

**HB**

**283**

<target><bill>HB 283</bill><subject>HB  
283</subject><comm>HFIN26</comm></target>

**HOUSE COMMITTEE REPORT**

(11)

Date Referred to Committee: March 4, 2010

FURTHER REFERRALS:

Date of Committee Action: 4/12/10

The FINANCE Committee considered:

HOUSE BILL NO. 283

"An Act relating to the purchasing of and restrictions concerning alcoholic beverages."

HB 283-PURCHASE/CONSUMPTION OF ALCOHOL

Recommends it be replaced with  HCS or  CS for HB 283 (FIN)  
 For Senate Bills with new title:  Technical Title  New Title: HCR  Same Title  New Title

- attach amendments
- add new referral to \_\_\_\_\_ Committee
- Letter of Intent \_\_\_\_\_ Committee

List of Abbrev for:  
 Depts.:  
 ADM  
 CED  
 COR  
 CRT  
 EED  
 DEC  
 DFG  
 GOV  
 DHS  
 LWF  
 LAW  
 LEG  
 MVA  
 DNR  
 DPS  
 REV  
 DOT  
 UA

NEW FISCAL NOTES				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
ADM		✓		
LAW				✓

PREVIOUS FISCAL NOTES				
List by Dept(s):	FN#	Fiscal	Indet.	Zero
DHS	3	✓		

Signing with recommendations	Printed Last Name	DP	DNP	NR	AM
<i>[Signature]</i>	Thomas	✓			
<i>[Signature]</i>	Deegan	✓			
<i>[Signature]</i>	Stout	✓			
<i>[Signature]</i>	FOSTER	✓			
<i>[Signature]</i>	KELLY			✓	
<i>[Signature]</i>	Gare	✓			
Anna Fairclough	FAIRCLOUGH			✓	
<i>[Signature]</i>	Salmon	X			
<i>[Signature]</i>	AUSTMAN	X			
Chair: <i>[Signature]</i>	Stoltz				✗
Chair: <i>[Signature]</i>	Howen				✗

# FISCAL NOTE

STATE OF ALASKA  
2010 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: HB 283  
( ) Publish Date: \_\_\_\_\_

Identifier (file name): HB283-DOA-DMV-02-05-10 Dept. Affected: Administration  
Title: Purchase / Consumption of Alcohol RDU: Division of Motor Vehicles  
Component: Motor Vehicles  
Sponsor: Rep. Crawford  
Requester: (H) L&C Component Number: 2348

## Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies	17.5		17.5	17.5	17.5	17.5	17.5	17.5
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>17.5</b>	<b>0.0</b>	<b>17.5</b>	<b>17.5</b>	<b>17.5</b>	<b>17.5</b>	<b>17.5</b>	<b>17.5</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>	<b>350.0</b>	<b>350.0</b>	<b>350.0</b>	<b>350.0</b>	<b>350.0</b>	<b>350.0</b>	<b>350.0</b>
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## FUND SOURCE (Thousands of Dollars)

	FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
1156 Receipt Supported Services	17.5		17.5	17.5	17.5	17.5	17.5
<b>TOTAL</b>	<b>17.5</b>	<b>0.0</b>	<b>17.5</b>	<b>17.5</b>	<b>17.5</b>	<b>17.5</b>	<b>17.5</b>

Estimate of any current year (FY2010) cost: \_\_\_\_\_

## POSITIONS

Full-time							
Part-time							
Temporary							

## ANALYSIS: (Attach a separate page if necessary)

Using data from the Alaska Justice Statistical Analysis Center and the Alaska Court System, DMV estimates it will have to enter an alcohol restriction on 7,000 additional licenses each year.

Supply Costs: It cost approximately \$2.50 in supplies to produce each card (7,000 x \$2.50 = \$17,500).

Revenues: DMV collects \$50 for each alcohol restricted license (7,000 x \$50 = \$350,000)

Prepared by: Whitney H. Brewster, Director  
Division: Motor Vehicles  
Approved by: Kevin Brook, Deputy Commissioner  
Department of Administration

Phone 907-269-5574  
Date/Time 2/05/2010 10:00am  
Date 2/5/2010

# FISCAL NOTE

**STATE OF ALASKA**  
**2010 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CSHB 283(JUD)  
 () Publish Date: \_\_\_\_\_

Identifier (file name): HB283CS(JUD)-LAW-CRIM-03-05-10 Dept. Affected: Law  
 Title An Act relating to the purchasing of and restrictions concerning RDU CRIMINAL  
alcoholic beverages. Component Criminal Justice Litigation  
 Sponsor Representative Crawford, Lynn  
 Requester Judiciary Component Number 2202

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2010) cost: \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

**ANALYSIS:** (Attach a separate page if necessary)

This bill provides that a person who is restricted from purchasing alcohol may not solicit another to purchase alcoholic beverages or misrepresent the restriction to a licensee. The bill also provides that the court, as part of a sentence, may order the defendant to refrain from consuming alcohol for the period of the sentence and any period of probation, suspended sentence, or suspended imposition of sentence if the conviction was for a felony substantially influenced by alcohol consumption or the defendant had a history of drunk driving offenses.

