

S B

411

SENATE COMMITTEE REPORT

DATE: 3/8/90



FURTHER:

DATE TURNED INTO OFFICE: 3/22/90

Labor & Commerce

Committee considered

SB 411

"An Act relating to sale of alcoholic beverages by a package store licensee."

and recommended:

- replace with _____ CS _____
- or adopt _____ CS _____
- attached amendment(s)
- _____ letter of intent adopted

- same title
- new title
- technical title change (HB only)

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S):

Dept/Date:

fiscal note(s) _____

zero fiscal note(s) _____

appropriation-no fiscal note

APPROVES PREVIOUS:

Dept/Date:

fiscal note(s) _____

zero fiscal note(s)
Dept of Revenue 2/9/90

Governor's bill w/fiscal note

SIGNING DO/PASS

[Handwritten signatures]

OTHER RECOMMENDATIONS:

[Handwritten signature] do pass

Chair: Signature and Recommendation

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Sale of alcoholic beverages by
a package store licensee
Sponsor: Sen. Binklev. et al
Requestor: Sen. Hess Committee

Agency Affected: Department of Revenue
BRU: Alcoholic Beverage Control
Board
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

This legislation does not impact the ABC Board's FY 90 budget.

Prepared by: Patrick L. Sharrock, Director
Division: Alcoholic Beverage Control Board

Phone: 277-8638
Date: 2/8/90

Approved by Commissioner: [Signature]
Agency: Department of Revenue

Date: 2/9/90

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)



Alaska State Legislature

SENATE

Committee on Finance

Official Business

P.O. Box V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

March 8, 1990

TO: Senator Dick Eliason, Chairman
Senate Labor and Commerce Committee

FROM: Senator John Binkley *John Binkley*

RE: SB 411 - Relating to sale of alcoholic beverages
by package liquor store

This is to request a hearing in your committee of SB 411 at the earliest possible time.

SB 411 is one of a package of bills which target the problems of Fetal Alcohol Syndrome. This particular bill is a part of the public education and awareness initiatives related to the problem. Last session we passed legislation which required the posting of signs which warn of the dangers of drinking alcohol during pregnancy. We've had feedback which indicates the signs have been successful. Many rural residents, however, don't have the benefit of seeing the warning because they purchase their alcohol through mail orders.

Thirty-nine businesses are currently licensed to sell alcohol through mail order shipments in the state. SB 411 would require those licensees to include a written notice which warns of the dangers of drinking alcoholic beverages during pregnancy. The March of Dimes produces a brochure which can be purchased for a nominal cost. The sample attached to this memorandum costs just 2.5 cents each, and if purchased in bulk quantities a 10% discount can be applied.

The bill has a -0- fiscal note and is supported by the Alcohol Beverage Control Board.

Thank you for your consideration.



Official Business

Alaska State Legislature

SENATE

Committee on Finance

P.O. Box V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

March 20, 1990

TO: Senator Dick Eliason, Chairman
Senate Labor and Commerce Committee

FROM: Senator John Binkley

RE: SB 411 - relating to sale of alcoholic beverages
by a package store licensee

Sectional Analysis

Section 1. Amends licensing section of Alcoholic Beverage statutes to require that package store licensees include a brochure or other written material warning of the dangers of drinking alcohol during pregnancy.

The posting of the signs warning of the dangers of drinking alcoholic beverages during pregnancy has been a positive step. Alaskans who purchase their alcohol by mail, however, don't have the benefit of seeing this important message.

Several organizations, including the March of Dimes, produce inexpensive brochures which are designed to pass on the message. Attached is a sample which can be purchased for the small sum of \$2.50 for 100 brochures. That's just 2.5 cents each.

This bill has a -0- fiscal note and is supported by the Alcoholic Beverage Control Board.

