

**HB445**

(11)

Date Referred: March 2, 1992

HOUSE COMMITTEE REPORT  
FURTHER REFERRALS:

Date of Committee Action: 3/09/92

The FINANCE Committee considered:

HB 445

HOUSE BILL NO. 445

ALCOHOL SERVER EDUCATION COURSE

"An Act relating to an alcohol server education course."

RECOMMENDATIONS:

be replaced with CS HB 445 (LTC)  the same title  a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note \_\_\_\_\_

zero fiscal note(s) ROR 3/2/92

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
Mark Boyer Boyer	X	Eileen P. Warden <sup>Mitchell</sup>		✓	
Tan Brown Brown	✓	M. De Saurance <sup>NAVATTE</sup>		✓	
Adrian Koponen	✓	James Barnes <sup>Barnes</sup>		X	
Paul Jacko Jacko	✓	Bob Sharp <sup>Sharp</sup>		X	
R. Phillips R Phillips	✓	Ronald J. Larson <sup>Larson</sup>		X	
		J. Ulmer <sup>Ulmer</sup>		X	

M. De Saurance Eileen P. Warden

FISCAL NOTE

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

No. 1  
Bill Version: CSHB 445(L&C)  
(H) Publish Date: 3/2/92

Revision Date: \_\_\_\_\_ Department Affected: REVENUE  
Title: ALCOHOL SERVER EDUCATION COURSE BRU: ALCOHOLIC BEVERAGE CONTROL BOARD  
Component: OPERATING

Sponsor: REP. CHOQUETTE

Requestor: HOUSE L & C COMMITTEE COMPONENT SERIAL NO. 

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
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 FUND SOURCE:	-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 FUND SOURCE:	-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-

Estimate of current year impact: NONE

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: PATRICK L. SHARROCK Phone: 277-8638  
Division: ALCOHOLIC BEVERAGE CONTROL BOARD Date: 2-11-92

Approved by Commissioner: David L. Hill  
Agency: DEPARTMENT OF REVENUE Date: 2/12/92

COMMITTEE COPY

CS FOR HOUSE BILL NO. 445 (L&C)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 3/2/92  
Referred: Finance

Sponsor(s): REPRESENTATIVES CHOQUETTE, Koponen

A BILL  
FOR AN ACT ENTITLED

1 "An Act relating to an alcohol server education course."

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

3 \* Section 1. AS 04.21 is amended by adding a new section to read:

4           Sec. 04.21.025. ALCOHOL SERVER EDUCATION COURSE. (a) As a condition of  
5 issuance or renewal of a license and selling alcoholic beverages under a license, the board shall  
6 require a licensee who sells or serves alcoholic beverages and the agents and employees of a  
7 licensee who sells or serves alcoholic beverages to complete an alcohol server education course  
8 approved by the board, if the license is for a

- 9                   (1) beverage dispensary;  
10                   (2) restaurant or eating place;  
11                   (3) club;  
12                   (4) package store;  
13                   (5) common carrier dispensary;  
14                   (6) recreational site;

- 1 (7) community;
- 2 (8) pub;
- 3 (9) conditional contractor.

4 (b) The subjects that are included in an approved alcohol server education course shall  
5 be determined under regulations adopted by the board. In approving alcohol server education  
6 courses, the board shall consider the needs of both urban and rural licensees regarding access to  
7 an approved alcohol server education course. A licensee, agent, or employee who sells or serves  
8 alcoholic beverages shall keep proof acceptable to the board of successful completion of an  
9 approved alcohol server education course on the licensed premises during working hours.

10 (c) A licensee, agent, or employee shall complete the course required under (a) of this  
11 section not more than 30 days after being licensed or employed.

12 (d) The board shall review an approved alcohol server education course at least once  
13 every three years.

14 \* Sec. 2. TRANSITION. Notwithstanding AS 04.21.025(c), enacted in sec. 1 of this Act, a licensee,  
15 agent, or employee who is required to complete a course under AS 04.21.025(a), enacted in sec. 1 of  
16 this Act, shall complete the course not more than 30 days after the Alcoholic Beverage Control Board  
17 approves alcohol server education courses for both urban and rural licensees.

