

H B

158

# COMMITTEE REPORT

## HOUSE

FURTHER: JUDICIARY  
FINANCE

2/4/83

Date: MAY 25 1983

Mr. Speaker:

The Committee on C or RA has had HB 158

An Act relating to the limitation of liquor licenses.

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
- and recommends \_\_\_\_\_  new title
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation  Zero Fiscal Note Attached
- referred to the \_\_\_\_\_ Committee

**MEMBERS SIGNING  
DO PASS**

[Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**MEMBERS HAVING  
OTHER RECOMMENDATIONS:**

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

CHAIRMAN

Bar -

Re: limitation of Liquor license.

Do you want to reschedule this in 2 or 3 weeks?

Net effect of attached substitute is:

1. Changes requirement for new or transfer of beverage dispensary (Bar) license or package store to one per 3000 people vs. 1500 people.

2. The new "3000" rule will apply to tourist trade (hotel, motel, resort, similar business, and to restaurants more than 18 miles from a ~~municipality~~ city or unified municipality).

The present 1500' rule does not apply to the above tourist related businesses.

Gurb

Bob -

new 55 on HB 158  
& sectional analysis  
attached.

Question:

Do you want to make  
this CS?

Please let me know.

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 12/29/83

REQUEST

Bill/Resolution No.: HB 158 CS(C&RA)  
Title: Limit No. of Liquor Licenses  
Rec ID 259

Sponsor: C&RA Committee  
Requestor: Jay Hogan  
Date of Request: 12/16/83

FISCAL DETAIL

Agency Affected: Community & Regional Affairs  
Program Category Affected: Development

BRU, Program or Subprogram(s) Affected:  
\_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	No fiscal impact DCRA					
CAPITAL	No fiscal impact DCRA					
REVENUE	No fiscal impact DCRA					

FUNDING: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Mar Winegar  
Division: Municipal and Regional Assistance

Phone: 465-4750  
Date: 12/29/83

Approved by Commissioner: [Signature]  
Agency: Community and Regional Affairs

Date: 12/29/83

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 12/29/83

Bill/Resolution No.: HB 158 CS(C&RA)  
Title: Limit No. of Liquor Licenses  
Rec ID 259

ANALYSIS:

Assumptions:

No fiscal impact on Community and Regional Affairs.

Positions:

Other Expenditures:

Funding:

Section Cost Analysis:

Computations:

Economic Impact:

Impact on Local Government:

Attachments

# Alaska State Legislature



Barbara Lacher, Chairman  
Mae Tischer, Vice-Chairman  
Randy Phillips  
Milo Fritz  
Don Clocksin  
Jack McBride  
Mike Szymanski

Room 104  
State Capitol  
Juneau, Alaska 99811

Pouch V  
Juneau, Alaska 99811

## House of Representatives Committee on Community & Regional Affairs

### MEMORANDUM

To: Committee on Community and Regional Affairs

From: Staff

Date: May 20, 1983

Re: HB 158 "Relating to the limitations of liquor licenses"

The last Committee hearing on HB 158 was a teleconference on March 23. Since that date the sponser of the bill has proposed substitute legislation.

Attached is a copy of the minutes of the March 23 committee meeting, an analysis of the proposed substitute, and the proposed substitute.

*1. Is this proposal  
or for real?  
2. If only proposal  
then we will draft  
CS & move it out.*

HOUSE COMMUNITY & REGIONAL AFFAIRS  
STANDING COMMITTEE  
March 23, 1983  
3:15 p.m.

Members Present: Rep. Lacher, Chairwoman  
Rep. Tischer, Vice-Chairwoman  
Rep. Fritz  
Rep. Phillips  
Rep. Clocksin  
Rep. Szymanski

Members Absent: Rep. McBride

COMMITTEE CALENDAR

HB 158 "An Act relating to the limitation of liquor  
licenses."

WITNESS REGISTER

Wally Kubley  
Odom Alaska Distributors  
Baranof Hotel  
Juneau, Alaska 99801  
(No phone number given)  
Position Statement: Testified on HB 158.

John Paden  
Alaskans for Alcohol Moderation  
8749 Trinity Drive  
Juneau, Alaska 99801  
789-9339  
Position Statement: Testified in favor of HB 158.

Representative Mike M. Miller  
Alaska State Legislature  
Capitol Building, Room 24  
Pouch V  
Juneau, Alaska 99811  
465-4841  
Position Statement: Prime Sponsor of HB 158.

Howard Scaman  
Coalition for Safer Alaska  
(No address given)  
Anchorage, Alaska  
(No phone number given)  
Position Statement: Testified in favor of HB 158.

Ron Widowsky  
Council on Alcohol Abuse  
(No address given)  
Sitka, Alaska 99835  
(No phone number given)  
Position Statement: Testified in support of HB 158.

Dave Coco, Representing Self  
Mental Health & Alcohol  
(No address given)  
Cordova, Alaska  
(No phone number given)  
Position Statement: Testified in favor of HB 158.

Claude Swaim  
(No address given)  
Fairbanks, Alaska 99707  
(No phone number given)  
Position Statement: Testified in support of HB 158.

Bob Konet  
(No address given)  
Ketchikan, Alaska 99901  
(No phone number given)  
Position Statement: Testified in support of HB 158.

Connie Hollenbeck  
Alcohol Program  
(No address given)  
Nome, Alaska 99762  
(No phone number given)  
Position Statement: Testified in support of HB 158.

Leo Land  
(No address given)  
Haines, Alaska 99827  
(No phone number given)  
Position Statement: Asked a question regarding the transfer of  
liquor licenses.

Michael Myer  
Coalition for Safer Alaska  
(No address given)  
Sitka, Alaska 99835  
(No phone number given)  
Position Statement: Testified in support of HB 158.

Mr. Nelson  
Coalition for Safer Alaska  
(No address given)  
Anchorage, Alaska  
(No phone number given)  
Position Statement: Testified on HB 158.

PREVIOUS ACTION

HB 158

See previous House Community & Regional Affairs Committee Meeting minutes from: March 10, 1983.

Statutory Reference: AS 04.11.320(a)

ACTION NARRATIVE

TAPE#39 (Side A)  
Recording  
Number 0000

The meeting was called to order by Chairwoman Lacher at 3:15 p.m. Members present were : Representatives Lacher, Tischer, Fritz, Phillips, Clocksin and Szymanski. Rep. McBride was absent.

Number 0012

Legislative Teleconference introduction.

Number 0034

Wally Kubley of the Odom Alaska Distributors testified on HB 158.

Number 0205

John Paden, Alaskans for Alcohol Moderation, testifies in favor of HB 158. States that it would be helpful in lowering crime rates and traffic fatalities.

Number 0250

There is discussion on prohibition - where to draw the line.

Number 0316

Rep. Szymanski would like a copy of the statistics.

Number 0324

Rep. Mike M. Miller, Prime Sponsor of HB 158, came before the committee to testify. He feels the number of licenses has a direct relationship to the amount of alcohol consumed.

Number 0370

Rep. M.M. Miller commented on freezing licenses until population gets higher, etc.; not talking about community or village licenses.

Number 0406

He states that if this bill is passed, and all relating bills, we will make an effect on alcohol abuse.

Number 0415

Rep. Clocksin asks Rep. M.M. Miller about population exceptions: would you allow

these exceptions: hotels; restaurants;  
tourist operations.

Number 0442 Rep. M.M. Miller spoke on exceptions.

Number 0498 Discussion between Rep. M.M. Miller and Rep. Clocksin on beer and wine exceptions.

Number 0524 Chairwoman Lacher comments on the need to keep this new information in mind for a CS.

Number 0595 Howard Scaman, Coalition for Safer Alaska in Anchorage, testifies in favor of HB 158. He does not see a restaurant opening and serving beer and wine as a real contributing factor - moderation measures. He states factors: drinking age, bar hours, licenses, and has no objection to a CS.

Number 0645 Ron Widowsky, Council on Alcohol Abuse in Sitka, testifies in support of HB 158.

Number 0690 Questions and discussion between Rep. Szymanski and Ron Widowsky on accessibility.

Number 0726 Rep. Szymanski would like a list of 15 elements involved in research by Howard Scaman.

Number 0750 Dave Coco, Mental Health and Alcohol in Cordova, representing himself, testifies in favor of HB 158. Relates stories to population.

Number 0775 Claude Swaim in Fairbanks testifies in favor of HB 158. Comments on the statistics on population and licenses.

TAPE#39 (Side 2)  
Recording  
Number 0000 Bob Konet in Ketchikan testifies in favor of HB 158. Reduce outlets/population.

Number 0051 Connie Hollenbeck, Alcohol Program funded by CERTA in Nome, testifies in favor of HB 158.

Number 0098 Leo Land in Haines asks if this bill would preclude the transfer of liquor licenses.

Number 0144 Michael Myer, Sitka, testifies in favor of HB 158.

Number 0168

Rep. Clocksin replies to Leo Land's question that this bill only relates to new licenses being issued; it does not effect the sections relating to transfers.

Number 0190

Mr. Nelson, Coalition of Safer Alaskans in Anchorage, comments that we are not prohibitioning; states statistics; and comments on reducing runaway consumption and alcohol abuse.

Number 0225

Wally Kubley, Juneau, comments on the ratio of licenses to the number of people 21 years or older, and states this is a question that has not been addressed.

Number 0224

The meeting adjourned.

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 13, 1983

SUBJECT:           Liquor licenses  
                  (HB 158)

TO:                Representative M. Mike Miller

FROM:             *RJ* Russ Josephson  
                  Legislative Counsel

Enclosed is a revised draft of SSHB 158. As requested, rather than repealing all of AS 04.11.400(g), only (g)(1) is repealed. The following is the sectional analysis that you requested with the above change.

Section 7 is the key to this bill. This section adds a subsection (k) to AS 04.11.400. The new subsection requires a ratio of 3,000 people in a given area for each new or transferred beverage dispensary (bar) or package store (liquor store) license.

Sections 1, 3, and 8 amend existing law by inserting a reference to the new language provided in Sec. 7, in three places where the limiters on the issuance of new licenses or the transfer of existing licenses are already mentioned. Inasmuch as Sec. 7 has added a new provision limiting licensing, these amendments simply reflect the existence of the new provision.

Sections 2, 4, and 5 are simple amendments to sections of existing law that refer to AS 04.11.400(j). To indicate that this section has been repealed, the amendments insert the word "former" before the statutory reference.

Section 6 contains a technical amendment reflecting the repeal of AS 04.11.400(g)(1) and (j).

Section 9 repeals AS 04.11.400(g)(1) and (j).

In summary, this bill limits bar and liquor store licenses by using the ratio of one license for each 3,000 persons

Representative M. Mike Miller  
Page 2  
April 13, 1983

instead of the ratio of one license for each 1,500 persons required under AS 04.11.400 now. In addition, the bill eliminates two exceptions to the license/population ratio. The tourist trade exception for hotels, motels, resorts, and similar businesses, and the public convenience exception have been repealed.

If I may be of further assistance, please advise.

RJ:ljb  
14/019

# Alaska State Legislature

Barbara Lacher, Chairman  
Mae Tischer, Vice-Chairman  
Randy Phillips  
Milo Fritz  
Don Clocksin  
Jack McBride  
Mike Szymanski



Room 104  
State Capitol  
Juneau, Alaska 99811  
  
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## House of Representatives Committee on Community & Regional Affairs

### MEMORANDUM

TO: Committee on Community and Regional Affairs

FROM: Staff

DATE: March 10, 1983

SUBJECT: HB158

The purpose of HB158 is to prevent, under certain conditions, the Alaska Alcohol and Beverage Control Board from approving new licenses pertaining to alcoholic beverages. The governing factor over approval of a new license will be the ratio of persons in Alaska over the age of 21 to the number of existing licenses shall not exceed the ratio of the number of persons over age 21 to the number of licenses in the remainder of the United States. AS.04.11.080 designates nineteen (19) different types of licenses in Alaska.