Enactment of the bill is not anticipated to fiscally impact the Department of Law.

Prepared by: Eileen Donahue, Division Operations Manager  
 Division Administrative Services  
 Approved by: Daniel S. Sullivan, Attorney General  
Department of Law

Phone 465-5427  
 Date/Time 3/5/10 10:30 AM  
 Date 3/5/2010

# FISCAL NOTE

STATE OF ALASKA  
2010 LEGISLATIVE SESSION

Fiscal Note Number: 3  
Bill Version: HB 283  
(H) Publish Date: 1/29/10

Identifier (file name): HB283-DHSS-ASAP-1-27-2010 Dept. Affected: Health & Social Services  
Title: Purchase/Consumption of Alcohol RDU: Behavioral Health  
Component: Alcohol Safety Action Program  
Sponsor: Crawford  
Requester: House Labor & Commerce Component Number: 305

**Expenditures/Revenue** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation	Information						
	Required	FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
<b>OPERATING EXPENDITURE</b>								
Personal Services	135.0		135.0	135.0	135.0	135.0	135.0	135.0
Travel								
Contractual	12.0		12.0	12.0	12.0	12.0	12.0	12.0
Supplies	3.3		3.3	3.3	3.3	3.3	3.3	3.3
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>150.3</b>	<b>0.0</b>	<b>150.3</b>	<b>150.3</b>	<b>150.3</b>	<b>150.3</b>	<b>150.3</b>	<b>150.3</b>

<b>CAPITAL EXPENDITURE</b>								
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<b>CHANGE IN REVENUES</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF	150.3		150.3	150.3	150.3	150.3	150.3	150.3
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>150.3</b>	<b>0.0</b>	<b>150.3</b>	<b>150.3</b>	<b>150.3</b>	<b>150.3</b>	<b>150.3</b>	<b>150.3</b>

Estimate of any current year (FY2010) cost: \_\_\_\_\_

**POSITIONS**

Full-time	2.0		2	2	2	2	2
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if nece:

If passed and enforced, this bill would increase monitoring hours, urine analysis testing, and number of court appearances, which would have a significant impact on the workload of the Adult Probation Officers in the Alcohol Safety Action Program (ASAP). ASAP referrals could increase by 20% or more, requiring one additional Adult Probation Officer and one additional Criminal Justice Technician. The impact on the Therapeutic Court program would not be as significant, and could be accommodated with existing staff. The actual workload impact will depend greatly on the level of enforcement.

Currently, alcohol restrictions are a part of probation conditions for 75% of all ASAP misdemeanor clients and approximately 90% of the Therapeutic Court participants. Currently, a very small percentage of ASAP clients are charged with probation violations related to consuming alcohol while on probation.

Prepared by: Melissa W Stone  
Division: Behavioral Health

Phone 269-3410  
Date/Time 01/25/10 12:00PM

Approved by: Alison Elgee, Assistant Commissioner  
DHSS Finance & Management Services

Date 1/26/2101

**ANALYSIS CONTINUATION**

An aspect of the bill that could significantly increase workload is the "lifetime" ban option available to the court. However, the impact will not begin immediately and will not be fully-realized for decades. Currently, ASAP and the Therapeutic Court program cases are time-limited, with monitoring ending with probation.

## Cost estimate detail:

1 FTE Criminal Justice Technician	\$59.7
1 FTE Adult Probation Officer, ASAP	\$75.3
Telecommunications	\$1.0
Facility	\$4.7
Equipment repair & maintenance	\$0.6
Printing	\$0.5
Mail	\$2.2
Employee training	\$0.4
Department support costs	\$2.1
State equipment fleet	\$0.5
Business supplies	\$3.3

**Alaska State Legislature**  
House of Representatives

Alaska State Capitol  
Juneau, Alaska 99801-1182  
1-907-465-3438 (phone)  
1-888-478-3438 (toll free)  
1-907-465-4565 (fax)



Interim Address  
716 West Fourth Avenue  
Anchorage, Alaska 99501-2133  
(phone) 1-907-269-0100  
(fax) 1-907-269-0105

Representative Harry Crawford  
District 21

**SPONSOR STATEMENT: CS for HOUSE BILL HB 283**

HB 283 amends the current law concerning people who are restricted from the purchase and consumption of alcoholic beverages. The bill adds people who commit crimes where alcohol contributed to the commission of the crime.

