

HB

50

<TARGET><BILL>HB 50</BILL><SUBJECT>HB
50</SUBJECT><COMM>HJUD27</COMM></TARGET>

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: April 5, 2011

FURTHER REFERRALS:

Date of Committee Action: 3/16/12

The JUDICIARY Committee considered:

HB 50

HOUSE BILL NO. 50

"An Act relating to the purchase of alcoholic beverages at a club and to access by certain persons under 21 years of age to a club's licensed premises when alcoholic beverages are present."

HB 50-ACCESS TO LICENSED PREMISES

Recommends it be replaced with HCS or CS for HB 50 (JUD)
 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				
*FN# is assigned by Chief Clerk's Office				
*FN#	List by Dept(s):	Fiscal	Indet.	Zero
	JUDCMT.			X

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

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	Lynn	X			
	Greenberg	X			
	Keller	X			
	Pruitt	X			
	Thompson	X			
Chair:	Gatto	X			
Chair:	Gatto	X			

ALASKA STATE LEGISLATURE

Session:
State Capitol, Room 409
Juneau, AK 99801-1182
Phone: (907) 465-3783
Fax: (907) 465-2293
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Interim:
10928 Eagle River Road, Ste. 238
Eagle River, AK 99577
Phone: (907) 622-3783
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Toll Free: (877) 460-3783

REPRESENTATIVE DAN SADDLER

SPONSOR STATEMENT

HB 50

An Act relating to the purchase of alcoholic beverages at a club and to access by certain persons under 21 years of age to a club's licensed premises when alcoholic beverages are present.

House Bill 50 is an effort to support the young men and women serving in the armed services in Alaska, by clarifying language to make it easier for them to enjoy companionship in the clubhouses of service and patriotic organizations.

The young soldiers, airmen, sailors, marines and coast guard personnel stationed in Alaska face special challenges. Separation from loved ones, the rigors of barracks life and the monotony of three mess hall meals a day can take their toll on morale. Patriotic clubs – such as those operated by the American Legion, Veterans of Foreign Wars, Disabled American Veterans and others – are places to relax with buddies and enjoy the special understanding and support from others who have “been there” and understand the rigors of military life.

The Legislature recognized this value, and in 2006 passed SB 209 to allow these young men and women access to such clubs using their military ID cards. However, some language remains in statute that creates confusion as to when such access is permitted. HB 50 will eliminate that confusion by making it clear that such access is not limited solely to special events.

It is important to note that HB 50 makes no change in law that would allow service members under the age of 21 to purchase or consume alcohol in service clubs.

Your support of HB 50 will be a clear demonstration that Alaska understands and works to address the special needs of those who defend our freedom.

27-LS0254A.1
Gardner
3/15/12

AMENDMENT # (

OFFERED IN THE HOUSE
TO: HB 50

BY REPRESENTATIVE GRUENBERG

- 1 Page 1, line 9:
- 2 Following "duty":
- 3 Insert "and their accompanying spouses."

AMENDMENT

2

OFFERED IN THE HOUSE
TO: HB 50

BY REPRESENTATIVE GRUENBERG

- 1 Page 2, line 5, following "club":
- 2 Insert "or the spouse of a guest or member of the club"

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

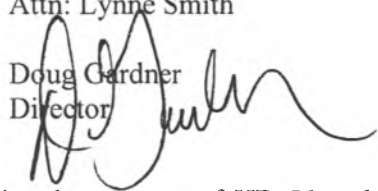
MEMORANDUM

March 31, 2011

SUBJECT: Sectional Summary for HB 50 (Work Order No. 27-LS0254\A)

TO: Representative Dan Saddler
Attn: Lynne Smith

FROM: Doug Gardner
Director



You requested a sectional summary of HB 50, a bill relating to purchase of alcoholic beverages at a club, and to access by certain persons under 21 to the club's licensed premises when alcoholic beverages are present. This summary is current as of the date of this memorandum and the "A" version of the bill. As a preliminary matter, a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1 removes the phrase "upon special occasions" from AS 04.11.110(d). The effect of this deletion would allow military personnel on active duty, who are extended club privileges by patriotic organizations, to purchase alcoholic beverages in the portion of the club that is a part of the club's licensed premises at times beyond just "special occasions."