STEVIE COWPER, GOVERNOR

DEPARTMENT OF REVENUE

550 W. 7TH AVE
ANCHORAGE, ALASKA 99501-6698

ALCOHOLIC BEVERAGE CONTROL BOARD

February 28, 1990

The Honorable John Binkley
Alaska State Senate
Pouch V
Juneau, Alaska 99811

RECEIVED MAR 2 1990

RE: SB 410 and SB 411
Attention: Pat Jackson

Dear Senator Binkley:

The Alcoholic Beverage Control Board has had an opportunity to review SB 410 and SB 411. The board does not have concerns or objections to the legislation and lends its encouragement for adoption.

If you have any questions, please do not hesitate to call.

Sincerely,



Patrick L. Sharrock
Director, ABC Board

PS/cl

90-41

Would You Give Your Newborn Baby A Drink of Liquor or Wine or Beer?

Of course you wouldn't. You know that a baby doesn't need or want alcohol in any form. You wouldn't think of putting an alcoholic drink in your baby's bottle because you know it's not good for him or her.

Well, exactly the same is true *before* your baby is born. When you are pregnant, every time you take a drink, your baby takes one too. The drink he gets is just as strong as the one you get, and because he is so much smaller than you are, it hits him a lot harder.

What is worse, his hangover could last a lifetime.

What Is Fetal Alcohol Syndrome?

Fetal alcohol syndrome (FAS) is a pattern of physical and mental birth defects that are the direct result of the mother's drinking alcohol while pregnant.

FAS babies are abnormally small at birth, especially in head size. Unlike many newborns who are too small, few of these children catch up to normal growth. Most of them have small brains and show some amount of mental retardation. Many are jittery and poorly coordinated. They have short attention spans and behavioral problems. Their mental problems may not improve with age.

FAS babies usually have narrow eyes and short upturned noses. Some have heart defects, which may require surgery.

I Don't Drink That Much. Could it Happen To My Baby?

We don't know how much alcohol is "safe." The best decision is not to have any while you are pregnant—or when you might be.

About *one out of every 750 babies born has FAS!** That's a lot of damaged babies. We don't realize how common FAS is because we don't hear about it as much as other birth defects. We haven't known about FAS for very long.

What Can I Do About It?

Everything. Unlike many other birth defects, FAS is *completely preventable*. By you. Nobody else can do it for you—not your doctor or your mother or the baby's father.

FAS is forever. There is no cure. But it doesn't have to happen at all. All you have to do is say "no" to the next drink, and keep on saying it until after your baby is born.

Other Than The Tragedy Of FAS, Are There Any Other Reasons Not To Drink While I'm Pregnant?

Alcohol is a drug that adds calories, but no food value, to the diet—your diet and your developing baby's. Having an alcoholic drink instead of milk or fruit juice deprives your baby of the nourishment it needs to grow and develop normally.

Women who drink heavily during pregnancy have more miscarriages and more stillbirths (babies born dead) than other women. Even moderate drinking is suspected of causing those problems. It is also suspected of causing learning disabilities and minor physical problems. There is much we still have to learn, but pregnancy is no time for guessing how much is too much.

When Should I Stop?

It's never too soon.

From the moment of conception, your baby's organs start forming. Alcohol can damage them. For example, brain, heart and blood vessels start to develop in the third week of pregnancy. The heart begins to beat by the fourth week, even though the embryo is less than ¼ of an inch long.

Since most women do not know that they are pregnant until a month or more has passed, they may have been drinking all along. So the best time to stop drinking is *before* you become pregnant. If you are pregnant and are still drinking, the time to stop is *now*. If you need help, ask your doctor.

**THE ONLY SAFE ADVICE IS:
IF YOU DRINK HEAVILY,
DON'T GET PREGNANT;
IF YOU'RE PREGNANT,
DON'T DRINK.
YOUR BABY CAN'T SAY NO.
SAY IT FOR YOUR BABY.**

* Centers for Disease Control, U.S. Dept. of Health and Human Services/Public Health Service: *Morbidity and Mortality Weekly Report*, January 13, 1984.

Will My Drinking Hurt My Baby?



**March of Dimes
Birth Defects Foundation**
1275 Mamaroneck Avenue
White Plains NY 10605

For more information on
drinking and pregnancy,
ask your doctor or your
local March of Dimes chapter.