Preliminary data indicates that the present ratio of licenses to persons 21 years of age or older is approximately 1:200, while the ratio of licenses to persons 21 years of age and older in the rest of the United States is approximately 1:800.

According to U.S. Census Bureau projections, enactment of HB158 will prevent the approval of any new alcoholic beverage license in Alaska until well beyond 1990.

BL/sr

# Alaska State Legislature

Barbara Lacher, Chairman  
Mae Tischer, Vice-Chairman  
Randy Phillips  
Milo Fritz  
Don Clocksin  
Jack McBride  
Mike Szymanski



Room 104  
State Capitol  
Juneau, Alaska 99811

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## House of Representatives Committee on Community & Regional Affairs

March 10, 1983

### PUBLIC SERVICE ANNOUNCEMENT

THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE WILL BE HOLDING A TELECONFERENCE ON HOUSE BILL 158, RELATING TO THE LIMITATION OF LIQUOR LICENSES, ON WEDNESDAY, MARCH 23, 1983 FROM 3:15 P.M. - 5:00 P.M. PST (1:15 P.M. - 3:00 P.M. AST).

THIS LEGISLATION SEEKS TO AMEND EXISTING STATUTES REGARDING THE ISSUANCE OF NEW LIQUOR LICENSES SO THAT THE CRITERIA FOR ALASKA MORE CLOSELY FOLLOWS THE RATIO FORMULA AS IT EXISTS IN THE REMAINDER OF THE UNITED STATES. THIS BILL WOULD ESSENTIALLY CHANGE THE PRESENT RATIO OF ONE LICENSE PER 294 PEOPLE TO ONE LICENSE PER 800 PERSONS.

IF YOU ARE INTERESTED IN TESTIFYING, CONTACT YOUR LOCAL LEGISLATIVE INFORMATION OFFICE. FOR FURTHER INFORMATION ON THIS LEGISLATION, PLEASE CALL THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE OFFICE IN JUNEAU AT 465-3870 OR 465-3875.

HB 158

Table 47. Number of Retail Outlets or Licenses Issued for the Sale of Distilled Spirits, Number of Outlets/Licenses per 1,000 Population, and Number of Persons per Outlet/License, 1981

State	Number of Outlets/Licenses				Total Population July 1, 1981 (000)	Number of Outlets/Licenses per 1,000 Population				Number of Persons per Outlet/License			
	On Premise	Off Premise	On and Off Premise	Total Licenses		On Premise	Off Premise	On and Off Premise	Total Licenses	On Premise	Off Premise	On and Off Premise	Total Licenses
<b>LICENSE STATES</b>													
Alaska	—	—	—	—	—	1.00	1.07	—	2.93	558	930	—	341
Arizona	2,598	1,262	—	3,860	2,794	0.93	0.45	—	1.38	1,075	2,214	—	724
Arkansas	516	682	—	1,198	2,296	0.22	0.30	—	0.52	4,450	3,367	—	1,917
California	14,053	11,248	—	25,301	24,196	0.58	0.46	—	1.05	1,722	2,151	—	956
Colorado	3,436	1,294	—	4,730	2,965	1.16	0.44	—	1.60	863	2,291	—	627
Connecticut	3,378	1,922	—	5,300	3,134	1.08	0.61	—	1.05	928	1,631	—	950
Delaware	435	293	180	908	598	0.73	0.49	0.30	1.52	1,375	2,041	3,322	659
Dist. of Columbia	869	357	—	1,226	631	1.38	0.57	—	1.94	726	1,768	—	515
Florida	1,208	544	5,830	7,582	10,183	0.13	0.05	0.57	0.74	7,955	18,719	1,747	1,343
Georgia*	1,674	1,420	—	3,094	5,574	0.30	0.25	—	0.56	3,330	3,925	—	1,802
Hawaii	1,051	754	—	1,805	981	1.07	0.77	—	1.84	933	1,301	—	543
Illinois	—	—	29,020	29,020	11,462	—	—	2.53	2.53	—	—	395	395
Indiana	1,150	1,677	3,399	6,226	5,468	0.21	0.31	0.62	1.14	4,755	3,261	1,609	878
Kansas	1,135	1,140	—	2,275	2,383	0.48	0.48	—	0.95	2,100	2,090	—	1,047
Kentucky	1,127	872	89	2,088	3,662	0.31	0.24	0.02	0.57	3,249	4,200	41,146	1,754
Louisiana	6,783	2,746	—	9,529	4,308	1.57	0.64	—	2.21	635	1,569	—	452
Maryland	559	964	3,229	4,752	4,263	0.13	0.23	0.76	1.11	7,626	4,422	1,320	897
Massachusetts	6,531	1,508	—	8,069	5,773	1.14	0.26	—	1.40	880	3,828	—	715
Minnesota	2,331	701	1,103	4,135	4,094	0.57	0.17	0.27	1.01	1,756	5,840	3,712	990
Missouri	—	3,981	4,132	8,113	4,941	—	0.81	0.84	1.64	—	1,241	1,196	609
Nebraska	430	527	1,985	2,942	1,577	0.27	0.33	1.26	1.87	3,667	2,992	794	536
Nevada	793	571	795	2,159	845	7.94	0.68	0.94	2.56	1,066	1,480	1,063	391
New Jersey	1,555	1,973	8,259	11,787	7,404	0.21	0.27	1.12	1.59	4,761	3,753	896	628
New Mexico**	169	67	1,243	1,479	1,328	0.13	0.05	0.94	1.11	7,858	19,821	1,068	898
New York*	23,766	4,395	—	28,161	17,602	1.35	0.25	—	1.60	741	4,005	—	625
North Dakota	115	86	1,020	1,221	658	0.17	0.13	1.55	1.86	5,722	7,651	645	539
Oklahoma	—	809	—	809	3,100	—	0.26	—	0.26	—	3,832	—	3,832
Rhode Island	1,441	309	—	1,750	953	1.51	0.32	—	1.84	661	3,084	—	545
South Carolina	1,468	1,220	—	2,688	3,167	0.46	0.39	—	0.85	2,157	2,596	—	1,178
South Dakota	825	572	—	1,397	686	1.20	0.83	—	2.04	832	1,199	—	491
Tennessee	902	567	—	1,469	4,612	0.20	0.12	—	0.32	5,113	8,134	—	3,140
Texas	7,738	3,663	—	11,401	14,766	0.52	0.25	—	0.77	1,908	4,031	—	1,295
Wisconsin	12,638	1,702	—	14,340	4,742	2.67	0.36	—	3.02	375	2,786	—	331
<b>Subtotal License States</b>	<b>101,470</b>	<b>50,269</b>	<b>60,284</b>	<b>212,023</b>	<b>161,558</b>	<b>0.63</b>	<b>0.31</b>	<b>0.37</b>	<b>1.31</b>	<b>1,592</b>	<b>3,214</b>	<b>2,680</b>	<b>762</b>
<b>CONTROL STATES</b>													
Alabama	2,139	130	—	2,269	3,917	0.55	0.03	—	0.58	1,831	30,131	—	1,726
Idaho	885	131	—	1,016	959	0.92	0.14	—	1.06	1,084	7,321	—	944
Iowa	4,491	213	—	4,704	2,899	1.55	0.07	—	1.62	646	13,610	—	616
Maine	1,116	127	—	1,243	1,133	0.98	0.11	—	1.10	1,015	8,921	—	912
Michigan	9,060	3,790	—	12,850	9,204	0.98	0.41	—	1.40	1,016	2,428	—	716
Mississippi	564	653	—	1,217	2,531	0.22	0.26	—	0.48	4,488	3,876	—	2,080
Montana	—	146	1,504	1,650	793	—	0.18	1.90	2.08	—	5,432	527	481
New Hampshire	989	69	—	1,058	936	1.06	0.07	—	1.13	946	13,565	—	885
North Carolina	1,034	377	—	1,411	5,953	0.17	0.06	—	0.24	5,757	15,790	—	4,219
Ohio	11,788	431	—	12,219	10,781	1.09	0.04	—	1.13	915	25,014	—	882
Oregon	1,475	226	—	1,701	2,651	0.56	0.09	—	0.64	1,797	11,730	—	1,558
Pennsylvania	19,289	729	—	20,018	11,871	1.62	0.06	—	1.69	615	16,284	—	593
Utah	155	108	156	419	1,518	0.10	0.07	0.10	0.28	9,794	14,056	9,731	3,623
Vermont	1,022	63	—	1,085	516	1.98	0.12	—	2.10	505	8,190	—	476
Virginia	1,978	250	—	2,228	5,430	0.36	0.05	—	0.41	2,745	21,720	—	2,437
Washington	2,395	368	—	2,763	4,217	0.57	0.09	—	0.66	1,761	11,459	—	1,526
West Virginia	1,245	167	—	1,412	1,952	0.64	0.09	—	0.72	1,568	11,689	—	1,382
Wyoming	684	107	176	967	492	1.39	0.22	0.36	1.97	719	4,598	2,795	509
<b>Subtotal Control States</b>	<b>60,309</b>	<b>8,015</b>	<b>1,836</b>	<b>70,230</b>	<b>67,753</b>	<b>0.89</b>	<b>0.12</b>	<b>0.03</b>	<b>1.04</b>	<b>1,123</b>	<b>8,380</b>	<b>36,903</b>	<b>965</b>
<b>TOTAL UNITED STATES</b>	<b>161,779</b>	<b>58,354</b>	<b>62,120</b>	<b>282,253</b>	<b>229,307</b>	<b>0.71</b>	<b>0.25</b>	<b>0.27</b>	<b>1.23</b>	<b>1,417</b>	<b>3,930</b>	<b>3,691</b>	<b>812</b>

NOTE: Because of rounding, detail may not add to total.  
 \*Georgia and New York outlet data are for 1979.  
 \*\*New Mexico outlet data are for 1980.

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- berg, K. W., and Horn, J. L., 1971, "A Descriptive Analysis of Symptom Patterns Related to the Excessive Use of Alcohol," Fort Logan Mental Health Center, Denver, Colo.
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- hitehead, P. G., 1972a, "The Prevention of Alcoholism: An Analysis of Two Approaches," Paper presented to the Canadian Sociology and Anthropology Association (May, 1972).
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## CHAPTER 13

# *The Effects of Legal Restraint on Drinking*

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## INTRODUCTION

The purpose of this review is to assess the evidence bearing on the effects of legal measures believed to have some primary preventive value with respect to the incidence of alcohol problems. Excluded from consideration are laws concerned solely with such special segments of the drinking population as incorrigible alcoholics, public inebriates, and impaired drivers. It is true that these laws are sometimes seen to have a possible deterrent effect on the appearance of new cases (Bruun, 1970). However, with the exception of certain legislation directed against impaired driving, the primary effect if any is more likely to be on recidivism rates. In contrast, our focus is on legislation and derivative measures aimed at the whole population of consumers (or potential consumers) of alcohol, and intended to prevent the occurrence of alcohol problems through regulation of the amount or character of alcohol consumption.

