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# STATE OF ALASKA

**DEPARTMENT OF LAW**  
CRIMINAL DIVISION CENTRAL OFFICE

**SARAH PALIN, GOVERNOR**

**Mailing:** PO Box 110300  
Juneau, AK 99811-0300  
**Physical:** 123 4<sup>th</sup> Street, Ste 717  
Juneau, AK 99801  
**Phone:** (907) 465-3428  
**Fax:** (907) 465-4043

January 27, 2009

Senator Donald Olson, Chair  
Senate Community and Regional Affairs Committee  
Alaska State Capitol, Room 514  
Juneau, Alaska 99801

Re: An act relating to limitation on  
transporting alcohol to local option  
communities, minor consuming, and  
civil fines for licensees.

Dear Chairman Olson:

I am writing to respectfully request that you schedule the referenced bill for hearing in the Senate Community and Regional Affairs Committee at your earliest convenience. The bill builds on the recent alcohol enforcement efforts made by the legislature, by reducing the amount of alcohol a person may possess in or transport to a damp community before raising the presumption that the possession or transportation was for illegal sale of the alcohol. The bill makes conforming changes to the amount of alcohol that package stores may send to damp communities, and the penalties for bootlegging alcohol.

The bill also would impose civil penalties on a liquor licensee whose agents or employees are convicted of furnishing alcohol to a minor on the licensee's premises. For a first conviction, the ABC Board would send a warning letter to the licensee. For second and subsequent convictions, the Board would impose a civil fine of \$1,000. Most liquor licensees are very responsible in emphasizing the importance of refusing to sell alcohol to minors. For the few that are not, this would encourage them to stress the importance of the law to their employees and agents.

Last, the bill makes two corrections in legislation adopted last year. The legislation that changed the probation period for minor consuming had a minor error. Second, the legislation that adopted mandatory minimum penalties for bootlegging needs amendment to conform to the mandatory minimum penalties for drunk driving.

Chairman Olson

January 27, 2009

Re: An act relating to limitation on transporting alcohol to local  
option communities, minor consuming, and civil fines for licensees.

Page 2

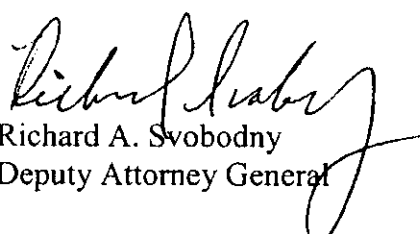
In support of this bill we plan to have witnesses from the Division of Behavioral  
Health, the ABC Board, and a participant in the Rural Justice Commission.

Thank you for your consideration of this request.

Sincerely,

TALIS J. COLBERG  
ATTORNEY GENERAL

By:

  
Richard A. Svobodny  
Deputy Attorney General

RAS:ADC: sf

SENATE BILL 85  
Sectional Analysis

**Section 1** addresses the amount of alcohol that a person may possess in or send to a damp community, the possession or sending of which would create a rebuttable presumption that it was for the purpose of illegal sale of the alcohol. A damp community is one that has elected to allow possession but not the sale of alcohol in their community.

Current law provides that a person may possess in or send to a damp community 10 ½ liters (or 14 fifths) of distilled spirits; 24 liters (or 32 bottles) of wine; and 12 gallons (about 21 - 12 ounce six packs) of malt beverages each calendar month before giving rise to the rebuttable presumption that the possession or transporting is for the illegal sale of the alcohol.

Section 1 of Senate Bill 85 reduces the amounts that give rise to the rebuttable presumption to three liters (or four fifths) of distilled spirits; 12 liters (or 16 bottles) of wine; and six gallons (about 11 - 12 ounce six packs). A person could possess or transport these amounts each month without giving rise to the rebuttable presumption.

**Section 2** amends the law that requires package store liquor licensees who send alcohol to persons living in damp communities to check a statewide database before sending alcohol to a person. The licensee may not send alcohol if the person has already received the amount of alcohol that gives rise to the rebuttable presumptions described in Section 1. Section 2 amends the law to conform to the changes in the presumptive amounts described in Section 1.

**Section 3** adopts civil penalties for liquor licensees whose agents or employees are convicted of furnishing alcohol to a minor on the licensee's premises. Under current law there are no certain legal consequences for the owner of a bar or liquor store if an employee sells alcohol to a minor. The bill requires Alaska Alcoholic Beverage Control Board to send a warning letter to the licensee the first time the licensee's agent or employee is convicted of furnishing alcohol to a minor on his or her premises. For a second or subsequent conviction by an agent or employee, the ABC board would impose a civil fine of \$1,000.