Section 2 adds the phrase "is a guest or member of the club" to AS 04.11.110(g). The addition of this phrase would allow a person under 21 years of age to enter or remain on the premises of a patriotic organization that is licensed as a club under AS 04.11.110, when alcoholic beverages are present, if the person under 21 years of age is a guest or a member of the club, and has proper military identification on their person. The amendments to this section add the requirement that for a person under 21 years of age to remain in the licensed premises portion of a patriotic club, the person must be either a guest or a member of the club.

Section 3 conforms AS 04.16.049 (Access of persons under 21 years of age to licensed premises), to the amendment set out in section 2 of the bill. This section adds a subsection to AS 04.16.049(a), which allows a person under 21 to enter or remain on a licensed premises under Title 4, if "the person is permitted on the premises under AS 04.11.110(g)."

If you have further questions, please advise.

DDG:plm
11-205.plm

HOUSE BILL NO. 50

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES SADDLER, Hawker, Thompson

Introduced: 1/18/11

Referred: Labor and Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the purchase of alcoholic beverages at a club and to access by
2 certain persons under 21 years of age to a club's licensed premises when alcoholic
3 beverages are present."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 04.11.110(d) is amended to read:

6 (d) Alcoholic beverages sold under a club license may be purchased only by
7 (1) members of the club and their families, (2) widows or widowers of deceased
8 members who have been accorded club privileges, and (3) military personnel on active
9 duty who are extended the privilege by patriotic organizations [UPON SPECIAL
10 OCCASIONS]. Alcoholic beverages may be purchased only in the portion of the club
11 rooms that are part of the licensed premises.

12 * **Sec. 2.** AS 04.11.110(g) is amended to read:

13 (g) Access [NOTWITHSTANDING AS 04.16.049, ACCESS] by persons
14 under 21 years of age to

1 (1) a club's licensed premises is permitted when alcoholic beverages
2 are not present; and

3 (2) the premises of a patriotic organization licensed as a club under this
4 section is permitted when alcoholic beverages are present if the person **is a guest or**
5 **member of the club and** possesses a valid active duty military or armed forces
6 identification card issued by the United States Department of Defense or the United
7 States Department of Homeland Security.

8 * **Sec. 3.** AS 04.16.049(a) is amended to read:

9 (a) A person under the age of 21 years may not knowingly enter or remain in
10 premises licensed under this title unless

11 (1) accompanied by a parent, guardian, or spouse who has attained the
12 age of 21 years;

13 (2) the person is at least 16 years of age, the premises are designated
14 by the board as a restaurant for the purposes of this section, and the person enters and
15 remains only for dining; [OR]

16 (3) the person is under the age of 16 years, is accompanied by a person
17 over the age of 21 years, the parent or guardian of the underaged person consents, the
18 premises are designated by the board as a restaurant for the purposes of this section,
19 and the person enters and remains only for dining; or

20 **(4) the person is permitted on the premises under AS 04.11.110(g).**

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB 50
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB 50 Dept. Affected All
 Title Access to Premises Appropriation _____
 Allocation _____
 Sponsor Representative Saddler
 Requester House Judiciary Committee OMB Component Number _____

Expenditures/Revenues (Thousands of Dollars)
 Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

	FY13	FY13	FY14	FY15	FY16	FY17	FY18
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Prgm (DGF)							
1037 GF/MH (UGF)							
1178 temp code (UGF)							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS

	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES

	FY13	FY13	FY14	FY15	FY16	FY17	FY18

Estimated **SUPPLEMENTAL (FY12) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Updated fiscal note form for FY 13.

Prepared by Melanie Lesh, Legislative Aide
 Division House Judiciary Committee
 Approved by Representative Carl Gatto, Chair
House Judiciary Committee

Phone 907-465-4990
 Date/Time 3/14/12 12:00 AM
 Date 3/14/2012

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. HB 50

Analysis

There is no additional cost resulting from the passage of House Bill 50.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 1
 Bill Version HB 50
 (H) Publish Date 4/5/11

Identifier (file name) HB 50 Dept. Affected _____
 Title Access to Premises Appropriation _____
 Allocation _____
 Sponsor Representative Saddler
 Requester House Labor & Commerce Committee OMB Component Number _____

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES							
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							
-----------------------------	--	--	--	--	--	--	--

CHANGE IN REVENUES							
---------------------------	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other (please identify)							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version (if initial version, please note as such)

This is the initial fiscal note to HB 50

(New FY 13 fin.)