Legislative enactments dealing with one or another aspect of alcohol use are probably as old as written laws. For example, the famous Code of Ham-

murabi, formulated some four thousand years ago, contained four articles on the topic (Haepfer, 1904). But it was not until comparatively recent times that the principal concern in alcohol legislation came to be with the prevalence of alcohol problems. At first, in both the Old World and the New, the usual objectives were to prevent fraudulent practices on the part of sellers, assure availability, and secure revenue for the state (Catlin, 1931; Krout, 1925). Scattered attempts, ostensibly to cope with intemperance, and including the total prohibition of public drinking places, are found in Classical and Medieval legislation (King, 1947). In England during the thirteenth and fourteenth centuries, taverns were increasingly a target of restrictive legislation, efforts being made to reduce their numbers, hours of sale, and the amount of time patrons spent in them; and in 1551 what appears to have been the first licensing system was introduced by Edward VI with the control of excessive use in view (Shadwell, 1915). However, it was in the late eighteenth and nineteenth centuries, with the rise of industrialism, that the prevention of drunkenness and its consequences became the overriding issue, and the volume and complexity of alcohol legislation reached a peak (Askwith, 1928; King, 1974; Krout, 1925). In North American and some other areas, these efforts culminated during World War I in total prohibition. This was repealed in most jurisdictions in the 1920s and 1930s, and followed by the adoption of the diverse measures and systems of control that prevail today.

The literature concerned with the effects of the legislative approach to the prevention of alcohol problems is vast. In addition to the assessments of historians, physicians, clergymen, jurists, journalists, and others, there are many official government reports. For example, in England there have been inquiries roughly once every 20 years since the Select Committee published its findings in 1834. In Canada and the United States there are reports of federally instigated inquiries, and of countless provincial or state bodies concerned with the merits and demerits of the control systems in their jurisdictions. While some of this literature contains data worthy of further analysis, most of it contributes little of value to the present review. Typically, the conclusions are based on the personal tastes or beliefs of the author, on *ex cathedra* arguments, or on the weight of opinion of persons with little or no direct knowledge of the matters at issue.\* And even in cases where objective evidence of change is provided, one is usually left unsure, as Room (1971) remarked, whether the law was the cause, or itself a product of prior changes in public sentiment. In short, scientifically acceptable attempts to evaluate the effects of particular control measures are seldom encountered.

\* To cite a characteristic instance, the authors of "The Pub and the People" (Mass Observation, 1943) noted that a recent Royal Commission on Licensing (1932), ostensibly setting out to conduct an impartial study of taverns, only interviewed persons who rarely or never patronized such establishments; not a single regular patron was asked to give evidence, nor were direct observational studies undertaken.

This dearth of scientific studies may seem surprising, especially when one contemplates the very great expansion of research interest in the alcohol field during the last 30 years. Room (1971) has offered some plausible reasons which include: (1) lack of sufficient specificity in the stated objectives of most measures; (2) the formidable complexity of the factors that may be involved in the production of any changes observed to follow the introduction of a new law; and (3) the fact that those who enact legislation normally are not influenced by a desire to develop rational policy through appropriate testing of alternatives, but by the probable reactions of their constituents. However, it is likely that another reason, also cited by Room (1971) and by Mäkelä (1972), is of greater importance, notably the rise of the "disease concept" of alcoholism. The view that normal drinkers and alcoholics comprise two quite separate groups within the population, which this concept has meant for many workers, has rendered meaningless or at least of low priority the contemplation of measures intended to affect the prevalence of alcoholism through the general regulation of alcohol consumption. The drinking of the alcoholic came to be seen as independent of other drinking: a symptom of pathological factors peculiar to him, and therefore, not amenable to change by measures that would affect the normal drinker. As a consequence, scientists understandably concentrated their attention mainly on the alcoholic per se in an effort to discover the distinctive causal factors (Armstrong, 1958; Keller, 1972).

We shall return to this and related issues in the section on Models of Prevention. Suffice to say for the present, that a rapidly growing body of evidence casts serious doubt on the validity of so narrow a concept of alcoholism, and indicates that the overall level of consumption in a population may well play a crucial role in its prevalence (de Lint and Schmidt, 1971). The result in some quarters has been a renewal of interest in the possible preventive value of legal measures and the appearance of a number of relevant studies.

In the following sections, the evidence is reviewed respecting the effects or lack of effects of the principal control measures which have been employed in recent times and most of which are now in use. However, whether or not the law will be, or should be applied to preventive ends depends on many factors besides the objective effectiveness of particular measures. Accordingly, in the final sections some of these factors are examined, as well as current models of prevention in relation to the role of legal restraint on drinking.

## CONTROL OF OUTLET FREQUENCY ( " 07 + 1.1. 1.1. 1.1. 1.1. )

Perhaps no single control measure has been more frequently and widely employed over the centuries than the regulation of the number of places in which alcoholic beverages may be purchased (King, 1947; Krout, 1925;

Shadwell, 1915). Outlets for on-premise consumption have been particular targets, and the immediate aim most commonly has been to reduce their frequency. While from time to time those who influenced the legislators had objectives other than the prevention of insobriety (Lee, 1944; Lemert, 1962; Odegard, 1928; Popham, 1962), the latter has been typically the stated justification. The underlying assumption, often made explicit by temperance writers, is simply that the more opportunities there are for people to drink, the more they will be tempted to do so and the more drunkenness there will be. However, during the post-World War II years in particular, the opinion of such interested groups as the clergy and of the public at large has come to be divided on the issue (Canada Facts, 1946; Wolch, 1957). Now there are those who, by implication at least, favor increases in outlet frequency, still with the promotion of sobriety in mind. The notion of the "forbidden fruit" is cited, and it is argued that if alcohol were everywhere available, man would not desire it so much and would therefore drink in a moderate and civilized manner. As might be expected, this view has received considerable support from the alcoholic beverage industries.

On both sides, similar types of statistical data are often used to support the arguments for or against changes in outlet frequency. These data include arrests or convictions for drunkenness, alcohol sales figures, and alcohol-related mortality and morbidity statistics. The validity of such data as indices of the prevalence of alcohol problems has been questioned many times, most recently, for example, by Walsh and Walsh (1973). Thus, official statistics of drunkenness may depend not only on the actual prevalence of drunkenness but to varying degrees on prevailing legal sanctions, police instructions, the manner in which drunkenness is defined, the extent to which refuges from police vigilance are available, and local attitudes toward insobriety. In addition, rates generally are not separated into first offenders and repeaters; they refer simply to the number of arrests or convictions rather than to different individuals. Official sales figures, among other deficiencies, do not reflect the legal consumption of homemade wines and beers, or the consumption of illicitly produced and distributed beverages. An upward trend in per capita sales may reflect the addition of new reporting jurisdictions or an increase in the proportion of users rather than a true increase in average consumption. Alcohol-related hospital admission and vital statistical data may be subject to numerous extraneous influences such as attitudes of physicians, incomplete reporting, and trends in diagnosis and treatment.\*

There is no question but that these potential sources of error need to be kept in mind when the effects of changes in control measures are under

\* For detailed commentaries on the artifacts that may affect variation in alcohol statistics, see Brown *et al.* (1960), Jellinek (1947), Popham and Schmidt (1958), and with particular reference to legal statistics of drunkenness, Ahlström-Laakso (1971).

scrutiny. At the same time, it is well to guard against the tendency to overestimate their importance, particularly when the implications of an apparent change in rates are not consistent with one's presuppositions. Thus, it is easy to explain away a drop in alcohol sales following stricter control measures by appeal to an artifact (such as illicit consumption) whose contribution may be negligible in reality. In any case, several types of alcohol statistics, especially sales and mortality data, have been shown to be valid indicators of the magnitude of alcohol problems in an area (Jellinek, 1947; Ledermann, 1956, 1964; Popham, 1970; Schmidt and de Lint, 1970). Furthermore, very considerable regional and temporal differences in these indicators have been found, and it is difficult to believe that much of this variation is attributable to errors in the indices rather than to real differences in the prevalence of alcohol problems (de Lint and Schmidt, 1971). Accordingly, it is of interest to review attempts to determine if, in fact, there is a relationship between the indicators mentioned and outlet frequency.

Popham *et al.* (1976) reported that, among the provinces and certain larger cities in Canada, higher rates of arrest or conviction for drunkenness tended to be found where there were fewest public drinking places per unit of population. In addition, trends through time in Ontario suggested a similarly inverse relationship (Popham, 1962; Popham and Schmidt, 1958). During the latter years of the nineteenth century, when the frequency of outlets for on-premise consumption achieved its all-time high, rates of conviction for drunkenness were comparatively low. Following this, the outlet rate fell steadily until the introduction of Prohibition in 1916. On the other hand, the conviction rate rose to a peak in 1912-14, then fell during Prohibition to reach a low point in the early Depression years. After the reintroduction of licensed drinking places in 1934, the outlet rate remained fairly static until recent years. But during the same period, drunkenness conviction rates rose steadily to achieve a level markedly higher than in any previous period. Per capita alcohol sales and liver cirrhosis mortality rates, long considered one of the best indicators of the prevalence of alcoholism (Jolliffe and Jellinek, 1941; Expert Committee on Mental Health, 1951; Popham, 1970), showed roughly similar trends over the years for which figures were available.

Mass Observation (1943) also reported an apparently negative association between drunkenness charges and outlet rates in English Data. And Popham *et al.*, (1976) ran a linear correlation analysis on two other English series: figures for 84 county boroughs and for 52 counties, excluding boroughs. The coefficients of correlation between convictions for drunkenness and on-premise licenses per 10,000 of population were negative but small (-0.18 and -0.19, respectively), and not significantly different from zero. Equally extensive legal statistics on drunkenness have not been studied for the United States. However, coefficients of correlation between tavern rates and per capita alcohol sales, and

tavern rates and alcoholism prevalence estimates for 49 states proved readily attributable to chance (Popham *et al.*, 1976). With respect to other types of outlet in the United States, Entine (1963) concluded that limiting the number of package stores did not reduce off-premise consumption. On the other hand, Simon (1966b) found per capita sales to be related positively to the frequency of such stores, but felt on further analysis that this variable was more likely to be dependent on sales than the reverse.

The tendency toward a negative relationship between outlet frequency and drunkenness rates may be due to one or more of a number of factors. It may be that where a large number of outlets are tolerated, a relatively more liberal attitude toward drinking and drunkenness prevails so that there are fewer arrests (Popham, 1962). Or, as the authors of "The Pub and the People" (Mass Observation, 1943) noted, drunkenness rates are usually higher in urban areas and vary with the business cycle, rising and falling with the bank rate and other measures of prosperity. Outlet rates, on the contrary, are controlled by a licensing authority whose objectives may lead to fewer outlets where or when drunkenness is considered to be prevalent.

The most thorough analysis of this issue, of which we are aware, is that of Ahlström-Laakso (1971). In her study, the point of departure was the fact that the rate of arrest for drunkenness was markedly higher in Helsinki than in Copenhagen. On the other hand, the level of alcohol consumption and the frequency of public drinking places was very much higher in the latter city. Among the many possible explanations, the author showed that differences in the control system were especially important. Thus, for example, fewer taverns in Helsinki, and in particular of those catering to drinkers of the lower social strata, meant fewer places to become drunk unobserved by the police, and a greater likelihood that heavy drinking would occur in parks and other public areas. Differences in behavior when intoxicated, in the probability of intoxication on any given drinking occasion, and in enforcement vigor were also considered to contribute significantly. However, it is quite possible that such factors are more likely to be among the primary determinants of variation among different countries than of regional or temporal variation within the same country. Through time in Finland, for example, the trend in arrests for drunkenness appeared to follow rather closely the trends in other indicators of the level of alcohol consumption and alcohol problems (Bruun *et al.*, 1960).