## House Bill 445

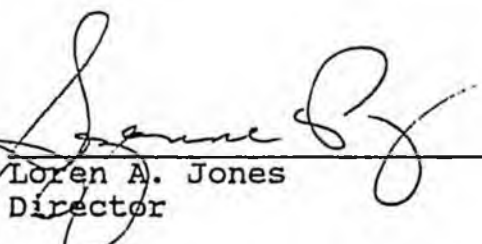
Section 1 amends AS 04.21.025 by requiring each holder of a liquor license and their employees to complete an alcohol server education course approved by the Alcohol Beverage Control Board.

Section 2 requires this training to occur within 30 days of course approval by the Alcohol Beverage Control Board.

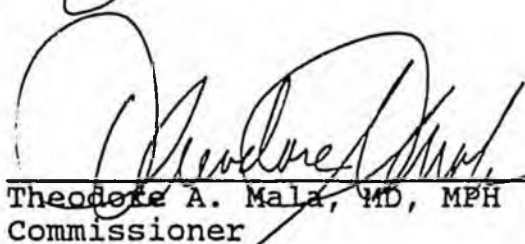
Training of liquor store, bar, and restaurant employees is an excellent approach to broadening the information base regarding the effects of alcohol on a person, and the laws governing the sales of alcoholic beverages. This training is currently mandatory in Anchorage, and would be required throughout the state.

Due to the remoteness of many areas of the state, delivery of these courses may require non-traditional approaches. Interactive video and audio teleconferences are viable options in most locations.

The division, while having no responsibility for the delivery of this training, is supportive of this effort.

  
Loren A. Jones  
Director

2-25-92  
Date

  
Theodore A. Mala, MD, MPH  
Commissioner

2-26-92  
Date

Alaska State Legislature  
House of Representatives

INTERIM

3111 C Street  
Anchorage, Alaska 99503  
(907) 561-2032



SESSION

P.O. Box V  
Juneau, Alaska 99811  
(907) 465-2995

Representative Dabe Choquette

SPONSOR'S STATEMENT FOR HOUSE BILL 445: <sup>CS (L4C)</sup>

"AN ACT RELATING TO AN ALCOHOL SERVER EDUCATION COURSE"

Alcohol abuse is a severe problem in Alaska, impacting individuals, families, and communities throughout our State. In fact, Alaska ranks 4th in the nation for per capita alcohol consumption, and has one of the highest rates of fetal alcohol syndrome in the country, with more than 30 babies each year born with alcohol related impairments.

In 1990, there were more than 1600 alcohol related vehicular accidents which resulted in more than 40 fatalities. 180 of those accidents were caused by alcohol impaired minors which resulted in 6 of those deaths. In Anchorage alone there were more than 1,800 DWI arrests in 1991.

Over the interim I worked with Mothers' Against Drunk Driving (MADD), the alcohol industry, the Department of Motor Vehicles, and the A.B.C. Board to address this problem. The result of this cooperative effort is HB 445.

This legislation would require alcohol servers to take an approved alcohol server education course within 30 days of being hired. This training would include such topics as alcohol's affect on the body and behavior, particularly driving ability, drunk driving and civil liability laws, identifying fraudulent IDs, methods of recognizing the problem drinker, use of community treatment programs, and handling problem customers to cut off service and get them home safely.

The A.B.C. board would establish criteria with which to evaluate education programs currently available, and approve a package of alcohol server education courses. This package would include a variety of approved courses which would ensure accessibility to alcohol servers in both urban and rural Alaska at minimal cost, most likely utilizing instruction mediums varying from the classroom to the viewing of video cassettes followed by written excercises or an exam.

HB 445, if enacted, should go a long way towards reducing incidents of drunk driving, and will aid problem drinkers by helping alcohol servers identify and intervene before they endanger themselves and others.

★ ★  
★ ★

STATE

WALTER J. HICKEL, GOVERNOR

**DEPARTMENT OF REVENUE**550 W. 7TH AVE  
ANCHORAGE, ALASKA 99501-6698

ALCOHOLIC BEVERAGE CONTROL BOARD

February 26, 1992

The Honorable Dave Choquette  
Alaska House of Representatives  
P. O. Box V  
Juneau, AK 99811

RE: HB 445

Dear Representative Choquette:

This letter intends to express the Alcoholic Beverage Control Board's support for HB 445. As you may know, the board is currently informally requested under Municipality of Anchorage ordinance to approve training programs presented within the municipality.