Prepared by Konrad Jackson, Committee Aide
 Division House Labor & Commerce Committee
 Approved by Representative Kurt Olson
Chair, Laobr & Commerce Committee

Phone 907-465-4954
 Date/Time 4/4/11 5:00 PM
 Date 4/4/2011

FISCAL NOTE #1

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB 50

Analysis

[Empty box for analysis content]

Konrad Jackson

From: Lynne Smith
Sent: Wednesday, March 30, 2011 8:57 AM
To: Konrad Jackson
Subject: FW: House Bill 50 support

-----Original Message-----

From: Lemelin, David Mr CIV US USA IMCOM [<mailto:David.Lemelin1@us.army.mil>]
Sent: Monday, March 07, 2011 9:34 AM
To: Rep. Dan Saddler
Subject: House Bill 50 (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

As the Commander of Veterans of Foreign Wars (VFW) Post 10029, North Pole Alaska. I give my support to House Bill 50 and Representative Dan Saddler.
If you have any questions or concerns, I can be reached at (907) 378-1256.

Respectfully,

Dave

David A. Lemelin
Commander
VFW Post 10029

Classification: UNCLASSIFIED
Caveats: FOUO

Mattison, John W CTR USAF PACAF 673 LRS/LGRM

From: Mattison, John W CTR USAF PACAF 673 LRS/LGRM
Sent: Monday, April 04, 2011 1:59 PM
To: 'Representative_Dan_Saddler@legis.state.ak.us'
Subject: HB 50 support

Gentlemen and Ladies,

I write this email in support of House Bill 50. This bill has been long in coming and I believe it will provide our younger heroes a better and more conducive venue to shed the pressures of military life. All too often, younger veterans are limited to on-base attractions. This allows them to congregate with their peers, but doesn't offer the mentorship opportunities that Patriotic Organizations such as the Veterans of Foreign Wars or the American Legion do. It should be noted that there is no age restriction for membership in the VFW, only that they be an American citizen, honorable service in the Armed Forces, and be the recipient of a qualifying campaign medal. As such, young (under 21) veterans may return from their deployment fresh from combat and be eligible for immediate membership, only to be told they can enter their club only during a special event. This is wrong and must be changed. I believe the verbiage in HB 50 will remove the confusion and correct this wrong.

John W. Mattison

Past Department of Alaska Commander (2008-2009)

AMENDMENT

1

OFFERED IN THE HOUSE
TO: HB 50

M

BY REPRESENTATIVE GRUENBERG

Obj. Rep. Pruitt
removed.

- 1 Page 1, line 9:
- 2 Following "duty":
- 3 Insert "and their accompanying spouses."

JK

FAX
2029

AMENDMENT

2

OFFERED IN THE HOUSE
TO: HB 50

M

BY REPRESENTATIVE GRUENBERG

- 1 Page 2, line 5, following "club":
- 2 Insert "or the spouse of a guest or member of the club"

discuss of Leg.
legal

Spouse coming
in on their own?
clear message
who has

DS. as long as effect
is not to require
Spouse to have r.d.

Sec. 04.11.110. Club license.

(a) A club license authorizes a club or organization to sell alcoholic beverages for consumption only on the licensed premises.

(b) A club license may only be issued to a club, fraternal organization, patriotic organization, or social organization that has been (1) chartered by a state or national organization for a period of two consecutive years before application for a license under this section; or (2) chartered by a national organization and the national organization has maintained a chartered club or organization within the state for a period of at least 20 years. The organization licensed under this section must be operated for social, recreational, political, benevolent, or athletic purposes and not for profit. A club license may only be issued to an organization if none of the income from the sale of alcoholic beverages is distributed to its members, directors, or officers. Soliciting of public patronage of the club premises except as approved by the board is a violation of this section.

(c) The biennial club license fee is \$1,200.

(d) Alcoholic beverages sold under a club license may be purchased only by (1) members of the club and their families, (2) widows or widowers of deceased members who have been accorded club privileges, and (3) military personnel on active duty and their accompanying spouses who are extended the privilege by patriotic organizations [upon special occasions]. Alcoholic beverages may be purchased only in the portion of the club rooms that are part of the licensed premises.

(e) Guests who enter the club premises on the invitation of a member and in the company of the member may be served but not sold alcoholic beverages. A guest must leave the premises immediately upon the departure of the member who extended the invitation to enter.