Summing up the evidence, it would seem clear that in the populations examined, variations in indicators of the prevalence of inebriety are not dependent on outlet frequency. It is important to emphasize, however, that the variations considered ranged from situations where outlets were ubiquitous to those where some customers may have been mildly inconvenienced. That under the latter circumstances, there may be little or no effect on consumption, especially in a world of high speed transportation, is suggested by the figures shown

below. These data relate to two rural municipalities in Ontario of about the same size. The only alcoholic beverage store in the district was located in one of the two communities so that residents of the other had to travel several miles to make a purchase. It can be seen that this circumstance did not prevent a slightly higher patronage by them (Table 1).

Finally, some attention should be given to studies bearing on the effects of control measures that create or alter situations of extremely low accessibility: that is to say, situations substantially different from those reviewed in the foregoing paragraphs. The classic instance on one side of the question is Prohibition when, in several countries, the frequency of legal outlets was reduced virtually to zero. There can be little doubt that during the first few years of Prohibition in Canada (Popham, 1956), Finland (Bruun *et al.*, 1960), and the United States (Jolliffe and Jellinek, 1941; Warburton, 1932) all indicators of alcohol consumption and alcohol problems reached the lowest level yet achieved in any period for which there are relevant data. It is also clear that in later years—say, roughly 1923-1933 in the United States—as an illegal trade became well established and the speakeasy and other clandestine outlets made their appearance, consumption increased substantially (Warburton, 1932).

It may be that during Prohibition there was an increase in poison deaths as a consequence of toxic impurities in poor quality beverages, or because of the use of toxic substitutes. Such effects have been alleged to buttress the contention that Prohibition was a complete failure (see, for example, citations in Room, 1971). We are not aware, however, of any scientifically acceptable study that has demonstrated an excess mortality from these causes of epidemiologically significant proportions. And the studies already noted would suggest that, even in the later years of Prohibition in Canada and the United States, the level of alcohol consumption and the prevalence of alcohol-related health problems were significantly lower than before or since. A rationally based argument against Prohibition therefore must seek other grounds for rejection, and many such have been well documented (e.g., Asbury, 1950; Feldman, 1930; Lemert, 1962; Mäkelä, 1972; Warburton, 1932).

TABLE 1. Buyers of Alcoholic Beverages in Two Rural Municipalities in Ontario<sup>a</sup>

Municipality	Buyers per 1000 adults	Frequent buyers per 1000 adults <sup>b</sup>
With store	247	42
Without store	267	50

<sup>a</sup> From de Lint and Schmidt (1966)

<sup>b</sup> Buyers who purchased alcoholic beverages 4 or more times during the one-month study period.

At the opposite extreme is the effect of a change in control policy that renders alcoholic beverages readily accessible in areas previously isolated from a legal supply through geographic conditions. For example, in parts of northern Canada, the nearest outlet to some communities may take an expensive day or more to reach. Under these circumstances, it might be hypothesized that the introduction of outlets close by would have an appreciable effect on consumption. The results of Kuusi's alcohol policy experiment in rural Finland would seem to support this hypothesis (Kuusi, 1957). In the study, stores for the sale of beer and wine were opened in selected market towns that had previously been "dry" for many years. The drinking habits of the affected population and of a control population were studied in depth prior to the change, and monitored in detail afterward. An increase in overall consumption could be attributed to the new outlets. At the same time there was no evidence of a change in the frequency of intoxication, and indications that the increased consumption was partly offset by a decline in the consumption of illicit alcohol.\* Very similar results have since been obtained by Amundsen (1965), who studied the consequences of the first introduction of alcoholic beverage stores to isolated "dry" areas in Norway.

Mäkelä (1972) recently reported a more dramatic effect in Finland following a very considerable and rapid rise in number of outlets, many of which were established in previously "dry" areas. Thus, in 1969 medium-strength beer was released for unrestricted retail distribution. Shortly thereafter, apparent alcohol consumption in the country increased by 48 percent. Beer accounted for most of the increase. Although effects on other indicators of the prevalence of alcohol problems have not been reported as yet, Mäkelä (1971) showed that such an increase tended to be spread over the drinking population in a manner that inevitably brought about an increase in the proportion of heavy consumers.

## REGULATION OF TYPE AND LOCATION OF OUTLETS

A related area of control, which has been a subject of much debate and legislative or other governmental action over the years, concerns the character and distribution of outlets to be permitted. Usually, the focus has been on one or another aspect of such questions as: In what type of setting and under what conditions may different classes of alcoholic beverage be sold for on- or off-

\*The study stands as a model for those wishing to undertake tests of control measures in the alcohol field or, for that matter, of any proposed change in social policy. In the report, the formidable methodological and practical problems encountered are dealt with at length, as well as the relation of the findings to the intricacies of developing an acceptable control policy.

premise consumption? What entertainment or recreational facilities may be provided in public drinking places? With special reference to the latter, may outlets be located in or near certain categories of public building, commercial establishments, or institutions such as schools and churches?

An almost bewildering array of regulatory measures have been attempted at one time or another within this area of control. Some—for example, the prohibition of treating or round-buying—have failed if only because they proved unenforceable. Some—for example, the requirement that alcoholic beverages could only be sold for on-premise consumption if accompanied by food (which led to the "reusable sandwich"—were easily circumvented and objects of ridicule. Some were dropped in response to negative reactions from the public. Many still survive, and none, so far as we are aware, have ever been adequately assessed as to their effectiveness for the purpose intended.

Many earlier writers (and a few in recent times) considered the facilities and physical features of the American saloon or the English public-house to be among the seducers of the working man to a life of insobriety. For them the overriding goals have been the abolition of these places, and the development of nonalcoholic alternatives in the community (e.g., Calkins, 1901; Levy, 1951). Others have been more moderate and have advocated only a number of restrictions on the operation of public drinking places, and the establishment of counter attractions such as free garden plots, libraries, museums, parks, and a variety of other recreational facilities (e.g., Select Committee, 1834). As Lemert (1962) has suggested, the implicit assumption would seem to have been that drinking occurred in response to deficiencies in community life, and that if these were eliminated the need for alcohol would disappear.

Perhaps it is obvious that this assumption has not entirely withstood the test of time. Certainly the use of alcohol is still very much in evidence although most of the gaps in social life to which its attractiveness was commonly attributed have long since been filled. It is probably true, on the other hand, that the importance of public drinking places—at least in North America—has declined since the turn of the nineteenth century. And this may be due to the growth of competing attractions as well as to overall improvements in the standard of living (and therefore of the home as a drinking place). Nonetheless, the on-premise outlet has remained a significant element in the recreational, if not emotional, life of a great many people, and a substantial portion of all drinking takes place in it (Cavan, 1966; Mass Observation, 1943; Popham, 1962).

A number of writers have focussed on the physical improvement of on-premise outlets, rather than on their abolition, in the belief that structural and aesthetic features were important determinants of sociability and sobriety. The models that have most captured the attention of these scholars are the inns and taverns of the Elizabethan period and of the following two centuries. Maskell's work is typical in this regard (1927). It was written in the hope that "the sym-

pathy of some readers may be enlisted in the movement to rescue the public house from obloquy and neglect" (p. vii). It was in fact a plea for the renaissance of the taverns and tavern life eulogized by literary figures from Shakespeare to Dickens and celebrated by poets from Chaucer to Longfellow. In the introduction it is submitted that "decadence began in England when the kindly landlord gave way to the brewer's manager and the inn became a public-house where men go just to drink in sordid and demoralizing surroundings" (p. x). In short, public drinking places of both the past and the present are viewed selectively, with the result that the former are associated with the picturesque, the healthy, and the desirable, and the latter with the ugly, the sordid, and the undesirable.

This school of thought apparently has had some influence on government control policies, at least in England. For example, in 1916 the government acquired the entire alcoholic beverage trade, including more than 100 public houses, in and around the City of Carlisle. This became widely known as the "Carlisle Experiment." The justification was the necessity of strict control to prevent insobriety among local munitions workers. Among the measures introduced to achieve this end, considerable emphasis was placed on a program to remodel or renovate many of the public-houses (Askwith, 1928; Shadwell, 1923). A more recent example is the "trust-house" concept of government control over the restoration and maintenance of the original appearance of historic drinking places. The point of view is also sometimes implicit in arguments to support the "tied-house" system in England. Thus, it is contended that the large brewery owners of public-houses are more likely to have the capital and motivation to make their outlets attractive than are many small entrepreneurs (Oliver, 1947).

Until comparatively recent years, just the opposite philosophy seems to have dominated control policies respecting the operation, appearance, and facilities of both on- and off-premise outlets in most of Canada, a number of American jurisdictions, and some other areas. This has been especially evident where a substantial "dry" sentiment continued to prevail following the repeal of Prohibition. The Province of Ontario is a typical instance. Prohibition was repealed in much of the province in 1927, and a limited number of government-owned and -managed package stores were opened. These were generally located well off the main shopping streets, and the beverages offered for sale were never displayed or readily accessible to customers for examination. In 1934 outlets for on-premise consumption were reintroduced in the form of "beverage rooms," that is, establishments licensed to sell beer only. They were constructed so that the activity within could not be observed from the outside. Most were exceedingly plain both as to furnishings (usually restricted to simple tables and chairs) and decoration. No professional entertainment, game, singing, or dancing was permitted. Typically, there was a room for men only, and

one for women only or women with escorts. A customer was not permitted to carry his drink from one table to another, to drink while standing, to buy more than one drink at a time, or to buy on credit. There were many other rules but the foregoing will serve to convey the relevant picture. Clearly, the objective was to minimize the attractions of the public drinking place, and the likelihood of prolonged and lively social interaction occurring among its patrons.

Since World War II, public sentiment in Ontario has increasingly favored a more permissive policy with respect to drinking, and this has been reflected in several changes in legislation and derivative regulations. One notable change in 1947 led to a diversification in types of outlet for on-premise consumption. Beverage rooms continued to operate under the same restraints as before, but now "cocktail and dining lounges" were permitted in the province as well. Essentially, this meant a slight increase in outlet rate, the sale of wines and distilled liquors by the glass with or without meals, and higher standards of decor for the establishments licensed to sell such beverages. Most beverage rooms catered to a working-class clientele; the new establishments were intended to attract a middle-class patronage. Music, professional entertainment, and dancing were allowed in the lounges, and no segregation of patrons by sex was imposed.

In an effort to assess the effect of the 1947 legislation, Popham *et al.*, (1976) analyzed trends in alcohol statistics for eight-year periods before and after the change. By way of control data, the trends were compared with those in the adjacent Province of Manitoba. There no significant changes in policy had occurred over the 16 years, and the regulations and types of outlet were much the same as prevailed in Ontario prior to 1947. It was found that, with the exception of alcoholism (in effect, liver cirrhosis mortality) rates, the percentage increases were much greater in both provinces before than after 1947. From 1947 to 1954, alcohol sales increased slightly more in Ontario (19 percent) than in Manitoba (14 percent), but drunkenness conviction and alcoholism rates showed greater increases in Manitoba.

A criticism which may be levied against this study is that it did not take account of a possible differential change in the proportion of users of alcohol in the two provinces; the rates were all based on either the drinking age or adult populations. However, the rather scanty survey data available for the period (Popham and Schmidt, 1958) do not suggest changes of a magnitude that would significantly affect the results reported. Bryant (1954) examined the consequences of a similar change in the State of Washington: the introduction of "liquor by the drink." He concluded that there was no evidence that increases in consumption or in alcohol-related offenses could be attributed to the change in control policy. And in Saskatchewan, Dewar and Sommer (1962) conducted a before-and-after study of a small community in which a "beer parlor" for men only was replaced by a beer and wine tavern catering to both sexes. They

could discern few effects. After the change, more drinking occurred away from home but there was no apparent alteration in the overall consumption level.

