrite remains a primary focus of AMCO staff.

Gov2Biz Online Licensing system: AMCO is in the middle of user validating testing of phase one of the licensing program. That review will continue through August 31, 2023. Representatives from Gov2Biz are available at this coming board meeting to show the Board the new program and answer any questions you may have. I will provide the most current information on the launch date of the program at the board meeting.

Regulations: As you are aware, the Board met on July 6, 2023 to review the majority of regulations implementing the Title 4 Rewrite and unanimously agreed to submit those for public comment. By the time of the Board meeting, it is anticipated the Department of Law has completed its preliminary review and the regulations are out for public comment. I will provide the board an update of the status of the regulations at your meeting.

At this board meeting, the Board will be addressing regulations to implement regulatory exceptions to prohibited trade practices under AS 04.16.017.

Training: AMCO provides weekly training to licensees and local governments on how the Title 4 Rewrite will impact them. Training has been as follows:

Presentation to Package Stores	June 7, 2023:
Presentation to Beverage Dispensary and Beverage Dispensary Tourism Licensees	June 14, 2023:
Presentation to Restaurant or Eating Place Licensees	June 21, 2023
Presentation on Endorsements	July 12, 2023
Presentation to Manufacturers on Manufacturer and Retail License Options	July 19, 2023
A Presentation to Common Carriers	July 26, 2023
Moving From Restaurant Designation Permits to REPLS and Restaurant Endorsements	August 7, 2023

Following the Board meeting, AMCO will offer the following subject-matter trainings:

Moving from Recreational Site Licenses to Sporting Activity or Event Licenses	September 6, 2023
Exceptions to Trade Practices Prohibitions	September 13, 2023

Local Government Education and Outreach included the following:

- **Title 4 Rewrite:**

City of Valdez	6/1/23
Ketchikan Gateway Borough	6/14/23
City of Craig	6/12/23
Municipality of Anchorage	6/15/23
City of Ketchikan	6/21/23
City and Borough of Sitka	6/30/23
City of Palmer	7/5/23
City and Borough of Juneau	7/12/23
City of Seward	7/13/23
City of Fairbanks	7/6/23 (2 nd meeting)

AMCO will also offer trainings on the new licensing system. Dates are still to be scheduled.

Potential Regulatory Projects

An issue has arisen with our recruitment of Special Investigator 1's that could be remediated by a regulatory project. As you are aware, under AS 04.06.110:

The director and the persons employed for the administration and enforcement of Title 4 may, with the concurrence of the commissioner of public safety, exercise the powers of peace officers when those powers are specifically granted by the board. Powers granted by the board under this section may be exercised only when necessary for the enforcement of criminally punishable provisions of this title, regulations of the board, and other criminally punishable laws and regulations.

This Board has granted each of its investigators the powers of peace officers. The commissioner of public safety has concurred. Because of the nature of these positions, including the authorized carrying of firearms, AMCO has always required that candidates for these positions must meet Alaska Police Standards Council ("APSC") requirements for certification as a police officer and be subject to a psychological examination as a condition of hire.

The Department of Administration Classification Unit is now – for the first time -- instructing AMCO that it cannot require these as a conditions of hire, unless “required by state or federal law or regulation to perform the duties prescribed.” The Department of Administration asserts that absent an express requirement, we cannot require it of our candidates, even though we need investigators to enforce the criminally punishable provisions of AS 04 and carry firearms. We are requesting a regulatory project to require both APSC certification and psychological examination as a condition of employment.

Conclusion and Next Meeting

The next regularly scheduled meeting of the ABC Board is November 13 and 14, in Sitka, Alaska. We expect a portion of this time will need to address remaining regulatory updates for the Title 4 Rewrite. The Board may also require a special meeting to respond to public comment on exceptions to trade practices prohibitions. If needed, that meeting will be at the call of the Chair.





THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce,
Community, and Economic
Development

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MEMORANDUM

TO: Deputy Director, Brandon Spanos,
Tax Division

DATE: August 14, 2023

THRU: Director Joan Wilson

RE: Refund of liquor license fees
to Municipalities under AS 04.11.610
for Period 01/01/2023 – 6/30/2023

FROM: Administrative Officer Maya Ali

A detailed liquor license fee report is enclosed for issuance of warrants to certain cities. Cities to which refunds should be made are identified below with the amounts due listed:

City	Total
Anchorage, Muni. of	\$ 108,400.00
Cordova	\$ 4,000.00
Fairbanks	\$ 83,400.00
Haines	\$ 11,200.00
Juneau	\$ 53,775.00
Kenai	\$ 16,950.00
Ketchikan	\$ 38,600.00
King Cove	\$ 1,500.00
Kodiak	\$ 6,500.00
Nome	\$ 2,000.00
North Pole	\$ 600.00
Palmer	\$ 14,100.00
Petersburg	\$ 1,500.00
Sitka	\$ 25,450.00
Skagway	\$ 12,650.00
Soldotna	\$ 800.00
Unalaska	\$ 3,700.00
Valdez	\$ 9,600.00
Wasilla	\$ 8,550.00
Wrangell	\$ 4,000.00
Yakutat	\$ 4,000.00
Grand Total	\$ 411,275.00

A list of fees collected will be provided shortly to provide a control total for comparison with a warrant list. Please provide the ABC Board with a listing or warrant register for our review and file.

If you have any questions, please call.