This pamphlet is made
possible through contributions
to the March of Dimes.

For additional copies
contact your local
March of Dimes chapter.

**March of Dimes
Birth Defects Foundation**


Say No For Your Baby.

You wouldn't get your baby drunk after it's born. But it's just as harmful for your baby if you drink while you're pregnant.

Every time a pregnant woman takes a drink, she risks damaging her unborn baby (fetus).

When a pregnant woman drinks, the alcohol passes swiftly through the placenta to her unborn baby. It hits the baby harder than it would an adult because the baby's developing organs cannot break down the alcohol as fast as an adult's can. That means the baby can have more alcohol in its blood than the mother does . . . *and can suffer lifelong damage before it is even born.*

How Does Drinking Hurt An Unborn Baby?




Each year, 5,000 American babies are born with fetal alcohol syndrome (FAS). This is a pattern of physical and mental birth defects that is the direct result of drinking by the mother during pregnancy. FAS does not have to happen to any baby. It is *completely preventable*.

Babies with FAS:

- Are smaller than they should be when they are born. Most of them don't ever catch up to the size of other children.
- Have heads and brains that are too small, and varying degrees of mental retardation. Many are jittery and poorly coordinated; they may have short attention spans and behavior problems, too.
- May have defects of the heart and other body parts.
- Often have narrow eyes, a short nose, thin upper lip, absent upper lip crease, and underdeveloped jaws.

Babies with FAS have one thing in common — a mother who drank a lot during pregnancy.

How Much Is Too Much?




Heavy drinkers aren't the only ones who risk damage to the fetus. The baby of a "moderate" drinker may be born with one or more FAS features. Some women who drink moderately have babies with lesser forms of alcohol-related damage, often called fetal alcohol effects (FAE). There are other dangers besides birth defects. Women who drink heavily have more miscarriages and stillbirths than other women. Even moderate drinking is suspected of causing these problems.

If you know a woman who drank while pregnant and delivered a baby who seems healthy, you can't count on this happening in your case.

- There is no way to tell which babies will be affected by the alcohol their mothers drink.
- There is no known "safe" level of alcohol consumption during pregnancy.

The only way to keep from risking severe damage to your baby is not to drink throughout pregnancy and while nursing.

When To Stop



If you're pregnant and have just learned about the dangers of drinking, the time to stop is now.

If you're thinking about having a baby, stop drinking before you get pregnant. During the weeks before a woman may know she is pregnant, the baby's brain, heart and other organs begin to form and are especially vulnerable to damage from alcohol.

Fetal alcohol syndrome can't be cured, but it can be prevented. What it takes is a choice between pregnancy and drinking:

- If you want to become a mother of a healthy baby, stop drinking.
- If you are a heavy drinker, do not get pregnant until you are sure you have your drinking under control and will not drink throughout your pregnancy.

words about drinking while pregnant:



March of Dimes
Birth Defects Foundation
National Office
1275 Mamaroneck Avenue
White Plains New York 10605

This pamphlet is made possible through
contributions to the March of Dimes.

For additional copies contact your local
March of Dimes chapter.

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MEN,

ALCOHOL and

BABIES

*Having a healthy baby was once
thought to be the woman's
responsibility...*

It's true that what a mother-to-be eats and drinks affects her baby. That's why pregnant women are advised not to drink alcohol - because it can cause a birth defect called **FETAL ALCOHOL SYNDROME (FAS)**. With **FAS** the baby is growth and mentally retarded, and has facial deformities as well as other physical problems.

BUT THE FATHER'S DRINKING ALSO AFFECTS HIS CHILDREN:

- It affects his ability to father children.
- It increases the chance of other birth defects in his children.
- It lowers his babies' birthweight.

The father's support of the mother during the pregnancy is the most important action a man can do to have a healthy baby. The father can:

- Make an agreement that neither you nor the mother-to-be will drink alcohol, smoke cigarettes or marijuana, or use any drugs during the pregnancy. This agreement makes it easier for a woman to maintain a healthy life style.