It should be stated at once that exclusive dependence on studies such as these is seldom likely to permit a definitive conclusion respecting the effects of a change in legal restraint. In the first place, when a change applies to a whole state or province, let alone a nation, it will be difficult if not impossible to find an adequately matched control population. Secondly, it is rare to find instances when a single specific change has occurred. Usually, several changes are introduced simultaneously, as in the case of the 1947 outlet diversification in Ontario. Under these circumstances, if an effect is identified it will not be known to which changes it should be attributed and to which not. This greatly reduces the value of the results insofar as rational policy development is concerned.

Thus, it is important that other approaches to assessment be undertaken as well. It seems to us that one of the most promising—for the area of regulation under consideration—would be careful observation and interview studies of behavior in beverage outlets before and after changes. Good models of the essentially ethnographic approach involved are provided by the tavern studies of Cavan (1966) and Mass Observation (1943). Ideally, such investigations would be done with the cooperation of the local licensing authority so that contemplated changes might be introduced in a manner that facilitated controlled examination. Another approach, which has received far too little attention in the alcohol field, is direct experimental manipulation using small groups in a simulated or, where practicable, real tavern setting. Bruun's study of a group of regular drinkers, conducted in one of the rooms of a licensed outlet in Helsinki, is an excellent example of the potentialities of the approach (Bruun, 1959).

In the past 25 years in Ontario, as in many other jurisdictions of the Western world, there have been numerous changes in alcohol control policy, mainly in the direction of relaxation of restrictions. Since the mid-1950s television has been allowed in beverage rooms; in the past few years, games and other recreational facilities have been permitted in establishments with lounge licenses; some "stand-up" bars have been allowed; displays of beverages have been introduced to package outlets; self-service package stores have been established in main shopping areas; and licenses have been issued for on-premise outlets in locations not previously contemplated; for example, museums and other public buildings, theaters, office complexes, large department stores, and sidewalk cafés.

It may be that, taken individually, these and other changes in type and location of outlet permitted have little effect on general consumption and attendant problems. But this has not yet been substantiated with even a reasonable degree of certainty. It is clear that an overall shift in alcohol control

policy is well underway in many countries. In the past, a strong influence was exerted by those who considered that changes that increased the attractiveness of beverage outlets, or their visibility to the public would lead to increased alcohol use with undesirable consequences. Today it is more common to hear that by improving the appearance and facilities of outlets, and introducing them into all areas of everyday life, the mysticism associated with alcohol will be reduced; it will come to be regarded as no more remarkable than any other consumer product and therefore will be used moderately. The essential point is that, whichever view is argued, the appeal to date has had to be to theory rather than fact, or to the weight of prevailing sentiment rather than to evidence systematically gathered and objectively analyzed.

### CONTROL OF HOURS AND DAYS OF SALE

The opening hours of alcoholic beverage outlets, especially those for on-premise consumption, have been almost as common a target of regulatory measures through the ages as their frequency (King, 1947; Shadwell, 1915, 1923). Usually, the legislation has provided for a reduction in opening times, and the stated intent has been to combat the problems of insobriety. In recent years, however, and in keeping with trends in other areas of control, new regulations have sometimes extended both the hours and days of sale. In Ontario, for example, the hours of dining lounges were extended from the usual mid-night closing to 2:00 A.M., and such establishments were permitted to sell alcoholic beverages with meals on Sunday, traditionally a general closing day. In addition, the 6:30 to 8:00 P.M. closing of beverage rooms was not imposed on premises with lounge or dining lounge licenses when these were allowed in 1947.

Despite the long-standing belief in the efficacy of regulating opening hours, there have been exceedingly few attempts to put the matter to test. Popham (1962) found an apparent correlation between the opening hours of beverage rooms in Toronto and the hourly pattern of arrests for drunkenness exhibited between 8:00 A.M. Monday and 8:00 A.M. the following Sunday. However, when arrests were plotted for the period 8:00 A.M. Sunday to 8:00 A.M. Monday morning, during which time all beverage outlets were closed, an almost identical pattern emerged. This might be taken to indicate that the hours of sale reflected the drinking pattern of at least one segment of the community rather than the reverse. On the other hand, the opening hours that prevailed at the time of the study had been in force for many years, and originally may have shaped the characteristic circadian pattern observed. Indeed, the results of a recent study in Victoria, Australia, would suggest this as the more probable relationship.

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MEMORANDUM

TO: Persons Interested in the Current Status of Rural Communities With Respect to the State Title 4 Alcohol Local Option Law

FROM: Alaska Legal Services Corporation Alcohol Project

RE: Statewide Village Status Report

DATE: January 14, 1983

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The ALSC Alcohol Project was funded by the State Office on Alcoholism and Drug Abuse ("SOADA") to provide statewide on-site community legal education and technical legal assistance on the state Title 4 alcohol local option law. During its existence, the ALSC Alcohol Project worked closely with rural communities throughout Alaska. The ALSC Alcohol Project has terminated.

Approximately 130 rural communities were visited and 50 other rural communities were assisted in some fashion. "Assistance" means a community either requested a petition form, cover letter, and memorandum explaining the law, or a legal opinion of their local village ordinance concerning alcohol control. This Statewide Village Status Report from the ALSC Alcohol Project is a final attempt to provide an adequate profile of individual rural community activity with respect to the state Title 4 alcohol local option law.

Presently, 74 alcohol local option elections have been held. Some communities have now held two elections, with differing results. The present tally is: 1 community has voted for a community liquor license, 51 communities have voted to forbid the sale and importation of alcoholic beverages, 10 communities have defeated the sale and importation option, 2 communities approved and 1 defeated the no sale option, and 1 community defeated the private liquor license option. Several more elections are presently scheduled and many other petitions are being circulated.

If you have any additional information or questions on specific communities, please contact Vivian Kortie at the Alcoholic Beverage Control Board, 201 East 9th Avenue, Anchorage, Alaska, 99501, or call (907) 277-8638.

## STATEWIDE VILLAGE STATUS REPORT

January 14, 1983

Village (Municipality or Village)	Petition Sent (ALSC Visit*)	Option Considered or Voted Upon	Election Results (yes/no <sup>2</sup> )	Effective Dates	Notes
<u>ALEUTIAN/PRIBOLOF REGION</u>					
Atka (EV)	11/10/82	--	--	--	Petitions sent 10/10/82.
St. Paul (M)	5/10/82*	Ban Sale & Import (V)	47/141	--	ALOL <sup>3</sup> did not pass.
<u>ANCHORAGE/AHTNA REGION</u>					
Chitina (V)	3/03/82*	Ban Sale & Import (C)	--	--	Petition invalid 10/14/82; new petitions sent 12/23/82.
Copper Center (V)	3/27/82*	--	--	--	
Mentasta (V)	10/05/82*	--	--	--	
<u>BRISTOL BAY REGION</u>					
Aleknagik (M)	4/08/82*	Ban Sale & Import (V)	26/23	--	Many questioned ballots; no majority vote.
Ekwok (M)	11/29/82	Ban Sale & Import (V)	20/03	7/1/82	
Iliamna (V)	11/24/81*	Ban Sale (V)	35/24	--	Liquor license(s) revoked.
Egegik (V)	11/10/82	Ban Sale & Import (C)	--	--	Election scheduled by DOE.
Manokotak (M)	11/23/81*	Ban Sale & Import (C)	--	--	Petitions sent 1/13/83.
Newhalen (M)	11/02/82*	Ban Sale & Import (V)	6/22	--	ALOL <sup>3</sup> did not pass.
Portage Creek (V)	12/01/82*	Ban Sale (C)	--	--	Petitions sent 11/30/82.
Togiak (M)	11/24/81*	Ban Sale & Import (V)	93/23	6/1/82	
Twin Hills (V)	12/22/81*	Ban Sale & Import (C)	--	--	Election being considered.
Nondalton (M)	12/17/81*	--	--	--	
<u>FAIRBANKS/DOYON REGION</u>					
Arctic Village (V)	7/23/81	Ban Sale & Import (C)	--	--	
Chalkyitsik (V)	7/15/82*	Ban Sale & Import (V)	21/02	8/1/82	

Village (Municipality or Village)	Petition Sent (ALSC Visit*)	Option Considered or Voted Upon	Election Results <sup>2</sup> (yes/no <sup>2</sup> )	Effective Dates	Notes
Dot Lake (V)	10/01/82*	Ban Sale (C)	--	--	
Eagle (V)	9/30/82*	--	--	--	
Fort Yukon (M)	12/01/81	Ban Sale & Import (C)	--	--	
Huslia (M)	3/02/82*	Ban Sale & Import (V)	40/53	12/1/82	Second election; changed vote.
Kaltag (M)	11/11/82*	Ban Sale & Import (V)	50/27	1/3/83	Second election; same vote.
Mentasta (V)	10/05/82*	--	--	--	
Minto (V)	6/23/81*	--	--	--	
Northway (V)	9/29/82*	Ban Sale & Import (C)	--	--	
Nulato (M)	1/07/82	--	--	--	Petitions sent 1/7/82.
Ruby (M)	8/02/82	--	--	--	Petitions sent 8/2/82.
Stevens Village (V)	4/28/82*	Ban Sale & Import (C)	--	--	Petitions sent 4/28/82.
Tanacross (V)	9/28/82*	--	--	--	
Tanana (M)	9/23/82*	Community Liquor Store (V)	'90/15	--	Applying for a liquor license.
Tetlin (V)	10/04/82*	Ban Sale & Import (V)	54/7	1/1/83	
<u>JUNEAU/SEALASKA REGION</u>					
Angoon (M)	4/06/82*	Ban Sale & Import (V)	72/94	--	ALOL <sup>3</sup> did not pass.
Hydaburg (M)	2/24/82*	Selected Liquor Lic. (V)	43/63	--	ALOL <sup>3</sup> did not pass.
Klawock (M)	10/20/82*	Community Liquor Store (C)	--	--	
Metlakatla (Reservation)	2/14/81*	--	--	--	ALOL <sup>3</sup> not applicable.
Thorne Bay (M)	12/01/82	Ban Sale (V)	--	--	Election improprieties; selected liquor license ap- plied for in January, 1983.
<u>KODIAK REGION</u>					
Larsen Bay (M)	7/19/82*	Ban Sale & Import (V)	17/38	--	ALOL <sup>3</sup> did not pass.
Old Harbor (M)	6/19/81*	--	--	--	Emergency ordinance to ban sale and import, 7/20/82.