The bill will allow a court to restrict people, who are convicted of a felony or a third misdemeanor, from consuming and purchasing alcohol. These persons will be required to have an alcohol restricted drivers license or ID. It also restricts a person from purchasing alcohol for someone who is restricted from consuming. The bill further prevents a person who has been restricted from consuming alcohol from misrepresenting themselves as being able to purchase and consume alcohol.

The Bill will also prevent a person who was issued a youth drivers license or ID from purchasing alcohol. The youth driver's licenses and identification cards are vertically oriented documents. This change will make it simple for a licensee or their employees to determine the correct documentation for purchasing alcohol.

According to the Department of Corrections over 90% of the crimes that are committed in Alaska are either directly or indirectly related to the consumption of alcohol or drugs. This bill will help prevent the people that are committing these crimes from purchasing and consuming alcohol. I believe this will provide additional tools to keep the problem drinkers from purchasing alcohol.

*E-mail: Representative\_Harry\_Crawford@legis.state.ak.us*

**Alaska State Legislature**  
House of Representatives

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Juneau, Alaska 99801-1182  
1-907-465-3438 (phone)  
1-888-478-3438 (toll free)  
1-907-465-4565 (fax)



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(fax) 1-907-269-0105

Representative Harry Crawford  
District 21

**Sectional Analysis: CS for HOUSE BILL 283**

**Sec 1 amends AS 04.16.47(a)** adding two more prohibitions into this subsection: A person who is restricted from purchasing may not solicit another to purchase alcoholic beverages; A person who is restricted from purchasing alcohol may not misrepresent themselves as able to purchase alcohol.

**Sec 2 amends AS.04.16047 by adding a new subsection (d)** a person may not purchase alcohol for a person who is restricted from purchasing.

**Sec 3 amends AS 04.16.160(a)** adds certain people that commit a crime under the influence of alcohol from consuming alcohol under AS 12.55.15(a)(13)

**Sec 4 amends AS 04.21.050(b)** to recognizes the new subsection 04.21.050(d)

**Sec 5 amends AS 04.21.050 by adding a new subsection (d):** restricting a person from purchasing alcohol with a youth driver's license or identification card.

**Sec 6 amends AS 12.55.015 (a) by adding subsection (13) to the list of potential sentencing tools:** A court may order a defendant to refrain from the use of alcohol if the person was convicted of a felony or a third misdemeanor that was substantially influenced by the consumption of alcohol.

**Sec 7 amends AS 12.15.015 by adding a new subsection (k)** stating nothing in (a)(13) restricts the authority of a court to order a person to refrain from the consumption of alcohol.

*E-mail: Representative\_Harry\_Crawford@legis.state.ak.us*

AMENDMENT #1  
adopted

~~Y/N~~  
~~8/2~~

OFFERED IN THE HOUSE  
TO: CS HB 283 (JUD)

BY REPRESENTATIVE HAWKER

- 1 Page 2, line 12 through line 29
- 2 Delete all material
- 3
- 4 Renumber following sections accordingly.

Alaska State Legislature  
House of Representatives

Alaska State Capitol  
Juneau, Alaska 99801-1182  
1-907-465-3438 (phone)  
1-888-478-3438 (toll free)  
1-907-465-4565 (fax)



Interim Address:  
716 West Fourth Avenue  
Anchorage, Alaska 99501-2133  
(phone) 1-907-269-0100  
(fax) 1-907-269-0105

**Representative Harry T. Crawford, Jr.**

East Anchorage District 21

*E-mail: [Representative Harry Crawford@legis.state.ak.us](mailto:Representative_Harry_Crawford@legis.state.ak.us)*

*Website [www.akdemocrats.org](http://www.akdemocrats.org)*

**Witness List:**

1) Representative Harry Crawford and/or Paul Grossi  
465-3438

2) Bonnie Hayes  
310-7768

3) Whitney Brewster  
269-5574

4) Various Administration & Court Personnel may be available for questions.

2010 HOUSE FINANCE  
VOTE CALL

B,11 HB 283

DATE: 4/12/11

Amendment: Amend # 1

MEMBER	Favor	Oppose
REP. GARA		✓
REP. JOULE	✓	
REP. KELLY		
REP. SALMON	✓	
REP. THOMAS	✓	
REP. AUSTERMAN	✓	
REP. DOOGAN		✓
REP. FAIRCLOUGH	✓	
REP. FOSTER	✓	
REP. STOLTZE	✓	
REP. HAWKER	✓	

8

2

Adopted

YEA \_\_\_\_\_

NAY \_\_\_\_\_