

COMMITTEE REPORT

2/5

HOUSE

6/4/81

FURTHER FINANCE

(5)

Date: _____

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had SSHB 574

"An Act relating to the hours of the day during which persons may be present or alcoholic beverages sold or consumed on licensed premises."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Terry Martis
Terry Martis

MEMBERS HAVING
OTHER RECOMMENDATIONS:

J. Smith - No Rec.

Terry Martis
 CHAIRMAN

asper

Introduced: 6/4/81
Referred: Health, Education &
Social Services and Finance

BY THE RULES COMMITTEE
BY REQUEST (for the Task
Force on Violent Crime)

1 IN THE HOUSE

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 574
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - FIRST SESSION
5 A BILL

6 For an Act entitled: "An Act relating to the hours of the day during which
7 persons may be present or alcoholic beverages sold or
8 consumed on licensed premises."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 04.16.010(a) is amended to read:

11 (a) A person may not sell, offer for sale, give, furnish, deliver
12 or consume an alcoholic beverage on premises licensed under this title
13 between the hours of

14 (1) 2:00 a.m. and 10:00 a.m. Monday through Friday; or

15 (2) 5:00 a.m. and 10:00 a.m. Saturday, Sunday, and legal

16 holidays listed in AS 44.12.010 [5:00 A.M. AND 8:00 A.M. EACH DAY].

17 * Sec. 2. AS 04.16.010(b) is amended to read:

18 (b) A licensee, his agent, or employee may not permit a person to
19 consume alcoholic beverages on the licensed premises between the hours
20 of

21 (1) 2:00 a.m. and 10:00 a.m. Monday through Friday; or

22 (2) 5:00 a.m. and 10:00 a.m. Saturday, Sunday, and legal

23 holidays listed in AS 44.12.010 [5:00 A.M. AND 8:00 A.M. EACH DAY].

24 * Sec. 3. AS 04.16.010(c) is amended to read:

25 (c) A licensee, his agent, or employee may not permit a person to
26 and a person may not enter premises licensed under this title between
27 the hours of (1) 2:00 a.m. and 10:00 a.m. Monday through Friday; or
28 (2) 5:00 a.m. and 10:00 a.m. Saturday, Sunday, and legal holidays
29 listed in AS 44.12.010 [5:00 A.M. AND 8:00 A.M. EACH DAY]. This subsec-

1 tion does not apply to common carriers, as defined in AS 42.10.420(2),
2 or to an employee of the licensee who is on the premises to prepare for
3 the next day's business or to persons remaining on the premises of a
4 restaurant or eating place licensed under this title to consume food or
5 nonalcoholic beverages.
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ALASKA STATE LEGISLATURE

TWELFTH. Legislature FIRST.. Session

SPONSOR SUBSTITUTE
HOUSE BILL..... NO. 574..

By THE RULES COMMITTEE.....
BY REQUEST

"An Act relating to the hours of the day during which persons may be present or alcoholic beverages sold or consumed on licensed premises."

Hours/alcoholic bev. sold or consumed/licensed premises

Introduced in the House6/4....., 19...81

HISTORY IN THE HOUSE

19	81	Read first time and referred to Committee on										
June	4	HESS and Finance										
		Reported back with recommendation that										
		Read second time and										
		Read third time and										
		<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date											
Yeas	Yeas											
Nays	Nays											
Absent	Absent											
Excused	Excused											
		Reconsideration										
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PASS	Effective Date											
Yeas	Yeas											
Nays	Nays											
Absent	Absent											
Excused	Excused											
		Reported correctly engrossed										
		Signed by Speaker										
		Sent to Senate										
CHIEF CLERK OF THE HOUSE												

HISTORY IN THE SENATE

19		Read first time and referred to Committee on										
		Reported back with recommendation that										
		Read second time and										
		Read third time and										
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Nays	Nays											
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Excused	Excused											
		Reported correctly engrossed										
		Signed by President										
		Returned to House										
SECRETARY OF THE SENATE												

HISTORY IN THE HOUSE

19		Received from Senate
		Concurred in Senate amendment thus adopting: VOTE
		Failed to concur in Senate amendment; asked Senate to recede VOTE
		Senate receded from amendment VOTE
		Senate failed to recede from amendment VOTE
		CC appointed by House
		CC appointed by Senate
		CC adopted by House VOTE
		CC adopted by Senate VOTE
		To enrolling Reported correctly enrolled Sent to Governor by Governor
		Filed with Lt. Governor
		Chapter No.