(f) Alcoholic beverages purchased by a club or organization licensed under this section may not be used or consumed off the licensed premises of the club or organization by any person, including club members and employees unless used or consumed at social, recreational, benevolent, or athletic functions of the club or organization and the use or consumption is approved by the board.

(g) [Notwithstanding AS 04.16.049], Access by persons under 21 years of age to

(1) a club's licensed premises is permitted when alcoholic beverages are not present; and

(2) the premises of a patriotic organization licensed as a club under this section is permitted when alcoholic beverages are present if the person is a guest or member of the club or the spouse of a guest or member of the club and possesses a valid active duty military or armed forces identification card issued by the United States Department of Defense or the United States Department of Homeland Security.

(h) In this section, "member" means a holder of paid-up membership entitling the holder to all voting rights and privileges of membership under the constitution or bylaws of the club or organization.

History -

(Sec. 2 ch 131 SLA 1980; am Sec. 2 ch 109 SLA 1983; am Sec. 1, 2 ch 17 SLA 1988; am Sec. 4 ch 63 SLA 1993; am Sec. 1 ch 22 SLA 1994; am Sec. 1 ch 69 SLA 2006)

Cross References -

For penalties for violation of this title, see AS 04.16.180.

Amendment Notes -

The 2006 amendment, effective September 13, 2006, rewrote subsection (g), in part by adding paragraph (g)(2).

AG Opinions -

The Central Council of the Tlingit and Haida Indian Tribes of Alaska qualifies for a "club license" under this section, but licensure is conditioned on the receipt of an express, written waiver of the council's sovereignty in regard to the enforcement of this title and local laws pertaining to alcoholic beverages, which waiver should be reviewed by the Attorney General's office before the license is issued. December 18, 1985 Op. Att'y Gen.

Decisions -

Editor's notes. - The cases cited in the note below were decided under earlier statutes.

A national charter is one which is derived from the nation by act of Congress. In re Capper, 11 Alaska 480 (D. Alaska 1948).

Use of part of club premises for public dining room. - While the use of a part of the club premises for a public dining room might have been in some degree inconsistent with its restricted and private use as part of the club premises, nothing in the law forbade such duplicate use. There was no legal reason why members of the club should not purchase and be served with intoxicating liquor in that room under the club license, although persons not members of the club and not beneficiaries of the bounty of the members of the club could not lawfully purchase any liquor there. In re Alaska Labor Trades Ass'n, 10 Alaska 472 (D. Alaska 1945). This section now provides that "soliciting of public patronage of the club premises except as approved by the board is a violation of this section." - Ed. note.

Sales are limited to members of club. - The legislature considered disposal of liquor in clubs as sales, and limited such sales to the members of the club. In re Alaska Labor Trades Ass'n, 10 Alaska 472 (D. Alaska 1945).

But there is nothing in the law forbidding the serving of liquor to guests. In re Alaska Labor Trades Ass'n, 10 Alaska 472 (D. Alaska 1945).

So long as they do not pay for liquor consumed. - Where evidence given at the hearing disclosed that persons other than members of the club had been served with liquor on the club's

premises, but there was no testimony that any of the nonclub members so served paid for the liquor consumed, the only proper presumption in which the court can indulge is that the liquor so served was sold to and paid for by members of the club and, therefore, the sales were lawful. In re Alaska Labor Trades Ass'n, 10 Alaska 472 (D. Alaska 1945).

Interest of manager in business of club. - Where the business affairs of a club, including the purchase and keeping and sale to members of liquor, are so inextricably intermingled with those of the manager of the club, the manager has an interest in the business and a license may not be lawfully issued. In re Alaska Labor Trades Ass'n, 10 Alaska 472 (D. Alaska 1945).

Collateral Refs -

48 C.J.S., Intoxicating Liquors, Sec. 141.

Criminal liability of member or agent of private club or association, or of owner or lessor of its premises, for violation of state or local liquor or gambling laws thereon. 98 ALR3d 694.

AMENDMENT

OFFERED IN THE HOUSE
TO: HB 50

BY REPRESENTATIVE GRUENBERG

- 1 Page 1, line 9:
- 2 Following "duty":
- 3 Insert "**and their accompanying spouses.**"

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: HB 50

- 1 Page 2, line 5, following "club":
- 2 Insert "or the spouse of a guest or member of the club"

Melanie Lesh

From: Noah Hanson
Sent: Wednesday, March 14, 2012 12:33 PM
To: Melanie Lesh
Subject: Heads up

Hey Melanie,

Rep Gardner will be in resources committee until HB 128 is ready to be up. I will be in Judiciary and give her the word when HB 50 is done. Maybe a brief at ease during the transition btwn bills?