Village (Municipality or Village)	Petition Sent (ALSC Visit*)	Option Considered or Voted Upon	Election Results (y/n <sup>2</sup> )	Effective Dates	Notes
<u>KOTZEBUE/NANA REGION</u>					
Ambler (M)	11/23/81*	Ban Sale & Import (V)	29/21	1/1/82	May schedule new election.
Buckland (M)	10/02/81*	Ban Sale & Import (V)	52/06	6/1/82	No special election ordin.
Deering (M)	11/24/81*	Ban Sale & Import (V)	32/24	6/1/82	
Kiana (M)	2/03/82*	Ban Sale & Import (V)	80/60	12/1/82	Second election -- same results.
Kivalina (M)	9/29/81*	Ban Sale & Import (V)	65/27	5/1/82	
Kobuk (M)	11/18/82*	--	--	--	Petitions sent 11/12/82.
Noatak (V)	6/10/82*	Ban Sale & Import (V)	69/53	1/1/83	
Noorvik (M)	5/29/81*	Ban Sale & Import (V)	95/46	5/1/82	
Selawik (M)	11/23/81*	Ban Sale & Import (V)	67/66	1/1/82	
Shungnak (M)	11/24/81*	Ban Sale & Import (V)	59/23	4/1/82	
<u>NOME/BERING STRAITS REGION</u>					
Diom de (M)	9/07/81*	Ban Sale & Import (V)	27/12	10/1/81	
Elim (M)	6/18/81*	Ban Sale & Import (V)	47/17	9/1/81	
Gambell (M)	7/22/81*	Ban Sale & Import (V)	79/10	9/1/81	
Golovin (M)	9/16/81*	Ban Sale & Import (V)	26/19	7/1/81	
Koyuk (M)	7/13/81*	Ban Sale & Import (V)	57/08	9/1/81	
St. Michael (M)	10/14/82*	Ban Sale & Import (V)	--	--	1/83 special election ordinance enacted, new sale and importation petition being circulated; election contemplated.
Savoonga (M)	8/20/81*	Ban Sale & Import (V)	103/81	11/1/81	
Shaktoolik (M)	9/14/81*	Ban Sale & Import (V)	30/23	11/1/81	
Shishmaref (M)	10/12/82*	Ban Sale & Import (V)	82/47	2/1/83	
Stebbins (M)	6/26/81*	Ban Sale & Import (V)	49/07	8/1/81	
Teller (M)	10/11/82*	--	--	--	
Unalakleet (M)	9/10/81*	--	--	--	

Village (Municipality or Village)	Petition Sent (ALSC Visit*)	Option Considered or Voted Upon	Election Results <sup>2</sup> (yes/no <sup>2</sup> )	Effective Dates	Notes
Wales (M)	7/05/81*	Ban Sale & Import (V)	29/21	9/1/81	
White Mountain (M)	7/16/81*	Ban Sale & Import (V)	29/16	4/1/82	Not officially recorded.
<u>NORTH SLOPE REGION</u>					
Anaktuvuk Pass (M)	11/11/81*	Ban Sale & Import (V)	78/11	1/1/83	
Point Hope (M)	9/15/81*	Ban Sale & Import (V)	62/39	8/1/82	
Point Lay (V)	2/09/82*	--	--	--	Within incorporated borough; ALOL <sup>3</sup> not applicable.
Wainwright (M)	6/11/81	Ban Sale & Import (V)	61/42	8/1/82	
<u>YUKON/KUSKOKWIM REGION</u>					
Akiachak (M)	2/02/82*	--	--	--	
Akiak (M)	2/02/82	Ban Sale & Import (V)	--	--	Election improprieties.
Akolmiut (M)	--	Ban Sale & Import (V)	106/35	10/1/81	Not assisted by ALSC.
Alakanuk (M)	3/25/82	Ban Sale & Import (V)	92/24	8/1/81	
Aniak (M)	7/22/82*	Ban Sale & Import (V)	42/129	--	ALOL <sup>3</sup> did not pass.
Atmautluak (M)	9/01/81*	Ban Sale & Import (V)	60/12	6/1/82	
Brevig Mission	8/26/82	--	--	--	Petitions sent 12/82.
Chefornak (M)	9/08/82*	Ban Sale & Import (V)	48/29	11/1/82	Second election.
Chevak (M)	--	Ban Sale & Import (V)	--	--	Election improprieties.
Chuathbaluk (M)	10/08/81*	Ban Sale & Import (C)	--	--	
Crooked Creek (V)	12/09/81*	--	--	--	
Eek (M)	10/19/81*	Ban Sale & Import (V)	90/15	12/1/82	
Emmonak (M)	9/03/81	Ban Sale & Import (V)	54/12	11/1/81	
Goodnews Bay (M)	4/21/82	--	--	--	
Grayling (M)	12/02/81	Ban Sale & Import (V)	34/34	--	ALOL <sup>3</sup> did not pass; needs majority.

Village (Municipality or Village)	Petition Sent (ALSC Visit*)	Option Considered or Voted Upon	Election Results <sup>2</sup> (yes/no <sup>2</sup> )	Effective Dates	Notes
Holy Cross (M)	7/10/81*	Ban Sale & Import (V)	50/60	--	Election results never cert.
Hooper Bay (M)	10/28/82*	Ban Sale & Import (C)	--	--	Election planned for mid-February.
Kipnuk (V)	9/20/81*	Ban Sale & Import (V)	82/07	11/1/82	
Kongiganak (V)	9/17/81*	Ban Sale & Import (V)	50/09	8/1/82	
Kotlik (M)	3/09/81*	Ban Sale & Import (V)	63/15	10/1/81	
Kwethluk (M)	10/12/81*	Ban Sale & Import (V)	82/30	3/1/82	
Lime Village (V)	1/21/82*	--	--	--	
Lower Kalskag (M)	1/15/82*	Ban Sale & Import (C)	--	--	Petition died.
Marshall (M)	--	Ban Sale & Import (V)	42/16	8/1/81	Not assisted by ALSC.
Mekoryuk (M)	5/21/81*	Ban Sale & Import (V)	48/10	10/1/81	
Mountain Village (M)	5/21/81*	--	--	--	
Napakiak (M)	10/02/81*	Ban Sale & Import (V)	54/14	4/1/82	
Napaskiak (M)	9/08/82*	Ban Sale & Import (V)	55/04	12/1/82	
Newtok (M)	11/26/82	--	--	--	Petition received 11/26/82.
Nightmute (M)	9/08/82*	Ban Sale (V)	39/03	1/1/83	Second election expected.
Nunapitchuk (EV)	7/10/81*	--	--	--	Using emergency ordinance.
Pilot Station (M)	7/10/81*	--	--	--	Using emergency ordinance.
Platinum (M)	--	Ban Sale & Import (V)	11/08	2/1/82	CRA <sup>3</sup> assisted with election.
Quinhagak (M)	9/14/81*	Ban Sale & Import (V)	79/26	11/1/81	
Red Devil (V)	1/21/82	Ban Sale (V)	12/22	--	ALOL <sup>3</sup> did not pass.
St. Mary's (M)	9/01/81*	Ban Sale & Import (V)	63/48	10/1/81	
Scammon Bay (M)	11/09/81*	Ban Sale & Import (V)	57/10	1/1/82	
Shageluk (M)	6/22/82*	Ban Sale & Import (V)	--	--	ALOL <sup>3</sup> did not pass.

Village (Municipality or Village)	Petition Sent (ALSC Visit*)	Option Considered or Voted Upon	Election Results <sup>2</sup> (yes/no <sup>2</sup> )	Effective Dates	Notes
Sheldon Point (M)	9/03/81*	--	--	--	
Sleetmute (V)	8/10/82*	Ban Sale & Import (V)	23/20	8/1/82	
Stony River (V)	8/12/82*	--	--	--	
Toksook Bay (M)	10/03/81*	Ban Sale & Import (V)	78/32	12/1/81	
Tuluksak (M)	9/09/82*	Ban Sale & Import (V)	61/16	11/1/82	
Tununak (M)	5/21/81*	Ban Sale & Import (V)	90/11	9/1/81	
Tuntutuliak (V)	12/01/81*	Ban Sale & Import (V)	47/20	9/1/82	
Upper Kalskag (M)	1/15/82*	--	--	--	

NOTE<sup>1</sup>: The four option choices for municipalities (first and second-class and home rule cities) are:

1. Selected liquor license;
2. Community liquor license;
3. Banning the sale of alcoholic beverages;
4. Banning the sale and importation of alcoholic beverages.

Established villages may choose option 1, 3, or 4.

NOTE<sup>2</sup>: For those villages which have chosen the option to ban sale and importation, a "yes" vote means that a voter wishes to stop the sale and importation of alcoholic beverages. A "no" vote means that a voter does not wish to stop the sale and importation of alcoholic beverages under the state alcohol local option law.

NOTE<sup>3</sup>: ALOL -- Alcohol Local Option Law.  
 ALOE -- Alcohol Local Option Election.  
 CRA -- Community and Regional Affairs; Division of Local Government Assistance.

NOTE<sup>4</sup>: As of May 18, 1982, the United States Department of Justice approved the Alaska State Title 4 alcohol local option law submission under Section 5 of the Voting Rights Act. The state of Alaska is a "Voting

Rights Act State," which means that when there is any "change in the standard practice or procedure" in voting, the state or other appropriate agency is required to obtain approval from the United States Department of Justice.

This approval means that the alcohol local option law elections already held by municipalities in the state of Alaska are valid. This approval also means that the established villages can hold alcohol local option law elections with the assistance of the Division of Elections.

This approval means that no objection under the Voting Rights Act can be raised with respect to the alcohol local option law elections held unless someone has actually been denied his or her right to vote, thus prejudicing the election.

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NOTE<sup>5</sup>: After receiving encouragement from many rural Alaskan priests, religious organizations and residents, the Alaska House of Representatives and Senate passed a law, Senate Bill 765, dealing with the sacramental wine exception to the state Title 4 alcohol local option law.

The new law changed A.S. 04.11.496 (b), which is the law allowing communities to vote to prohibit the sale and importation of alcoholic beverages. The amendment of A.S. 04.11.496 (b) stated that if a majority of the people in a community vote to prohibit the sale and importation of alcoholic beverages, a person "may not knowingly send, transport, or bring an alcoholic beverage into the municipality or established village, unless the alcoholic beverage is sacramental wine to be used for bona fide religious purposes based on tenets or teachings of a church, is limited in quantity to the amount necessary for religious purposes, and is dispensed only for religious purposes by a person authorized by the church or religious body to dispense sacramental wine."

This language means that the only alcoholic beverages which can come legally into a community which has voted to stop sale and importation of alcoholic beverages is wine to be used only in a religious service. The wine is to be an amount to be used only in religious service. Only a priest or someone authorized by the priest can receive the wine and give it to people in a religious ceremony.

# STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

## DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

POUCH B  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-4700

225 CORDOVA STREET - BLDG B  
ANCHORAGE, ALASKA 99501  
PHONE: (907) 264-2294

March 9, 1983

### Position Paper

Re: HB 158

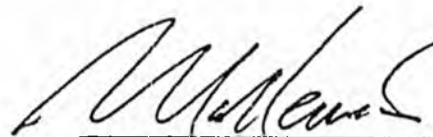
Sponsor: Representative M.M. Miller

#### Program Effects of Bill

Amends the number of liquor licenses that may be issued in Alaska.

#### Comments

No comments.



Mark Lewis, Commissioner  
Community and Regional Affairs

STATE OF ALASKA  
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 158 Date on Bill: 2/4/83  
 Title: Limitation of Liquor Licenses  
 Sponsor: Representative M.M. Miller  
 Requestor: House Community and Regional Affairs

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86		
Capital				-0-	-0-	-0-		
Operating				-0-	-0-	-0-		
Total				-0-	-0-	-0-		

b. Revenues:

Revenue								
---------	--	--	--	--	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

No fiscal impact upon any state agency.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It does not represent the policy of the Sheffield Administration or the final estimate of fiscal impact.