Introduced: 6/4/81
Referred: Health, Education &
Social Services and Finance

BY THE RULES COMMITTEE
BY REQUEST (for the Task
Force on Violent Crime)

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Rural Alaska Community Action Program, Inc.

April 1, 1982

Dear Friends:

Enclosed is a summary of the Village Participation Conference held in Juneau March 30 through April 2nd. This conference is sponsored by the Bureau of Indian Affairs, Area Office, and RurAL CAP. The 68 delegates attending this conference were selected based on their residency in a Village and involvement in Village affairs. The VPC was structured with three major components:

- I. Guest speakers and Civics
- II. Delegates workshops
- III. Delegates presentation of their work plans

The guest speakers included John Schaeffer, President of NANA Corporation, who discussed the importance and realities of people solving their own problems. He outlined a program that places emphasis on individual and community values rather than money as the solution to all Village problems.

The Civics presentors provided information about laws pertaining to IRA councils, traditional councils and a historical perspective of aboriginal rights questions in Alaska. The Legislative Affairs office also discussed the process for making laws and State Elections explained reapportionment and Village Voter Registration. Alaska Legal Services talked with delegates about resolution preparation.

The Delegates had the opportunity to meet in Anchorage in early February to discuss their life in the Villages. During that workshop they identified the positive things about Village life and concerns they have. These concerns fall generally into five major categories: Education, Subsistence, Energy, Health and Safety, and Alcohol/Drug Abuse.

The entire second day of the Village Participation Conference, delegates worked in small groups discussing the issues and designing workplans. Delegates outlined within the workplan what Villages can do to solve each respective issue and what action the State may need to take.

The third day of the Conference provides a forum for the delegates to present their workplans to various State agency representatives and elected officials. This session also allows those attending to ask questions and exchange perspectives about the issue and the proposed solutions.

We appreciate your interest in this Conference and your continued support for the development of reasonable State plans and policies that affect people living in rural Alaska.

Sincerely,

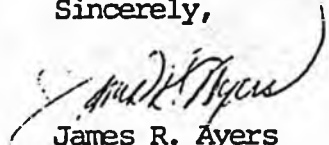

James R. Ayers
Executive Director

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ALCOHOL/DRUG ABUSE WORKSHOP

STATEMENT OF THE ISSUE: The alcohol/drug abuse workshop committee recognizes that alcohol and drug abuse remains as Alaska's number one public health problem and that it continues to be rampant throughout the State. However, as a result of the work done over the years by concerned citizens throughout Alaska, the Legislature and the Governor of this State, we are now seeing a positive tone in the message that many of the delegates have brought to this conference.

Since the passage of legislation amending Title 4 of the Alaska Statutes in 1980 and 1981, local option elections have taken place in over 20 communities and dramatic decreases in alcohol-related crime and accidents have taken place. Other communities around the State are presently contemplating holding elections to exercise local determination on the issue of importation and sale of alcohol. We commend local initiatives to that end.

WORKSHOP STRUCTURE: (1) Review Anchorage Village Participation Workshop.
(2) Discuss additional issues. (3) Consolidation of recommendations.

WORKSHOP OVERVIEW: Commend Legislature and Governor for enacting workable, usable local option legislation. Support passage of HB 112 (SB 71): authorizes an advisory vote at the November general election on whether to raise the legal drinking age to 21. Support passage of HB 574 (HB 117, SB 117): shorten hours for sale of alcoholic beverages. Support funding of alcohol/drug programs as proposed in HB 666. Support passage of SB 833, requiring that individuals be licensed to buy alcoholic beverages.