**Sections 4 and 5** correct a minor error in legislation adopted last year that reduced the probation period for minors convicted of consuming alcohol. The law addressing minor consuming in Alaska places progressive penalties on minors who consume alcohol. These sections clarify that the penalties imposed for second and third

convictions will be imposed on all minors who have the requisite prior conviction or convictions.

**Section 6** addresses the penalties for bootlegging, that hinge on the amount of alcohol illegally transported into a local option community. Under current law a bootlegger commits a class A misdemeanor (maximum term of incarceration one year) if the amount of alcohol illegally transported is less than 10 ½ liters of distilled spirits, 24 liters of wine, or 12 gallons of malt liquor. The bill would reduce the amount that delineates a class A misdemeanor to less than three liters of distilled spirits, 12 liters of wine, and six gallons of malt liquor.

Section 6 makes conforming changes for felony bootlegging. Bootlegging more than the amounts described above would be a class C felony. A third conviction of bootlegging the lower amounts within 15 years of the two prior convictions is also a class C felony.

**Section 7** corrects a provision in legislation enacted last year that intended to adopt mandatory minimum penalties for bootlegging that are similar to the mandatory minimum penalties for drunk driving. Because the definition of prior conviction for bootlegging is different from that for drunk driving, the legislation did not adopt a mandatory minimum for the first time conviction of felony bootlegging. Senate Bill 85 amends the penalties for felony bootlegging so that the penalties are the same as those for felony drunk driving.

**Sections 8 and 9** include applicability and effective date provisions.

**Patty Krueger**

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**From:** Lucy Apatiki [vbclucy@yahoo.com]  
**Sent:** Monday, February 16, 2009 3:56 PM  
**To:** Sen. Donny Olson  
**Subject:** SB85

Community and Regional Affair Chairman  
Senator Donald Olson

Dear Senator Olson,

This is a letter of support for SB 85. As you may recall we had the great honor of meeting with you on February 12 regarding this important bill. I want to thank you for giving us opportunity to voice our concerns. I am in total support of this bill. We in rural Alaska deal with too many tragedies related to alcohol abuse. Anything that will lessen the problem will be helpful. I believe as we continue to work together we can be a part of the solution.

Again, thank you for your time.

Sincerely,

Lucy Apatiki, SW student

From: Kent Harding – Bethel, Alaska – [kharding@unicom-alaska.com](mailto:kharding@unicom-alaska.com)

In contrast to the many logical arguments in favor of local options to limit importation or prohibit alcohol, the one decisive argument against such a measure is purely pragmatic, local option and prohibition doesn't work. It should work, but it doesn't. What brought about the Twenty First Amendment Repeal was the slowly dawning awareness that alcohol prohibition wasn't working. The Alaska Legislature should not amend the Local Option Statute because: People will still get drunk, still become alcoholics, still suffer delirium tremens. Drunken drivers will remain a frequent menace on the highways. Drunks will continue to commit suicide, to murder others, and to be murdered by others. The courts, jails, hospitals, and mental hospitals will still be filled with drunks.

Instead of consuming alcoholic beverages manufactured under the safeguards of state and federal standards, for example, people will drink homebrew, rotgut, or white lightning, some of it adulterated, some of it contaminated. Some will use methyl alcohol, a poison, because ethyl alcohol is too costly, it can lead to blindness and death; adulterants most often found in bootleg beverages, can produce paralysis and death.

There most likely will be a shift from relatively mild light wines and beers to hard liquors that are less bulky and therefore less hazardous to manufacture, transport, and sell.

Some will argue that all that is wrong is lack of effective law enforcement. So enforcement budgets may be increased, more Alcohol Agents may be hired, arrests can be facilitated by giving agents more power, penalties can be escalated. But prohibition still won't work.

The use of other drugs will increase, The list is long and can be lengthened, but we need not belabor the obvious.

The Twenty-first (Repeal) Amendment left power in the states to retain statewide alcohol prohibition, and made it a federal offense to ship alcoholic beverages into a dry state. Statewide alcohol prohibition, however, failed like national prohibition. State after state repealed its statewide alcohol prohibition laws; Mississippi's, in 1966, was the last to go.

All drugs, including alcohol, have important medicinal or social uses. All are subject to the same kinds of misuse. Establishing a social policy designed to maximize the benefits and to minimize the damage done by these drugs is a challenge for all of us.

But the first step is to make known the simple fact that the widely publicized perils of barbiturates are in fact the perils of alcohol, and that other drugs in this class are not without hazard. When the Alaska Legislature eventually arrives at a sound law or statute for any of these drugs, this law or statute should be a consistent for all of them.