The board believes that server training stimulates employees' and licensees' ability to responsibly serve the public. If this legislation is enacted into law, the board will begin drafting regulations to fulfill its charge.

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

Sincerely,



Patrick L. Sharrock  
Director, ABC Board  
(907) 277-8638

PS/cl

92-046



Tom Fink,  
Mayor

# Municipality of Anchorage

## Municipal Health & Human Services Commission

825 "L" Street

P.O. Box 196650 • Anchorage, Alaska 99519-6650



Telephone:  
(907) 343-4674

February 21, 1992

Representative David Choquette  
State Capitol  
Juneau, AK 99801-1182

Dear Representative Choquette,

The Municipality of Anchorage Health and Human Services Commission has reviewed HB 445, which would require completion of an alcohol server education course as a condition for issuance or renewal of alcohol beverage licenses. The Commission strongly supports passage of HB 445.

The proposed bill will reinforce the local liquor laws by standardizing the alcohol server education curriculum and strengthening the proof of compliance with this training.

The recent death of two Anchorage women in a motor vehicle crash involving alcohol might have been prevented if liquor store employees were better educated with respect to identifying intoxicated persons who should not be served.

The Commission is deeply concerned about the destructive effect of alcohol on our community. If we can provide further support for this bill, please call our staff, Michael Huelsman, at 343-6718.

Sincerely,

Richard Towell, Chair  
Municipal Health and Human Services Commission

cc: Helen D. Beirne, Ph.D., Director  
Municipality of Anchorage  
Department of Health and Human Services

# BRISTOL BAY AREA HEALTH CORPORATION

P.O. BOX 130 • DILLINGHAM, ALASKA 99576

(907) 842-5201 or (907) 842-5202

February 19, 1992

Representative Dave Choquette  
P.O. Box V  
State Capitol  
Juneau, AK 99811

Dear Representative Choquette,

The Bristol Bay Area Health Corporation was given the opportunity to provide input in the draft form of HB 445. In response to your request we would like to be on record in support of this piece of legislation.

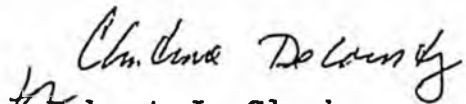
Alcohol abuse has been identified by our regional health corporation as the number one community health concern. HB 445 will have the potential for changing the environment in which people drink. The arduous task of identifying possible solutions in an effort to address this identified health concern are supported wholeheartedly by the Bristol Bay Area Health Corporation.

Please feel free to contact Vivian Echavarria, Health Education Director, who would be available to entertain any questions you may have. Her number is 842-9347.

Thank you for your support.

Sincerely,

BRISTOL BAY AREA HEALTH CORPORATION

  
Robert J. Clark  
Chief Executive Officer

RJC/mm

cc: BBAHC Executive Committee  
Christine DeCourtney, Acting C.O.O.  
Representative George Jacko  
Senator Fred Zharoff  
Vivian Echavarria, Health Education



401 K Street Anchorage, Alaska P.O. Box 104839 Anchorage, Alaska 99510  
(907) 272-8133 Fax: (907) 277-8640

February 13, 1992

Representative Dave Choquette  
P. O. Box V (MS 3100)  
Juneau, AK 99811

Dear Representative Choquette,

At our General Membership meeting held last night, the Anchorage Restaurant and Beverage Association voted unanimously to endorse and support House Bill 445, the measure you introduced making alcohol server training mandatory in Alaska.

Long before such training was made obligatory in Anchorage by the Municipal Assembly, ARBA working with the statewide trade association CHARR, introduced the Techniques of Alcohol Management (TAM) program on a voluntary basis for the benefit of our members. To date, over 8,000 persons have attended a TAM Seminar here in Alaska.

We firmly believe that education is the most useful tool in reducing alcohol-related accidents. Education, such as provided by the TAM program, can instill the knowledge, confidence and motivation to prevent illegal beverage alcohol problems. Alcohol server training gives servers and sellers a knowledge and understanding of their key role in reducing alcohol-related accidents and provides them with the tools required to reduce such accidents. Well trained employees are essential to any business, and we believe that society, as well as our industry, can only benefit from training responsible beverage service techniques to all servers.

Our Association strongly endorses House Bill 445 and has asked me to express our sincere appreciation to you.