PROBLEM STATEMENT	SOLUTIONS	WHO WILL DO WHAT?		Resolution Attached ?	
		What Will Village Do	What Will State Do	Yes	No
(1) Negative Community Attitudes	.Encourage community to stop tolerating abuse of alcohol and drugs .Honor local culture .Involve elders in government, activities	.Involve whole community. Praise positive actions, overlook negative ones if people aren't harmed. Recognize local expertise. Get action from council, volunteers. Treat one another with respect. .Develop appropriate local programs, speeches .Publicize specifics, activities of Native leaders. Find out how decisions were made and carried out in the old days.	.Health corporations, TV, radio, press publicize community activities. .encourage use of state satellite network. All above work with villages to develop appropriate media. State and other statewide bodies assist in collecting and sharing information.		
(2) Drinking out of Control	Change village laws .Local option election .Other local laws - emergency ordinance - use protective custody	Go through correct procedure; hold election .Enforce law with local public safety staff Pass own ordinances, use state law	Provide assistance through Office of Elections. Provide technical assistance, funding for facilities	X	
(3) Inadequate law enforcement .Bootlegging	.Even if no local option election has been held, local airlines will sometimes agree not to transport liquor. .Sometimes local police become	Village council requests airline to stop transport .Council support police.			

PROBLEM STATEMENT	SOLUTIONS	WHO WILL DO WHAT?		Resolution Attached ?	
		What Will Village Do	What Will State Do	Yes	No
(3) Continued	involved in bootlegging or are afraid to act.	If police involved in drinking or bootlegging, council disciplines or dismisses.			
		Community backs up council, or elects new members.			
.Don't know laws	.Get education on what laws are, how they can be enforced.	.Community members get training, train others, some funding or in-kind.	.State or other trainers, funding.		
.Local police not well trained.	.Get better training - VPSO, other.	.Provide and support good candidates for training.	.Provide appropriate training and continuing support.		
(4) Alcohol/drug abuse major public health problem.	.Local Native counselor/educators.	Select and support with strong health council.	State funds, trains, provides oversight, coordination through regional non-profit corporations.		
	."Here's Looking At You" in all schools, starting as young as possible	Insist that REAA provide; community school advisory committees monitor every year; get local people involved in classroom.	Provide school with funds for equipment, provide trainers, provide training to community members.		
	.Emphasis on cultural values.	School Boards, Johnson O'Malley support.	State, Federal funding Provide for Board training.		

PROBLEM STATEMENT	SOLUTIONS	WHO WILL DO WHAT?		Resolution Attached ?	
		What Will Village Do	What Will State Do	Yes	No
(5) Reduction in funding: CETA, IHS, BIA, State.	Support full funding for alcohol/ drug programs, as proposed in the Governor's budget.	Recommend to legislators that proposed budget be passed.	Pass full funding.	X	
	Support passage of HB 838, increasing tax on alcohol.	Recommend to legislators that tax bill be passed; Send letters, telegrams.	Pass tax bill	X	
	Support reinstatement of IHS funding for Mt. Edgecumbe treatment unit and other programs cut out.	Send letters, telegrams to federal authorities.	Restore funding.	X	
	Consider using revenue-sharing funds to make up shortfall.	Plan to use some funds for drug/alcohol pro- grams.	Authorize sufficient funds.		
	Consider holding local option election. Decrease in crime, accidents may cut down on costs of local government.	See above.			

Rural Alaska Community Action Program, Inc.

RESOLUTION #82 - 1

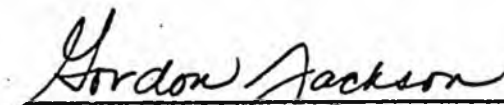
ENTITLED: EXPRESSING APPRECIATION TO GOVERNOR HAMMOND AND THE
STATE LEGISLATURE

WHEREAS, the Village Participation Conference wishes to thank Governor Hammond and the State Legislature for passing legislation amending Title 4 to make local option elections possible; and

WHEREAS, in the past nine months over twenty villages have held such elections, many of these villages have seen a dramatic decrease in crime and accidents since their ban on sale and importation took effect,

NOW, THEREFORE BE IT RESOLVED that the Village Participation Conference hereby extends appreciation for providing the mechanism for us to make and enforce our own decisions on the local level.

ADOPTED this date, April 1, 1982, at the Village Participation Conference, Juneau, Alaska.



Gordon Jackson, Chairman
Rural CAP Board



James R. Ayers
Executive Director

Rural Alaska Community Action Program, Inc.