"Consider one of the most perplexing questions of our time: Where do' solutions go when a candidate gets elected?"

A Alaska Legislator was once asked about his attitude toward whiskey. "If you mean the demon drink that poisons the mind, pollutes the body, desecrates family life, and inflames sinners, then I'm against it. But if you mean the elixir of Christmas cheer, the shield against winter chill, the taxable potion that puts needed funds into public coffers to comfort little crippled children, then I'm for it. This is my position, and I will not compromise."

To: (907) 465-4821 From: (907) 462-3812

Petition Against  
S.B. 85

Thank  
you!!

- 1 Craig New FBKS AK 99701
- 2 Muelde Beer FBKS AK 99701
- 3 Melodie Weber FBKS AK 99701
- 4 Tanya Capps FBK AK 99701
- 5 Dennis Phillips Fbks AK 99707
- 6 Dale Amio FBKS AK 99708
- 7 Dan F Radach NORTH POLE AK 99705
- 8 Tom Lincoln 2509 AUSTON RD Fairbanks
- 9 Marilyn Alden 3010 Picket FBKS AK
- 10 George Smith 3910 Picket Pl Fairbanks AK
- 11 Carole J. Rodkaas FAIRBANKS AK 99701
- 12 Collin Wadnick North Pole 99705
- 13 Randy Boyer FB AK 99701
- 14 Robert Thronsen FBKS AK 99701
- 15 Art Thronness North Pole 99705-5019
- 16 B. Sanborn FBKS AK 99701
- 17 Douglas R. Cook FBKS AK 99709
- 18 Mary J. Kenyon FBKS AK 99705
- 19 Linda J. Wynn North Pole AK 99705
- 20 [Signature] FBKS AK 99701
- 21 W. Howe 229 EUREKA AVE. 99701
- 22 Pamela Taylor PO BOX 10903 FBKS 99710
- 23 Robin Osborn FBKS 99708

2/17/09

I oppose to the passing of SB 85. which would decrease the limit of alcohol sent to damp communities. I believe strongly that the passing of this bill would only increase the amount of bootlegging and other problems there are in damp communities. The increase in bootlegging would increase in the amount of people going to prison, in which in the long run increase taxes, to keep up on the prisons growing number of people to take care of, SO PLEASE vote NO to SB 85.

We only had a few hours to get this many signatures. Just think of how many signatures we could have gotten with more time. This bill is not just effecting the few damp communities this is going to everyone that lives in this state. All the businesses that ship to these towns. All the tax payers.  
Everyone!!

# FISCAL NOTE

STATE OF ALASKA  
2009 LEGISLATIVE SESSION

Fiscal Note Number: 1  
Bill Version: SB 85  
(S) Publish Date: 1/26/09

Identifier (file name): 0009-DOA-PDA-1-15-09  
Title: Bill relating to limitation on possessing, sending, shipping or or bringing alcoholic beverages  
Sponsor: Rules Committee  
Requester: Governor  
Dept. Affected: Administration  
RDU: Legal and Advocacy Services  
Component: Public Defender Agency  
Component Number: 1631

## Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	***	0.0	***	***	***	***	***	***

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

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	***	0.0	***	***	***	***	***

Estimate of any current year (FY2009) cost: \_\_\_\_\_

### POSITIONS

Full-time							
Part-time							
Temporary							

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

This bill lowers the amount of alcohol that may be possessed or shipped in local option communities without a presumption that a person possessed or imported the alcohol with intent to sell it. This may increase the costs of providing criminal defense representation in alcohol importation cases, although it may also reduce the costs associated with other types of alcohol related crimes. The fiscal impact of this legislation cannot be accurately determined, and therefore, the Agency submits an indeterminate fiscal note.

Prepared by: Quintan Steiner, Director Phone 907 334-4414  
Division: Public Defender Agency Date/Time 1/15/2009, 4:00 PM  
Approved by: Rachael Petro, Deputy Commissioner Date \_\_\_\_\_  
Department of Administration

# FISCAL NOTE

STATE OF ALASKA  
2009 LEGISLATIVE SESSION

Fiscal Note Number: 2  
Bill Version: SB 85  
(S) Publish Date: 1/26/09

Identifier (file name): 0009-DOA-OPA-1-20-09 Dept. Affected: Administration  
Title: An Act relating to limitations on possessing, sending, shipping, transporting, or bringing alcoholic beverages . . . RDU: Legal and Advocacy Services  
Sponsor: Rules Committee Component: Office of Public Advocacy  
Requester: Governor Component Number: 43

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

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

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	***	0.0	***	***	***	***	***	***

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

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	***	0.0	***	***	***	***	***

Estimate of any current year (FY2009) cost: \_\_\_\_\_

**POSITIONS**

Full-time							
Part-time							
Temporary							

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

This bill lowers the amount of alcohol that may be possessed or shipped in local option communities without a presumption that a person possessed or imported the alcohol with intent to sell it. This may increase the costs of providing criminal defense representation in alcohol importation cases, although it may also reduce the costs associated with other types of alcohol related crimes. The fiscal impact of this legislation cannot be accurately determined, and therefore, OPA submits an indeterminate fiscal note.

