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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Sara Chambers, Department of Commerce, Community and Economic Development

**FROM:** April Simpson, Office of the Lieutenant Governor   
465.4081

**DATE:** May 14, 2024

**RE:** Filed Permanent Regulations: Alcoholic Beverage Control Board

Alcoholic Beverage Control Board regulations re: Special Investigator Hiring Standards  
(3 AAC 305.025)

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Attorney General File:	2023200567
Regulation Filed:	5/14/2024
Effective Date:	6/13/2024
Print:	250, July 2024

cc with enclosures: Colleen Bailey, Department of Law  
Judy Herndon, LexisNexis  
Jane P. Sawyer, Regulations Specialist  
Kristina Serezhenkov, Regulations Specialist



THE STATE  
*of* ALASKA  
GOVERNOR MIKE DUNLEAVY

## Department of Law

CIVIL DIVISION

P.O. Box 110300  
Juneau, Alaska 99811  
Main: 907.465.3600  
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May 13, 2024

The Honorable Nancy Dahlstrom  
Lieutenant Governor  
State of Alaska  
P.O. Box 110015  
Juneau, AK 99811-0015

Re: *3 AAC 305.025: ABC Board: Special Investigator Hiring Standards*  
Our file: 2023200567

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Alcoholic Beverage Control Board against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Alcoholic Beverage Control Board after the close of the public comment period.

The regulations establish standards for the board's executive director to hire special investigators.

The February 7, 2024 public notice and the April 25, 2024 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR  
ATTORNEY GENERAL

By: Rebecca C. Polizzotto  
Rebecca C. Polizzotto  
Chief Assistant Attorney General  
Legislation, Regulations, and  
Legislative Research Section

Digitally signed by  
Rebecca C. Polizzotto  
Date: 2024.05.13  
12:18:15 -08'00'

RCP/SCW

CC w/enclosure: Kristina Serezhenkov, Regulations Specialist  
Department of Commerce, Community and Economic Development

Kevin Higgins, Assistant Attorney General  
Department of Law

Steven C. Weaver, Assistant Attorney General  
Department of Law

APPENDIX J: Certification Order

ORDER CERTIFYING THE CHANGES TO  
REGULATIONS OF ALCOHOLIC BEVERAGE CONTROL BOARD


The attached one page of regulations, dealing with the of changes to 3 AAC 305, regarding special investigator hiring standards, are certified to be a correct copy of the regulation changes that the Alcoholic Beverage Control Board adopted at its April 16, 2024, 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.

On the record, in considering public comments, 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 30<sup>th</sup> day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 4/25/2024 \_\_\_\_\_


  
\_\_\_\_\_  
Joan M. Wilson, Director

FILING CERTIFICATION

 for

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

May 14, 2024 at 2:58 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
for Lieutenant Governor Nancy Dahlstrom

Effective: June 13, 2024.

Register: 250, July 2024.

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:**

**April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.**



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM  
LIEUTENANT GOVERNOR**

Register 250, July 2024 COMMERCE, COMMUNITY, AND EC. DEV.

The section heading for 3 AAC 305.025 is changed to read:

**Duties of director** [CONDUCT OF OFFICE].

3 AAC 305.025(b) is amended to read:

(b) The director **shall** [WILL] employ and supervise necessary administrative, professional, paraprofessional, and investigative personnel and **shall** [WILL] prescribe **their** [THAT PERSON'S] duties and authority. **The director may employ a person to a position with the special investigator job classification only if the person**

**(1) possesses a certificate issued by the Alaska Police Standards Council demonstrating that the person meets the standards for appointment as a police officer under AS 18.65.240;**

**(2) provides evidence satisfactory to the director that**

**(A) the person meets the standards of another state or a federal jurisdiction for appointment as a police officer; and**

**(B) the standards of the state or federal jurisdiction are equivalent to the standards required for issuance of a certificate by the Alaska Police Standards Council under AS 18.65.240; or**

**(3) is eligible for appointment as a police officer through reciprocity in accordance with 13 AAC 85.060.**

(Eff. 1/1/2024, Register 248; am 6 / 13 / 2024, Register 250)

**Authority:** AS 04.06.005            AS 04.06.080            AS 04.06.100  
**AS 04.06.075**            **AS 04.06.090**            **AS 04.06.110**