Thanks,

Noah Hanson

Staff to Representative Berta Gardner
State Capitol Building, Room 424
Juneau, AK 99801
Ph: (907) 465-4068
Fax: (907) 465-3834
<http://www.RepBertaGardner.com>
<http://www.Facebook.com/BertaGardner>

HSUD

3/14

HB 50 Shirley ABC - difficult to enforce.

ABC board issued a card to get in to club to observe.

Carl - bartenders at bases know their customers.

Base commander - underage eg.
penalties severe -

Rep. Lynn - Ovc. members already exposed to danger,

max - not limited to patriotic club

M Conceptual amdt. include spouses

accompanying military personnel?

(spouse offered same privilege) hold for amdt.

★

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 1
Bill Version HB 50
(H) Publish Date 4/5/11

Identifier (file name) HB 50 Dept. Affected _____
Title Access to Premises Appropriation _____
Sponsor Representative Saddler Allocation _____
Requester House Labor & Commerce Committee OMB Component Number _____

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES								
---------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other (please identify)								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

This is the initial fiscal note to HB 50

Prepared by Konrad Jackson, Committee Aide
Division House Labor & Commerce Committee
Approved by Representative Kurt Olson
Chair, Laobr & Commerce Committee

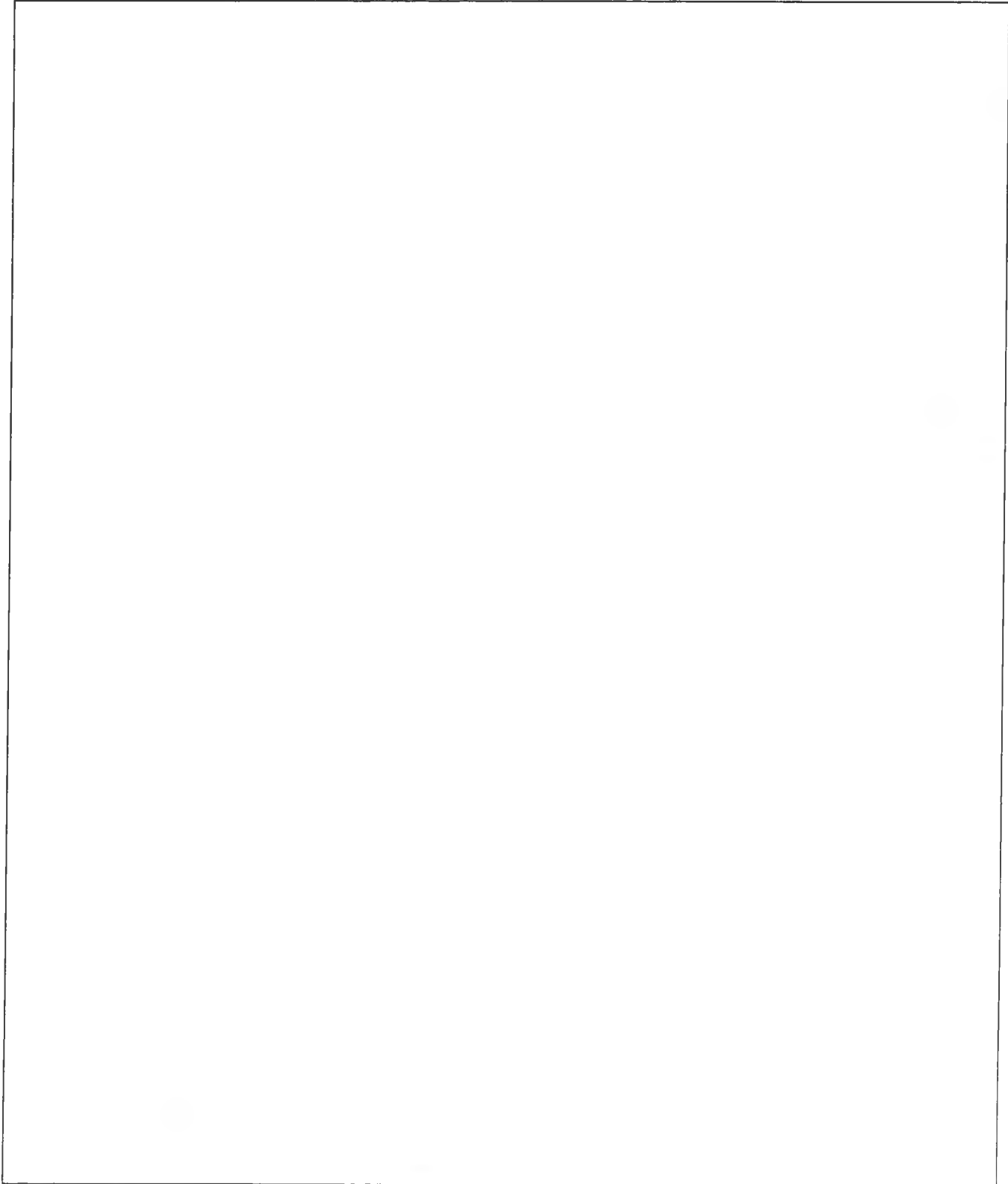
Phone 907-465-4954
Date/Time 4/4/11 5:00 PM
Date 4/4/2011