Prepared by: Rachel Levitt, Director  
Division: Office of Public Advocacy  
Approved by: Rachael Petro, Deputy Commissioner  
Department of Administration

Phone (907) 269-3504  
Date/Time 1/20/09, 3:30 p.m.  
Date \_\_\_\_\_

# FISCAL NOTE

STATE OF ALASKA  
2009 LEGISLATIVE SESSION

Fiscal Note Number: 3  
Bill Version: SB 85  
(S) Publish Date: 1/26/09

Identifier (file name): 0009-DOC-OC-1-16-09 Dept. Affected: DOC  
Title: An Act relating to limitations on possessing, sending, shipping RDU: Administration & Support  
transporting, or bringing alcoholic beverages . . . Component: Office of the Commissioner  
Sponsor: Rules Committee  
Requester: Governor Component Number: 694

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

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

	Appropriation Required	Information					
		FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
<b>TOTAL OPERATING</b>	***	***	***	***	***	***	***

<b>CAPITAL EXPENDITURES</b>							
<b>CHANGE IN REVENUES ( )</b>							

**FUND SOURCE** (Thousands of Dollars)

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other Interagency Receipts						
<b>TOTAL</b>	***	***	***	***	***	***

Estimate of any current year (FY2009) cost: \_\_\_\_\_

**POSITIONS**

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Full-time						
Part-time						
Temporary						

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

The intent of this bill is to reduce the illegal importation of alcohol with a subsequent reduction in other associated crimes, such as assault and domestic violence. Criminal justice professional opinions and anecdotal information link the majority of assault arrests and convictions to alcohol abuse.

While this legislation would increase the number of offenders incarcerated for bootlegging, locking up bootleggers, especially repeat offenders, could result in a decrease in the incarceration rate for alcohol-related assaults and other crimes. Although the fiscal impact is indeterminate, it is anticipated that the overall impact could be a net zero if not a reduction in the total number and cost of incarcerated offenders. (continued on page 2)

Prepared by: Leslie Houston, Director Phone (907) 465-3339  
Division: Administration and Support Date/Time 1/16/09 3:45 PM  
Approved by: Dwayne Peoples, Deputy Commissioner Date 1/16/2009  
Department of Corrections

FISCAL NOTE #3

STATE OF ALASKA  
2009 LEGISLATIVE SESSION

BILL NO. SB 85

ANALYSIS CONTINUATION

Data is not available for the department to calculate the number of offenders that would be sentenced and for what length of time under Section 6 of the bill.

# FISCAL NOTE

**STATE OF ALASKA**  
**2009 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: **SB 85**  
 () Publish Date: \_\_\_\_\_

Identifier (file name): **SB085-DPS-DET-02-02-09** Public Safety  
 Title **"An Act relating to limitations on alcohol."** RDU Alaska State Troopers  
 Component **AST Detachments**  
 Sponsor **Rules by request of the Governor**  
 Requester **Senate Community and Regional Affairs** Component Number 2325

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

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

	Appropriation Required	Information					
		FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
<b>TOTAL OPERATING</b>		0.0	0.0	0.0	0.0	0.0	0.0

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other Interagency Receipts						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: 0.0

**POSITIONS**

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Full-time						
Part-time						
Temporary						

**ANALYSIS:** *(Attach a separate page if necessary)*  
 This bill amends AS 04.11.010(c) (Presumption concerning possession / alcohol) by lowering the amount of alcohol a person may possess, import or transport in a local option community; adds new subsections to AS 04.11.575 (Civil fine) regarding the violation of AS 04.16.052(a) (Furnishing / Minor) penalties for a licensee . This bill also makes procedural changes to AS 04.16.050 (C) (Minor in possession / alcohol) concerning probation. Finally, this bill amends 04.16.200 (e) (Penalties) by adjusting the limits in conformance with the aforementioned changes requested for AS 04.11.010(c).  
  
 The Department does not anticipate a fiscal impact as a result of this bill.