Yours truly,

Carol Wilson  
Executive Director

SCOTT & WESLEY GERRISH  
MEMORIAL**M A D D**ANCHORAGE, ALASKA  
CHAPTER

## MAILING ADDRESS:

733 West 4th Avenue, Box 821  
Anchorage, AK 99501

(907) 258-MADD

## BUSINESS ADDRESS

733 West 4th Avenue, Suite 301  
Anchorage, AK 99501

February 17, 1992

Representative Choquette  
House of Representatives  
P.O. Box V  
Juneau, Alaska 99811

Re: House Bill 445

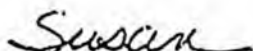
Dear Representative Choquette,

The Anchorage Chapter of MADD is pleased to support HB 445. It is extremely important that all persons involved in selling or serving alcohol have a clear understanding of the following:

1. the effects of alcohol on the body and behavior, particularly driving ability;
2. the effects of alcohol when used in combination with prescription or nonprescription drugs or illegal drugs;
3. methods of recognizing the problem drinker and the use of community treatment programs;
4. laws regarding sale to underage or drunken persons, consumption on and off premises, hours of operation, and penalties for violations of laws relating to alcohol;
5. fetal alcohol syndrome and fetal alcohol effects;
6. drunk driving and civil liability laws;
7. methods of dealing with the problem customer, including ways to cut off service, and means of safely transporting the customer home;
8. advertising and marketing that promote safe and responsible drinking patterns; and
9. valid means of proving the age of the customer.

We understand that this type of information may need to be delivered by some other means than in the traditional classroom setting in many parts of the state. However, there is no reason this information can't be delivered by means of video or even audio tapes with accompanying workbooks. MADD wholeheartedly supports this bill.

Sincerely,



Susan Humphrey-Barnett



*Alaska Cabaret, Hotel,  
Restaurant & Retailers Association*

P.O. Box 104850 • Anchorage, Alaska 99510  
401 2K Street • (907) 270-3193 • Taxi (907) 277-8640

March 5, 1992

Rep. Dave Choquette  
Alaska State Legislature  
P. O. Box V (MS 3100)  
Juneau, AK 99811

Dear Representative Choquette,

At the March 1 quarterly meeting of the CHARR Board of Directors a resolution endorsing and supporting the passage of House Bill 445 was adopted. CHARR has long held the belief that education is the most useful tool in reducing alcohol-related traffic accidents. As evidence of that belief, CHARR was responsible for the introduction of the first nationally recognized server training program in Alaska when we purchased the copyrights to the TAM Program (Techniques of Alcohol Management) in 1984. Since that introduction, over 8,000 persons have been trained in our state.

Although server training has been mandatory in Anchorage since 1986, our TAM program is statewide with participation on a voluntary basis. With certified instructors in Juneau, Fairbanks, and Anchorage, TAM seminars have been conducted in Nome, Sitka, King Salmon, Soldotna, Cordova, and other communities upon request. Just this year, our association hosted the national director of the TAM program who conducted training sessions to recertify our current instructors and to certify new instructors who came to the training from the communities of Kodiak, Haines, and Yakutat. The industry represented by our association has long been committed to server training, demonstrated by the dedication of our time and resources to our Alaska TAM program.

Servers trained in responsible beverage service techniques can only help our businesses and our communities. CHARR endorses this legislation and has asked me to express our appreciation to you for your sponsorship.

Yours truly,

Carol Wilson  
Executive Director

\*\*\*END\*\*\*

## Alcohol education

### *Not why, but how?*

Rep. Dave Choquette has introduced a second bill requiring alcohol vendors throughout the state to take an alcohol server education course.

Such a course already is required in Anchorage, and by all accounts is useful. The Alcoholic Beverage Control Board believes the course helps impress upon bartenders and liquor store employees their responsibilities in serving alcohol. The liquor industry says it gives even experienced bartenders useful tips for telling whether a person has already had too much to drink. And it gives them confidence to know someone will back them up if they refuse service.

Would requiring education outside of Anchorage be too much of a burden and expense for the liquor industry? After all, for servers in town it's easy enough to drive to a class. But what about the rural parts of the state?

Sending a book out with a case of beer won't take the place of four or five hours of classroom lecture and discussion. But Alaska is already used to bridging distances with teleconferences and videotape. We say where there's a will to sell alcohol, there's a way to teach people to sell it responsibly.