- Encourage regular prenatal care, and go with her to the checkups.

- See to it she eats a balanced diet, and takes prenatal vitamins and iron if prescribed.

- Remind her not to take any medicine during the pregnancy unless told to by her doctor.

REMEMBER, IT'S YOUR BABY TOO!



NCADD FACT SHEET: ALCOHOL-RELATED BIRTH DEFECTS

DEFINITIONS

- Fetal alcohol syndrome (FAS) is one of the top three known causes of birth defects with accompanying mental retardation—and the only preventable cause among those three. FAS can be prevented by abstaining from alcohol consumption during pregnancy.¹

FAS is characterized by a cluster of congenital birth defects that develop in the infants of some women who drink heavily during pregnancy. These defects include prenatal and postnatal growth deficiency; facial malformations such as a small head circumference, flattened midface, sunken nasal bridge and flattened and elongated philtrum; central nervous system dysfunction; and varying degrees of major organ system malformations.²

- Fetal alcohol effects (FAE), a less severe version of FAS, is characterized by milder or less frequent FAS signs. Low birthweight, subtle behavioral problems or a partial display of physical malformations, for example, may be seen in the newborns of women who consumed less alcohol during pregnancy than women with FAS newborns.³

INCIDENCE AND RISK FACTORS

- Nearly 5,000 babies – one in every 7th—are born with FAS every year. (FAS prevalence rates range from one in 1,000 to one in 200.) Comparatively, FAE may affect 36,000 newborns each year.⁴
- One in six women in the peak childbearing years of 18-34 may drink enough, either chronically or episodically, to present a hazard to an unborn infant.⁵
- Alcoholic women are at highest risk of bearing children with FAS. Alcoholism is a chronic, progressive and potentially fatal disease characterized by tolerance and physical dependency or pathologic organ changes, or both.⁶
- FAS is prevalent in 9.8 of every 1,000 American Indians from a particular high risk culture. Other American Indian populations have rates ranging from 1.3 to 10.3 for every 1,000.⁷
- An average of one to two reported drinks daily is linked to decreased birthweight, growth abnormalities and behavioral problems in the newborn and infant. Increased risk of spontaneous abortion has been found at an even lower dose: one to two drinks twice weekly.⁸
- The probability of having a child with FAS or FAE increases with the amount and frequency of alcohol consumed. Whenever a pregnant woman stops drinking, she reduces the risks of FAE and the consequences of alcohol exposure.⁹
- There is no known safe dose of alcohol during pregnancy, nor does there appear to be a safe time to drink during pregnancy. Although 90 percent of the public is aware that drinking during pregnancy may damage the fetus, one study showed that one-third of women interviewed believed that drinking more than three drinks a day during pregnancy was safe.¹⁰

GOVERNMENT WARNING: (1) According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects.

(2) Drinking too much alcohol can lead to fetal alcohol syndrome, a serious birth defect.

(3) Drinking too much alcohol can lead to fetal alcohol effects, a serious birth defect.

(4) Drinking too much alcohol can lead to fetal alcohol syndrome, a serious birth defect.

ECONOMIC FACTORS

- Assuming a conservative estimate of one FAS newborn for every 1,000 live births in 1980, it cost approximately \$14.8 million to treat them; \$670 million to treat the 68 000 FAS children under 18; and \$760 million to treat 160,000 FAS adults. Plus, indirect productivity losses were \$510.5 million.¹¹
- Women are now heavily targeted for marketing of alcoholic beverages. (Women will spend \$30 billion on alcoholic beverages in 1994, up from \$20 billion in 1984.)¹²

PUBLIC HEALTH RECOMMENDATIONS

- The best advice for pregnant women is to abstain from alcohol consumption during pregnancy. There is no evidence to establish an alcohol consumption level free of risks to the fetus.¹³
- Women who breastfeed should continue to abstain from drinking alcohol until their babies are weaned. Alcohol readily enters breast milk and heavy alcohol consumption has been shown to reduce lactation.¹⁴
- As of January 1990, nine states and 17 cities/counties require that signs warning of the dangers of drinking during pregnancy be posted wherever alcoholic beverages are served or sold.¹⁵