Prepared by: Lt. Rodney Dial Phone 907-247-4480  
 Division Alaska State Troopers Date/Time 2/3/09 9:11 AM  
 Approved by: Joseph Masters, Commissioner Date \_\_\_\_\_  
Department of Public Safety

# FISCAL NOTE

**STATE OF ALASKA**  
**2009 LEGISLATIVE SESSION**

Fiscal Note Number: 5  
 Bill Version: SB 85  
 (S) Publish Date: 1/26/09

Identifier (file name): \_\_\_\_\_ Dept. Affected: LAW  
 Title An Act relating to limiting the possession, importation, shipping, RDU CRIMINAL  
or transporting of alcoholic beverages into a local option area. Component Criminal Justice Litigation  
 Sponsor Rules Committee  
 Requester Governor Component Number 2202

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

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

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>***</b>		<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>

**CAPITAL EXPENDITURES**

**CHANGE IN REVENUES ( )**

**FUND SOURCE** (Thousands of Dollars)

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	<b>***</b>		<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>

Estimate of any current year (FY2009) cost: \_\_\_\_\_

**POSITIONS**

Full-time							
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)  
 This bill imposes new limits on the possession, importation, shipping, or transporting of alcoholic beverages into a local option area. The bill also reduces the amount of alcohol a package store may send to a person living in a local option area each month, and would make a similar change in the threshold amount of alcohol necessary to incur penalties for bootlegging alcohol. Finally, the bill imposes new sanctions for liquor licensees whose agents or employees furnish alcoholic beverages to a person under age 21. It is difficult to predict with any certainty what additional criminal prosecutions will result with passage of the bill; however, when considered in combination with the potential reduction in alcohol related crime such as assault, domestic violence, etc. the fiscal impact can only be described as indeterminate at best.

Prepared by: Robert Meiners, Deputy Director Phone 907-465-5427  
 Division Administrative Services Division Date/Time 1/20/09 4:00 PM  
 Approved by: Talis Colberg, Attorney General Date 1/20/2009  
Department of Law

# FISCAL NOTE

**STATE OF ALASKA**  
**2009 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB085  
 () Publish Date: \_\_\_\_\_

Identifier (file name): SB085-DHSS-BHA-02-02-09 Dept. Affected: Health & Social Services  
 Title: Alcohol: Local Option/Licensing/Minors RDU: Behavioral Health  
 Sponsor: Rules by Request of the Governor Component: Behavioral Health Administration  
 Requester: Senate CRA Component Number: 2665

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

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

	Appropriation Required	Information					
		FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<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>CAPITAL EXPENDITURES</b>							
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<b>CHANGE IN REVENUES (0)</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>

Estimate of any current year (FY2009) cost: 0.0

**POSITIONS**

Full-time							
Part-time							
Temporary							

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

This bill will have no significant fiscal impact on Behavioral Health. The activities and strategies outlined in the bill, while significantly assisting Behavioral Health in the work of preventing and treating alcohol use, abuse and dependency among our citizens, will not directly impact our fiscal needs or operating budget.

Prepared by: Melissa Stone Phone 269-3410  
 Division: Behavioral Health Date/Time 1/30/09 5:00 PM

Approved by: Alison Elgee, Assistant Commissioner Date 2/2/2009  
DHSS Finance Management Services

**SENATE COMMITTEE REPORT  
First Committee of Referral**

DATE: 1/26/09

FURTHER: Judiciary  
Finance

Date of 5-Day Notice: 1/29/09  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 2/17/09

**Community and Regional Affairs Committee** considered SENATE BILL NO. 85

SB 85 ALCOHOL; LOCAL OPTION/LICENSING/MINORS

"An Act relating to limitations on possessing, sending, shipping, transporting, or bringing alcoholic beverages to a local option area and to penalties for violations of those limitations; relating to probation for minor consuming or in possession or control of alcoholic beverages; relating to civil fines for liquor licensees whose agents or employees furnish alcoholic beverages to a person under 21 years of age; and providing for an effective date."

and recommends:

- be replaced with  SCS or  CS SB 85 (CRA)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>	
<input type="checkbox"/>	Same Title
<input checked="" type="checkbox"/>	New Title
<hr/>	
<b>HOUSE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet	Zero	FN#
DHS	2/2/09			✓	6
DPS	2/3/09			✓	7

Department	Date	Fiscal	Indet	Zero	FN#
ADM	1/15/09		✓		1
ADM	1/20/09		✓		2
COR	1/16/09		✓		3
LAW	1/20/09		✓		5

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS	PRINTED LAST NAME	Do PASS	DO NOT PASS	NO REC	AMEND
	French			X	
	MENARD	X			
	Kookesh	X			
CHAIR:					✓