FISCAL NOTE #1

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB 50

Analysis



Konrad Jackson

From: Lynne Smith
Sent: Wednesday, March 30, 2011 8:57 AM
To: Konrad Jackson
Subject: FW: House Bill 50 support

-----Original Message-----

From: Lemelin, David Mr CIV US USA IMCOM [<mailto:David.Lemelin1@us.army.mil>]
Sent: Monday, March 07, 2011 9:34 AM
To: Rep. Dan Saddler
Subject: House Bill 50 (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

As the Commander of Veterans of Foreign Wars (VFW) Post 10029, North Pole Alaska. I give my support to House Bill 50 and Representative Dan Saddler.
If you have any questions or concerns, I can be reached at (907) 378-1256.

Respectfully,

Dave

David A. Lemelin
Commander
VFW Post 10029

Classification: UNCLASSIFIED
Caveats: FOUO

Mattison, John W CTR USAF PACAF 673 LRS/LGRM

From: Mattison, John W CTR USAF PACAF 673 LRS/LGRM
Sent: Monday, April 04, 2011 1:59 PM
To: 'Representative_Dan_Saddler@legis.state.ak.us'
Subject: HB 50 support

Gentlemen and Ladies,

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John W. Mattison

Past Department of Alaska Commander (2008-2009)

And if the bill passes, the state ends to lose at least \$17 million in federal highway funding, transportation officials say, because Alaska would be in violation of the national minimum drinking age statute. In a state where alcohol abuse is blamed for many social and financial ills, a lower drinking age is a distinction few want.

"It sends a mixed message. For some it's OK, for others it's not," said Royal Bidwell, business manager of the Forget Me Not Foundation, an anti-drunken driving group based in Wasilla.

The law could set a precedent, said Rep. Alan Austerman, Kodiak, where any young person whose profession puts them at risk of losing their life, such as police or firefighters, could be allowed to drink.

Kentucky, South Carolina and Wisconsin have all considered

Kingston, R-Georgia, proposed a similar measure last year that ultimately died in committee.

About 2,000 soldiers under age 21 serve in the Army in Alaska, said Maj. Bill Coppennoll, public affairs officer for U.S. Army Alaska. Federal law prohibits them from drinking on base.

Alcohol is involved in a third of misconduct incidents on Alaska's military installation, three generals said in a letter to Rep. Dan Saddler, co-chairman of the House Special Committee on Military & Veterans' Affairs. Saddler is sponsoring a separate bill that would establish more access to private clubs for members of the military younger than 21, but not allow them to drink (See accompanying sidebar)

Lowering the drinking age could further increase drunken driving arrests of young soldiers who would drive back from off-

men and women deploy, they understand even those of drinking age may not be allowed to consume alcohol while deployed," said the letter from Lt. Gen. Dana T. Atkins, commander of the Alaska Command, and Maj. Gen. Raymond P. Palumbo, commanding general of U.S. Army Alaska. "It is just part of the sacrifice military members make."

The legislation may linger before lawmakers decide any-

Army ROTC cadet at University of Alaska Fairbanks, said the measure sounded fair, as long as soldiers of all ages ensure they don't drink and drive.

Cody Short, a cadet in the Army ROTC at the University of Alaska Anchorage, said he was unsure why a special law should be created just for young soldiers.