RESOLUTION #82 - 2

ENTITLED: IN SUPPORT OF FULL FUNDING FOR ALCOHOLISM/DRUG ABUSE PROGRAMS

WHEREAS, abuse of alcohol and other drugs is Alaska's number one public health problem; and

WHEREAS, substantial funding for community prevention, education and treatment programs was appropriated in 1980; and

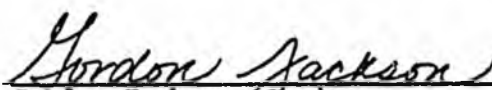
WHEREAS, the first two years of increased funding have enabled rural programs to make substantial progress in local control of use and abuse of alcohol and other drugs; and

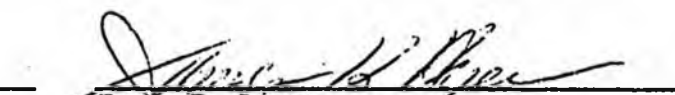
WHEREAS, it was planned that increased funding would be provided over a five-year period, if possible, so as to measure change over a reasonable period of time; and

WHEREAS, one result of a projected decrease in state revenues could be severe cuts in social service funding, including alcohol and drug abuse,

NOW, THEREFORE BE IT RESOLVED, that the Village Participation Conference support continued full funding for the five-year period originally proposed.

ADOPTED this date, April 1, 1982, at the Village Participation Conference, Juneau, Alaska.


Gordon Jackson, Chairman
Rural CAP Board


James R. Ayers
Executive Director

Rural Alaska Community Action Program, Inc.

RESOLUTION #82 - 3

ENTITLED: IN SUPPORT OF INCREASING THE TAX ON BEVERAGE ALCOHOL

WHEREAS, abuse of alcohol is Alaska's number one public health problem;
and

WHEREAS, one way to reduce alcohol abuse is to make alcohol less
available, for example by increasing its cost; and

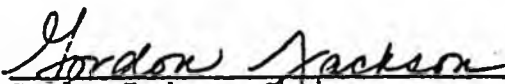
WHEREAS, State revenues for this and subsequent years are expected to
decline; and


WHEREAS, it has been twenty years since the last tax increase on beverage
alcohol; and

WHEREAS, House Bill 838, proposing an increase in the tax on beverage
alcohol, is presently being considered by members of the Alaska State Legislature,

NOW, THEREFORE BE IT RESOLVED, that the Village Participation Conference
support passage of HB 838.

ADOPTED this date, April 1, 1982, at the Village Participation Conference,
Juneau, Alaska.


Gordon Jackson, chairman
Rural CAP Board


James R. Ayers
Executive Director

Rural Alaska Community Action Program, Inc.

RESOLUTION #82 - 4

ENTITLED: TO SUPPORT RESTORATION OF FUNDING FOR INDIAN HEALTH SERVICE
ALCOHOLISM PROGRAMS

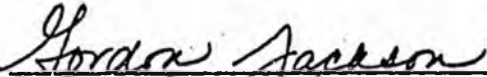
WHEREAS, substantial cuts in Indian Health Service funding have been predicted for the coming fiscal year; and

WHEREAS, such cuts in funding will mean the end of such programs as Community Health Representatives and the Mt. Edgecumbe Alcoholism Treatment Center; and

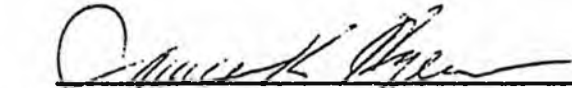
WHEREAS, alcoholism continues to be the number one health problem in the State, and cuts in these programs will have an adverse impact on already overcrowded and underserved areas,

NOW, THEREFORE BE IT RESOLVED, that the Village Participation Conference hereby supports restoration of Federal funding, with additional legislative funding if necessary, to continue the above-mentioned and other programs for treatment of alcoholism and other drug abuse.

ADOPTED this date, April 1, 1982, at the Village Participation Conference, Juneau, Alaska.