SOURCES

¹H.J. Harwood et al., *Economic Costs to Society of Alcohol and Drug Abuse and Mental Illness—1980* (Research Triangle Park, N.C.: Research Triangle Institute, 1984), p. B-3. ²"Fetal Alcohol Syndrome," *Alcohol Topics in Brief*, National Institute on Alcohol Abuse and Alcoholism (NIAAA), April 1985, p. 1; K. Warren, "Alcohol-Related Birth Defects: Current Trends in Research," *Alcohol Health and Research World*, NIAAA, Vol. 10, No. 1 (Fall 1985), p. 4. ³R. Little and C. Ervin, "Alcohol Use and Reproduction," eds. S. Wilnsack and L. Beckman, *Alcohol Problems in Women* (New York: The Guilford Press, 1984), p. 158. ⁴Harwood et al., op. cit., p. B-3; H.J. Harwood and D.M. Napolitano, "Economic Implications of the Fetal Alcohol Syndrome," *Alcohol Health and Research World*, NIAAA, Vol. 10, No. 1 (Fall 1985), p. 41. ⁵"Behavior Risk—Factor Surveillance—Selected States," *Morbidity and Mortality Weekly Report*, February 1983, pp. 32–155. ⁶NIAAA, *Fourth Special Report to the U.S. Congress on Alcohol and Health*, ed. J.R. DeLuca, DHHS Pub. No. (ADM) 82–1080, 1981, p. 36. ⁷P. May et al., "Epidemiology of Fetal Alcohol Syndrome among American Indians of the Southwest," *Social Biology*, Vol. 30 (1983), pp. 374–387. ⁸Little and Ervin, loc. cit., p. 162. ⁹J. Funkhouser and R. Denniston, "Preventing Alcohol-Related Birth Defects," *Alcohol Health and Research World*, NIAAA, Vol. 10, No. 1 (Fall 1985), p. 56. ¹⁰Ibid., p. 54. ¹¹Harwood et al., *Economic Costs to Society*, p. B-11 and B-15. ¹²"Betty Briefcase Buys More Bottles," *Advertising Age*, Thursday, September 12, 1985; *Impact*, Vol. 19, No. 15 (August 1, 1989). ¹³NIAAA, *Sixth Special Report to the U.S. Congress on Alcohol and Health from the Secretary of Health and Human Services*, DHHS Pub. No. (ADM) 87-1519, 1987, p. 93. ¹⁴R. Niven, "Alcoholism—A Problem in Perspective," *Journal of the American Medical Association*, Vol. 249 (1983), pp. 2029-2033. ¹⁵NCADD Office for Public Policy, Washington, D.C.

WHAT IS NCADD?

NCADD is a national nonprofit organization combating alcoholism, other drug addictions and related problems through its national office, 200 state and local Affiliates, and thousands of volunteers in communities throughout America. Founded in 1944, NCADD's primary mission is education, prevention and public policy advocacy.

NCADD provides education about alcoholism and other drug addictions as treatable diseases; offers prevention programs for schools, organizations and communities; dispenses medical/scientific information; answers questions from the public, legislative bodies and the media; and distributes a variety of publications. NCADD also offers information and referral services to children, teenagers, and adults seeking help with alcoholism, other drug dependencies, and related problems.

NCADD conducts, as it has every year since 1952, a prestigious national conference where leaders in the field convene to report their latest findings and to discuss emerging trends and issues of concern. NCADD also sponsors National Alcohol Awareness Month in April and National Alcohol-Related Birth Defects Awareness Week beginning on Mother's Day each year.

People seeking more information and/or referral can contact an NCADD Affiliate in their area or use NCADD's national toll-free help line: 1-800-NCA-CALL.



NATIONAL COUNCIL ON ALCOHOLISM AND DRUG DEPENDENCE, INC

12 West 21st Street, New York, NY 10010 • (212) 206-6770
1511 K Street, N.W., Washington, D.C. 20005 • (202) 737-8122