Prepared By: Richard Rainery *RR* Phone: 465-4703  
 Division: Commissioner's Office Date: 3/9/83  
 Approved by Commissioner: *[Signature]* Date: 3/9/83  
 Department: Community & Regional Affairs

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/8/83

STATE OF ALASKA  
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 158 Date on Bill: 2/4/83  
 Title: "An act limiting number of liquor licenses."  
 Sponsor: M.M. Miller  
 Requestor: House Community and Regional Affairs; & Judiciary

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital	-0-			
Operating	-0-			
Total	-0-			

b. Revenues:

Revenue				
---------	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

This bill has no fiscal impact.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Mary Belford Phone: 465-2300  
 Division: Commissioner's Office Date: 2/23/83  
 Approved by Commissioner: Paul O'Leary Date: 2/23/83  
 Department: Revenue

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

Contingency 150 per sq foot  
 11,550 sq. ft.  
 \$600,000.00

~~HB 117~~

HB 158

Kubley - AK Distributors

- Lobbied for 1500 limit (population)

Chockson to Kubley is the intent to stop all types of licenses?  
 John Paden - New Committee in Juneau "It's for moderation" ~~in favor~~ in favor  
 - Szymanski - <sup>bill</sup> will only make larger lines at bars, liquor stores.

bc

Mike Miller (D) Juneau - Committee could exempt <sup>AK</sup> restaurant licenses for Beer & wine.  
 - Restrict Licenses - Do not allow any more hard liquor. = <sup>Miller's bottom</sup> line

SCAMAN - anchorage

Speaker from Cordova has ~~400~~ 1 package store per 400 people, said  
 Alcohol Control Board said 1 license per 930 people in the state

## Relationship between the Number of On-Premise Outlets and Alcoholism

Thomas C. Harford, Ph.D.,<sup>1</sup> Douglas A. Parker, Ph.D.<sup>2</sup>  
Charles Pautler<sup>3</sup> and Michael Wolz<sup>4</sup>

**SUMMARY.** *Rates of on-premise outlets and urbanism were significantly related to rates of alcoholism in 38 states and the District of Columbia.*

Studies of the relationships between alcohol availability, per-capita consumption and the prevalence of alcoholism have generated both critical discussions and policy recommendations relating to the prevention of alcoholism (1-5).

In 1977 Smart (3) reported on the relationships between over-all availability of beverage alcohol (6) and per-capita consumption and alcoholism rates in the U.S.A. He gave equal weighting to each of the control factors making up the index; these included the legal minimum purchasing age and restrictions on off- and on-premise sales on weekdays and Sundays, on hours of business and on outlet density. He found that availability was not related to alcoholism rates or per-capita consumption when per-capita income and the percentage of the population living in urban areas were controlled. Since Smart made no statistical analysis of the internal properties of the index, nor adjustments for legal restrictions on the number of outlets by population in certain jurisdictions, and since the empirical status of the relationships between several of the control factors in the index (e.g., outlet density, legal age) and alcoholism rates is far from conclusive, further studies are required.

The purpose of the present study was to examine the effects of alcohol availability, as measured by the number of on-premise outlets per 100,000 persons, on alcoholism rates in the U.S. On-premise outlets

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<sup>4</sup> Statistical Assistant, NIAAA.

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serve to specify both a context of drinking and a subgroup of drinkers within the population at large (7).<sup>5, 6</sup>

Clark<sup>5</sup> examined the relationship between heavy drinking and tavern patronage and concluded that heavy drinking was related to the frequency of going to taverns and that heavy drinkers are more likely to be found in taverns than are other drinking groups. Harford et al.<sup>6</sup> found that the frequency of bar patronage was significantly related to daily and total weekly alcohol consumption among both men and women. Cahalan and Room (7) have shown that the frequency of visiting bars is related to heavy and problem drinking. Although there is a great variety of bars, their patrons differ demographically in several important ways from those who do not patronize bars,<sup>5</sup> and they do not drink exclusively in bars (8). Thus, patrons of on-premise outlets would appear to be heavy drinkers who contribute substantially to total alcohol consumption.

We hypothesized that the number of on-premise outlets would be significantly related to alcoholism rates when per-capita consumption, per-capita income and urbanism are controlled. Per-capita consumption was entered into the model because it has been shown (3) to be significantly related to each of the other variables.

#### METHOD

Data on the number of on-premise outlets were taken from a 1964 survey by Licensed Beverage Industries (9).<sup>7</sup> Rates of on-premise outlets were based on the population aged 15+. Data on the number of on-premise outlets were not available for 12 states. Of the remaining 39 states (including the District of Columbia), 22 reported legal restrictions on the number of on-premise outlets by population and 17 reported no restrictions (10).<sup>8</sup> Per-capita consumption was based on U.S. gallons of absolute alcohol consumed by the population aged 15+ (11). Data on per-capita income and the percentage of the population living in urban areas (urbanism) were provided by the Bureau of the Census (12). Alcoholism rates were based on the Jellinek formula (13). Smart (3) used the same data for consumption, income, urbanism and alcoholism.

<sup>5</sup> Also, CLARK, W. Contextual and situational variables in drinking behavior. [Unpublished manuscript.]

<sup>6</sup> Also, HARFORD, T., GERSTEL, E. K., PAULTER, C. and HOBAN, M. Social activity level and drinking patterns. Presented at the annual Medical-Scientific Conference of the National Alcoholism Forum, Washington, D. C., May 1979.

<sup>7</sup> Since the hypothesis being tested relates availability to alcoholism rates, it seemed reasonable to allow for a lag between the time for which the survey reported rates of on-premises outlets and a time when the effects would appear in alcoholism rates. An estimated time lag is not critical to the present analysis, however, in view of the high correlation ( $r = .98$ ) obtained between 1964 and 1975 rates of on-premises outlets.

<sup>8</sup> States with restrictions are Alabama, Alaska, Arizona, California, Florida, Idaho, Indiana, Kentucky, Massachusetts, Michigan, Minnesota, Montana, New Jersey, New Mexico, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Washington, Wisconsin and Wyoming; states with no restrictions are Colorado, Connecticut, Delaware, Georgia, Hawaii, Iowa, Louisiana, Maine, Maryland, Missouri, Nebraska, Nevada, New Hampshire, New York, North Dakota and Vermont, as well as the District of Columbia.

## RESULTS

Table 1 shows the Pearson product-moment correlations between the variables for the sample of 38 states and the District of Columbia and for the 50 states and the District of Columbia reported by Smart (3). The coefficients of the 2 studies are similar, except that Smart found a significant correlation between availability and income. The 2 measures of availability also yielded similar results for consumption and alcoholism. On-premise rates correlated significantly and positively with the over-all availability measure used by Smart ( $r = .44$ , 38 df,  $p < .01$ ).

To test the hypothesis that rates of on-premise outlets are significantly related to alcoholism rates when other factors are controlled, alcoholism rates ( $Y$ ) were regressed on on-premise outlet rates ( $X1$ ), per-capita consumption ( $X2$ ), per-capita income ( $X3$ ) and percentage of urban population ( $X4$ ). Several different polynomial regressions were tested and it was found that the term  $X4^2$  should be in any equation relating  $Y$  to  $X4$  and any other set of variables because the nonlinear relationship between urbanism and alcoholism rates was significant. Accordingly, the present regression was based on the following model:  $Y = X1 + X2 + X3 + X4 + X4^2$ . Finally, a statistical analysis indicated that the two groups of states (presence and absence of legal restrictions) were not statistically different for this model and therefore the regression analysis was based on the total state data ( $N = 39$ ).

The results of the regression analysis indicated that on-premise rates were significantly related to alcoholism rates ( $p < .01$ ) when consumption, income and urbanism were controlled. In addition, the results indicated that urbanism was significantly related in a nonlinear manner to alcoholism rates ( $p < .05$ ) when on-premise rates, consumption and income were controlled. Neither consumption nor income was significantly related to alcoholism when the other variables were controlled.

Although the 2 groups, those with and without legal restrictions, did not differ significantly on this model, regressions were made separately

TABLE 1.—Pearson Product-Moment Correlations between Measures of Availability, Per-Capita Consumption, Per-Capita Income, Urbanism and Alcoholism Rate\*

	AVAILABILITY							
	On-Premise Rates (N = 39)		Consumption (39) (51)		Income (39) (51)		Urbanism (39) (51)	
Consumption	.49†	.41†						
Income	.23	.39†	.54†	.60†				
Urbanism	.09	.25	.28	.34*	.71†	.72†		
Alcoholism rates <sup>b</sup>	.45†	.42†	.47†	—	.52†	.59†	—	.53†

\* Availability measures are the over-all availability of beverage alcohol, which Smart (3) examined in 50 states and the District of Columbia, and the rate of on-premise outlets as assessed by the present study in 38 states and the District of Columbia.

<sup>b</sup> Smart (3) did not report the correlation between alcoholism rates and per-capita consumption; alcoholism rates were not linearly related to urbanism in the present study.

\*  $P < .05$ . †  $P < .01$ .

for the groups because they provide greater conceptual if not statistical homogeneity (14). The results of the regression analysis in states with restrictions ( $N = 22$ ) were identical to those presented above. In the 16 states (and the District of Columbia) with no restrictions only on-premise rates were related to alcoholism ( $p < .10$ ). The removal of 1 outlier, the District of Columbia, increased the strength of the relationship between on-premise rates and alcoholism ( $p < .05$ ).

While the major objective in the present study was to examine the relationship between availability and alcoholism after adjusting for consumption, income and urbanism, other forms of the equation were examined with the same variables. Since certain interactions might exist, squared and cross-product terms were tested. These regression analyses show that if prediction of alcoholism rates was the objective then the model  $Y = X_1 + X_4 + X_4^2$  was the best one to use based on Mallows' Cp criteria (15). This equation yields a squared multiple correlation of .54. The two groups of states (presence and absence of restrictions) were not statistically different according to this model.

Because of the nonlinear relationship between urbanism and alcoholism rates, we reexamined the relationship between Smart's index of over-all availability and alcoholism rates using the complete set of state data ( $N = 51$ ). The same regression model was used except that the index of over-all availability replaced that of on-premise outlet rates. The results of this analysis indicated that over-all availability scores, per-capita income and urbanism were not related to alcoholism rates, while per-capita consumption was related ( $p < .08$ ).

#### DISCUSSION

The results of the regression analyses indicated that both the rates of on-premise outlets and urbanism contributed to alcoholism rates when per-capita consumption and income were controlled. Urbanism, however, contributed significantly to alcoholism rates only in states which placed restrictions on the number of outlets according to population.

Further research is needed to determine the mechanisms underlying the relationship between availability and alcoholism and whether subsequent changes in numbers of outlets will influence alcoholism rates. The present findings suggest that a high rate of on-premise outlets indicates the presence of a heavy-drinking population that is at risk with respect to alcoholism. The fact that the index of over-all availability was not significantly related to alcoholism rates is consistent with this interpretation. Also consistent is the finding that per-capita consumption was not significantly related to alcoholism rates when on-premise rates were controlled.

There are several obvious limitations in the present data. The heterogeneity of state jurisdictions and the small sample sizes available for analysis indicate the need for other units of analysis (e.g., Standard Metropolitan Statistical Areas or counties). In the present study classification was based solely on the presence and absence of restrictions

on outlet rates by population. Other classifications (e.g., location and type of outlet) may yield different results.

More attention should be given to the development of a comprehensive model of alcohol availability. The incorporation of different measures of availability, as well as other variables, may yield different results. Different results may also be obtained when alcoholism rates are based on indicators other than liver cirrhosis mortality.