Gordon Jackson, Chairman
Rural CAP Board



James R. Ayers
Executive Director

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

SSHB 574

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SSHB 574
Title Relating to hours of sale & consumption of alcoholic beverages on licensed premises
Requested by House Education & Social Services Committee Date _____

II. FISCAL DETAIL

Agency Affected Revenue
Program Category Affected Consumer Protection
BRU, Program, or Subprogram(s) Affected Alcoholic Beverage Control Board
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Enactment of this legislation will not have any impact on this BRU

COMMENT: Page 2, line 4 - Suggest deleting "restaurant or eating place" and inserting "bona fide restaurant." This makes the provision consistent with 1981 legislation enacted in Chapter 28, 1981 SLA (copy attached).

IV. DATE December 21, 1981

PREPARED BY Patrick L. Sharrock
AGENCY Alcoholic Beverage Control Board
PHONE 277-8638

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Chapter 28

1 the board may issue a license under this title which will be effective
2 for a continuous six-month period. Otherwise, all licenses issued under
3 this title other than a retail stock sale license are effective for the
4 calendar year ending December 31, unless a shorter period is prescribed
5 by the board or by law.

6 * Sec. 14. AS 04.16.010(c) is amended to read:

7 (c) A licensee, his agent, or employee may not permit a person to
8 enter and a person may not enter premises licensed under this title
9 between the hours of 5:00 a.m. and 8:00 a.m. each day. This subsection
10 does not apply to common carriers, as defined in AS 42.10.420(2), or to
11 an employee of the licensee who is on the premises to prepare for the
12 next day's business. A person may enter or remain [OR TO PERSONS
13 REMAINING] on the premises of a bona fide restaurant or eating place
14 licensed under this title to consume food or nonalcoholic beverages.

15 * Sec. 15. AS 04.16.020(a) is amended to read:

16 (a) A person may not pay or receive from another a salary, per-
17 centage or commission to solicit or encourage a patron of licensed
18 premises to purchase alcoholic or other beverages for [CONSUMPTION BY]
19 a person other than the patron.

20 * Sec. 16. AS 04.16.049(a)(2) is amended to read:

21 (2) accompanied by a person over the age of 19 years and
22 with the consent of the person's parent or guardian if the premises are
23 designated by the board [LICENSED] as a restaurant for the purposes of
24 this section [OR EATING PLACE] and the persons enter and remain only
25 for dining.

26 * Sec. 17. AS 04.16.210 is amended to read:

27 Sec. 04.16.210. PENALTY FOR MAKING FALSE STATEMENT. If a false
28 statement is made in an application under AS 04.11.260 - 04.11.290
29 [AS 04.11.260], the applicant is guilty of perjury and, upon conviction,

POSITION PAPER

HOUSE BILL 574

"An Act relating to the hours of the day during which patrons may be present or alcohol sold or consumed on licensed premises".

The Department of Health and Social Services is highly supportive of a reduction in hours that licensed premises may legally be open.

Presently it is legal for licensed premises to sell alcohol twenty-four hours a day in Nevada and Louisiana. With the exception of these two states Alaska currently has more legal hours of sale than any of the remaining forty-seven states. Further limitation on hours of sale may result in some lowering of per capita consumption, alcohol related human and social costs, and some modification of attitude concerning the wide open acceptability of drinking in Alaska.

The City and Borough of Juneau, by local election, reduced licensed premise sales by fifteen hours per week in September, 1979. According to reports by police and social agencies alcohol related offenses such as OMVI, liquor law violations, minors consuming, disorderly conduct, and assault decreased when the earlier closing hours became effective.

Similar decreases are being reported in Anchorage where licensed premises hours recently were reduced.

The Office of Alcoholism and Drug Abuse would be pleased to provide additional information on this bill.

Recommended by:

Robert L. Cole

Robert L. Cole
Coordinator
Office of Alcoholism/
Drug Abuse

Date:

2/1/82

Approved by:

Helen D. Beirne

Helen D. Beirne
Commissioner

Date:

2-1-82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 574

Title "An Act relating to the hours which patrons sell alcohol..."

Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Health & Social Services

Program Category Affected Alcoholism/Drug Abuse

BRU, Program, Or Subprogram(s) Affected _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						
POSITIONS	-0-	-0-	-0-	-0-	-0-	-0-

FULL TIME						
PART TIME						
TEMPORARY						
	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE January 27, 1982

PREPARED BY Robert L. Cole

AGENCY Alcoholism/Drug Abuse

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Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

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