"We follow the laws applied to the U.S.," said Short, 20. "I can wait till I'm 21."

VFW asks Saddler to get under-21 military into club

Bill wouldn't let them drink

BY ZAZ HOLLANDER

Alaska Star 4-14-11

Officers at Eagle River's Veterans of Foreign Wars club enlisted Eagle River's Representative Dan Saddler in their mission to open the doors to active-duty service men and women — even those who aren't quite 21 yet.

House Bill 50 sponsored by Saddler would let soldiers under 21 enter licensed premises of patriotic clubs if they are members or guests of a member. It would not allow them to drink alcohol.

The bill also has a section that expands access to service and patriotic organizations for active-duty service men and women over 21. Some language in statute limits such access to "special occasions" only, Saddler wrote in an e-mail. HB 50 deletes this language.

Saddler called the bill "simply an access bill" and said he wanted to emphasize that the bill would not allow underage persons to drink.

"It simply clarifies that soldiers over 21 don't have to wait for a 'special occasion' to visit patriotic clubs, and that soldiers under 21 can visit if they are club members, or guests," he wrote.

Eagle River's VFW Post 9785 asked for Saddler's help several months ago while the legislator was at the post, according to John Mattison, the post quartermaster and himself a Vietnam-era veteran who retired as a U.S. Army major. Mattison talked to Saddler again by phone in late March.

"A young troop can enlist when he's 17, go through his training, go to Afghanistan, come back when he's 19," Mattison said. "He's eligible for the VFW but he can't come in. I wanted to untangle that mess."

But once inside, wouldn't it be pretty easy for an underage soldier to wander up to the bar and order a beer? Or get a friend to do the buying for him?

Mattison said the VFW doesn't go through a lot of bartenders, and the staff gets to know patrons.

"I don't see that as being a problem at all," he said. "We've talked to our bartenders. They said, 'No, it won't be a problem.' They card everybody they don't know."

In terms of someone buying for an underage member, Mattison said that could theoretically happen the way laws are written now — somebody can bring in an underage soldier as a guest, sit them at a table and buy the table a pitcher of beer.

The larger problem is that right now, an Afghanistan veteran can't come in the door of the VFW unless there's a special occasion, Mattison said. If the bill passes, the soldier could become a dues-paying member.

"Any time we get an Afghanistan or Iraqi vet in there, it's a special occasion, that's how we treat it," he said. "But we've got to sign them in as guests."

The bill remained in the House Judiciary Committee as of Tuesday.

STATEMENT OF DEFENSE

STATEMENT OF DEFENSE
STATEMENT OF AN ENVIRONMENTAL ASSESSMENT
FOR THE PROPOSED ADDITION OF F-22 AIRCRAFT AT JOINT
BASE ELMENDORF-RICHARDSON, ALASKA

Joint Base Elmendorf-Richardson (JBER), Alaska

The Air Force (Air Force) is issuing this notice to advise the public of the availability of an Environmental Assessment (EA) for the proposed addition (plus-up) of F-22 aircraft at Joint Base Elmendorf-Richardson (JBER) current inventory of 40 aircraft would train in existing Alaska airspace and would not affect local communities.

The EA is required by the National Environmental Policy Act (NEPA) of 1969, section 4321, et. seq.), the Council on Environmental Quality Executive Order 11955, Federal Register provisions of NEPA (40 Code of Federal Regulation Executive Orders (EOs) 11514 and 11991, the Environmental Quality Improvement Act (42 United States Code [USC] 4371 et seq.); and 32 CFR Part 192.101 Environmental Impact Analysis Process (EIAP). A copy of the EA and Draft EA is available for public review beginning April 12, 2011, at the Alaska Resources Center, Anchorage; Alaska State Court Law Library, Anchorage; Delta Community Library, Delta Junction; Eagle Public Library; Joint Base Elmendorf-Richardson Library; Lime Village School District Library, Naknek; Tanana Community and School Library; Wasilla Public Library; and the Wasilla Public Library. The EA and Draft EA are available at <http://www.jber.af.mil/library/environmental/index.asp>.

Interested parties and interested groups and persons are invited to provide comments by mail, postmarked no later than May 12, 2011, to ensure consideration of the EA. Please send any comments to:

Joint Base Elmendorf-Richardson AK 99506-3240

The Air Force will be considered in the preparation of the EA administrative record. Thank you for your participation.

For direct written comments or requests for information