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Table 10. Total Number of Licenses by Type,<sup>1</sup> by Year, Alaska  
1978 - 1982.\*

	1978	1979	1980	1981	1982
Beverage Dispensary Club	483	583	592	624	629
Commercial Carrier	51	61	62	66	66
Restaurant	64	78	79	83	84
Retail	181	218	222	234	236
Pub	351	424	431	454	458
Total	1	1	1	1	1
	1,131	1,365	1,387	1,462	1,474
On	780	941	956	1,008	1,016
Off	351	424	431	454	458

1. Department of Revenue: Alcohol Beverage Control Board

\* The total number of Liquor License's was made available by the ABC Board. The distribution of license's by type was based on the percentage breakout for 1981 a year for which data on number of each type of license was available. Data on the exact type breakout for previous years was unavailable.

Table 10c. Number of persons per license, Alaska , 1978-1982

	1978	1979	1980	1981	1982
ON PREMISE LICENSE'S	780	941	956	1008	1016
19+ Population	345	288	277	258	269
State Population	525	431	418	404	410
OFF PREMISE LICENSE'S	351	424	431	454	458
19+ Population	766	639	614	572	596
State Population	1168	957	928	896	910
TOTAL LICENSE'S	1131	1365	1387	1462	1474
19+ Population	237	198	191	170	185
State Population	363	297	288	278	283
STATE POP. (000's) <sup>1</sup>					
19+ years	269	271	265	260	273
State Pop.	410	406	400	407	417

1. Department of Labor: Annual Population Statistics.

Table 10. Liquor Licenses, by Type of License, and Rate per 1000 population, Alaska, 1981.

TYPE OF LICENSE	NUMBER	RATE PER 1000 POPULATION
On-premises	873	2.12
Off-premises	549	1.33
TOTAL	1,422	3.46

OK

Table 9. Per Capita Sales, Total Sales and Sales by Beverage Class, Beverage Alcohol and Absolute Alcohol, for Persons 19 Years of Age and Older, Alaska, 1976-1982.

YEAR	BEVERAGE CLASS	GALLONS PER CAPITA		19 YRS. & OLDER POPULATION
		Beverage Alcohol	Beverage Alcohol	
1982	Distilled Spirits	4.81	1.98	272,796
	Wine	4.92	.63	
	Beer	43.69	1.97	
	TOTAL	---	4.58	
1981	Distilled Spirits	4.83	1.99	259,806
	Wine	4.65	.60	
	Beer	42.05	1.89	
	TOTAL	---	4.48	
1980	Distilled Spirits	4.26	1.75	264,991
	Wine	3.92	.51	
	Beer	37.13	1.67	
	TOTAL	---	3.93	
1979	Distilled Spirits	4.17	1.71	271,439
	Wine	3.62	.47	
	Beer	34.15	1.54	
	TOTAL	---	3.72	
1978	Distilled Spirits	4.39	1.80	269,570
	Wine	3.51	.45	
	Beer	34.21	1.54	
	TOTAL	---	3.79	
1977	Distilled Spirits	4.63	1.90	271,546
	Wine	3.44	.44	
	Beer	34.03	1.53	
	TOTAL	---	3.87	
1976	Distilled Spirits	4.83	1.99	263,375
	Wine	3.28	.42	
	Beer	33.89	1.53	
	TOTAL	---	3.44	

CITY	Population	Beauty & Dispensary	Package Store	RESTAURANT	CLUB	TOTAL Per Lic
Anchorage	182740	174	113	112	15	384
Pop Required for new Lic.		216000	169500	168000	22000	
Cordova	2223	6	6	-0-	2	14
Pop Required ✓		9000	9000		3000	
Fairbanks	25548	43	24	15	5	87
Pop Required -		64500	36000	22500	7500	
Haines	1017	5	3	1	2	11
Pop Required ✓		7500	4500	1500	3000	
Homer	2588	9	7	2	1	19
Pop Required ✓		13500	10500	3000	1500	
Juneau	21080	27	15	15	2	59
Pop Required -		40500	22500	22500	3000	
Kenai	4558	11	4	4	3	22
Pop Required -		16500	6000	6000	4500	
Ketchikan	7220	23	16	6	6	51
Pop Required ✓		34500	24000	9000	7000	
Kodiak	4678	12	6	4	2	24
Pop Required -		18000	9000	6000	3000	
McCarthy	313	2	3	-0-	-0-	5
Pop Required -		3000	4500	-	-	
Nome	3039	7	4	2	1	14
Pop Required ✓		10500	6000	3000	1500	
Palmdale	2275	6	3	2	2	13
Pop Required ✓		9000	4500	3000	3000	
Wrangell	2345	5	6	-0-	1	12
Pop Required ✓		7500	9000	-	1500	
TOTAL	132086	300	210	163	42	715
Persons Per Lic		974	1105	1424	5526	325

BEV. Dispensing Licenses do not include public convenience or duplicates.

**Article 2. Licenses and Permits.****Section**

80. Types of licenses and permits  
 90. Beverage dispensary license  
 100. Restaurant or eating place license  
 110. Club license  
 120. Bottling works license  
 130. Brewery license  
 140. Winery license  
 150. Package store license  
 160. Wholesale licenses

**Section**

170. Distillery license  
 180. Common carrier dispensary license  
 190. Community liquor license  
 200. Retail stock sale license  
 210. Recreational site license  
 220. Pub license  
 230. Caterer's permit  
 240. Special events permit  
 250. Conditional contractor's permit

**Sec. 04.11.080. Types of licenses and permits.** Licenses and permits issued under this title are as follows:

- (1) beverage dispensary license;
- (2) duplicate beverage dispensary license for additional rooms;
- (3) restaurant or eating place license;
- (4) club license;
- (5) bottling works license;
- (6) brewery license;
- (7) package store license;
- (8) general wholesale license;
- (9) wholesale malt beverage and wine license;
- (10) distillery license;
- (11) common carrier dispensary license;
- (12) retail stock sale license;
- (13) recreational site license;
- (14) community liquor license;
- (15) pub license;
- (16) winery license;
- (17) caterer's permit;
- (18) special events permit;
- (19) conditional contractor's permit. (§ 2 ch 131 SLA 1980)

**Am. Jur. 2d and C.J.S. references.** — 48 C.J.S. Intoxicating Liquors  
 45 Am. Jur. 2d, Intoxicating Liquors. §§ 121-128.  
 §§ 124-133.

**Sec. 04.11.090. Beverage dispensary license.** (a) A beverage dispensary license authorizes the holder to sell or serve on the licensed premises alcoholic beverages for consumption on the licensed premises only.

(b) The annual beverage dispensary license fee is \$1,250.

(c) An applicant for a beverage dispensary license must file with the application a cash bond or a surety bond executed by a surety company approved by the board. The bond shall be in the sum of \$2,500. Upon revocation of the license under AS 04.11.370(4), the bond shall be forfeited and the amount deposited in the general fund of the state.

**Article 4. Denial, Suspension, or Revocation of Licenses and Permits.**

Section	Section
320. Denial of new licenses and permits	370. Suspension and revocation of licenses and permits
330. Denial of license or permit renewal	
340. Denial of transfer of location	
360. Denial of transfer of a license to another person	

**Sec. 04.11.320. Denial of new licenses and permits.** (a) An application requesting issuance of a new license shall be denied if

(1) the board finds, after review of all relevant information, that issuance of the license would not be in the best interests of the public;

(2) issuance of the license is prohibited by AS 04.11.390, relating to residency, or AS 04.11.410, relating to location of premises near churches and schools;

(3) the application has not been completed in accordance with AS 04.11.260;

(4) issuance of the license would violate the restrictions pertaining to the particular license imposed under this title;

(5) issuance of the license is prohibited under this title as a result of an election conducted in accordance with AS 04.11.502;

(6) the requirements of AS 04.11.420 — 04.11.450 relating to zoning, ownership and location of the license, and the identity and financing of a licensee have not been met;

(7) the licensed premises are to be located in a municipality, the type of license sought is a beverage dispensary or package store license, and that type of license is already in effect in the municipality under a community liquor license, unless the new license is to become effective after the community liquor license is no longer effective, whether as the result of a local option election or otherwise;

(8) the authority sought is authority to operate a beverage dispensary or package store under a community liquor license for premises to be located in a municipality where the authority sought is already held by a private licensee under a beverage dispensary or package store license, unless the community liquor license is to become effective after the privately held license is no longer effective, whether as the result of a local option election or otherwise;

(9) issuance of the license is prohibited under AS 04.11.400(a) or prohibition of issuance of the license is found necessary under AS 04.11.400(b);

(10) the application contains false statements of material fact;

(11) the license is sought for the sale of alcoholic beverages in a first or second class city in which there are no licensed premises at the time of application unless a majority of the voters in a local option election conducted in accordance with AS 04.11.502 have voted "no" on the question set out in AS 04.11.490, or have voted "yes" on a question set out in AS 04.11.492 or 04.11.500;

(12) the license is sought for the sale of alcoholic beverages in an established village in which there are no licensed premises at the time of application unless a majority of the voters in a local option election conducted in accordance with AS 04.11.502 have voted "no" on the question set out in AS 04.11.490 or have voted "yes" on the question set out in AS 04.11.500.

(b) An application requesting issuance of a new permit shall be denied if

(1) the board finds, after review of all relevant information, that issuance of the permit would not be in the best interests of the public;

(2) the board finds that any of the statements made in the application are untrue;

(3) the application has not been completed in accordance with AS 04.11.260;

(4) the permit is sought for the sale of alcoholic beverages in a first or second class city or established village in which there are no licensed premises at the time of application unless a majority of the voters in a local option election conducted in accordance with AS 04.11.502 have voted "no" on the question set out in AS 04.11.490. (§ 2 ch 131 SLA 1980)

**Cross reference.** — As to application for new license or permit, see AS 04.11.260.

**Sec. 04.11.330. Denial of license or permit renewal.** (a) An application requesting renewal of a license shall be denied if

(1) the board finds, after review of all relevant information, that renewal of the license would not be in the best interests of the public;

(2) the license has been revoked for any cause;

(3) the applicant has not operated the licensed premises for at least 30 eight-hour days during the immediately preceding calendar year, unless the board determines that the licensed premises are under construction or cannot be operated through no fault of the applicant;

(4) the board finds that issuance of an existing license under AS 04.11.400(g) has not encouraged tourist trade;

(5) the requirements of AS 04.11.420 — 04.11.450 relating to zoning, ownership of the license, and financing of the licensee have not been met;

(6) renewal of the license would violate the restrictions pertaining to the particular license under this title;

(7) renewal of the license is prohibited under this title as a result of an election conducted in accordance with AS 04.11.502;

(8) the application has not been completed in accordance with AS 04.11.270;

STATE OF ALASKA  
THE LEGISLATURE

FOUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

March 30, 1983

SUBJECT:           Limitation of liquor licenses  
                      (SSHB 158)

TO:                 Representative M. Mike Miller

FROM: *RJ*           Russ Josephson  
                      Legislative Counsel

Enclosed is a draft of the sponsor substitute you requested for HB 158. I thought it would be useful to explain the contents of the draft.

Sections 1 through 6 and sec. 8 all contain technical changes necessitated by the repeal of the tourist trade exception and the public convenience exception provisions in sec. 9. The remaining section, sec. 7, is the "guts" of the bill, changing the population requirements for bar and package store licenses. Rather than the present figure of 1,500 persons per license, the bill would require 3,000 persons per license for those two types of licenses.

RJ:ljb

Enclosure  
12/040

*Barb -*  
*attached is Mr. Miller's*  
*revised HB 158 - limiting*  
*Liquor licenses. He wants to*  
*know if you prefer a committee*  
*substitute or a sponsor sub.?*  
*if you want to hear it again,*  
*I'll get a sectional analysis.*