

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 86 / 2

48 SCOMM 6: SENATE SPECIAL COMM. ON ALCOHOLISM 1977-78

SPECIAL SENATE COMMITTEE ON ALCOHOLISM AND ALCOHOL RELATED LEGISLATION
North and Western Alaska Itinerary
September 16 - September 21, 1977
Friday, Cont.

MCGRATH

5:15	Arrival	Met by Diane Ketelsen Public Health Nurse
5:30pm - 6:30pm	Dinner	Compliments of Mrs. Willie Brandon
6:30pm - 7:00pm	Briefing	by Diane Ketelsen, Health Clinic

McGrath Notes

McGrath has just recently formed a Community Mental Health Board to deal specifically with alcoholism. The Board has hired a trained-licensed psychologist to administer their program. They are funded with a state grant from the Alaska Division of Mental Health (\$46,000. plus \$10,000. planning.)

McGrath is a regional center (Tanana Subregion) for a number of surrounding villages on the Yukon and Kuskokwim Rivers. These include Shagaluk, Anvik, Grayling, Red Devil, Sleetmute, Stoney River, Medfra, Nikolai, Telida, Takotna, and others. Some of these are "problem" villages due to violence and binge drinking.

Following are people involved in the community or region that may be addressing the Committee:

Diane Ketelsen, Nurse
Marty Branscom, Social Services Worker
Gloria Chase, BIA
Rev. Richard Hart, Pastor
Leon Kiana
Deberah Breden, Iditarod School District
Joel Smith, Medic Tatalina AFS
Steve Alouska, Village Chief Telida
Ann Alexia, Village Council Nikolai
Willie Brenden, Health Clinic

Special Committee on Alcoholism and Alcohol Related Legislation
1016 West 6th Avenue, Suite C, Anchorage 99501 (276-8153)

Committee meeting, September 16, 1977

10 AM -- 5th Floor Confernece Room, 825 "L" Street

Municipality of Anchorage:

Bert Hall, Director, Department of Health & Environmental Protection
Dr. Helen Beirne, Behvioral Health Services Manager ✓
Captain David Boyd, Salvation Army Alcoholism Program ✓
Dr. Ray Dexter, Salvation Army Alcoholism Program ✓
Captain Charles G. Anderson, Chief of Police
Brian Porter, Anchorage Police Department ✓
L. E. "Ed" Brown, Emergency Medical Services ✓
Douglas Weiford, City Manager
Yvonne Alford, Office of the Mayor, Administrative Assistant
Noreen Pedrick, Human Resource Manager, Department of Planning ✓
Tom Klinkner, Assistant Municipal Attorney
Peggy Roston, Representing Sam Coxson, City Manager's Office

Anchorage Council of Alcoholism	Barbara Hoffman
Holy Family Catholic Church	Father Joseph Hartmann ✓
Alaska State Troopers	Bill Farber
Alaska Department of Public Safety, Planning	Dennis Kelso
Studio Club	Leonard and Henrietta Nugen ✓
Anchorage Downtown Businesses	Ken Hume
Alaska Native Commission on Alcohol and Drug Abuse (AHCADA)	Harcelo Quinto, President ✓

FUNDING SOURCES FOR STATE OFFICE OF ALCOHOLISM PROJECTS

1976

<u>SOA Statewide and Regional Programs</u>	<u>Total Project Cost</u>	<u>State Alcoholism Award</u>	<u>State General Fund</u>	<u>NIAAA Formula Pipeline</u>	<u>Titles IVA VI,XVI</u>	<u>Total Other Federal Income</u>	<u>Misc. Funding</u>
ALMEA	\$ 200,000	\$ 200,000	\$ -0-	\$200,000 PI	\$ -0-	\$ -0-	\$ -0-
Barrow	54,730	54,730	-0-	54,730 PI	-0-	-0-	-0-
Bethel	132,214	93,500	93,500	-0-	-0-	950	37,764
Copper Center	55,000	55,000	-0-	55,000 PI	-0-	-0-	-0-
Dillingham	31,505	22,100	-0-	22,100 FG	-0-	-0-	9,405
Fairbanks	1,072,440	290,200	217,650	-0-	72,550	657,000	125,240
Galena	18,667	14,000	9,750	4,250 FG	-0-	-0-	4,667
GAAB	1,501,013	821,854	567,470	109,488 PI	144,896	333,353	345,806
Juneau	349,329	90,360	4,880	85,480 FG	-0-	132,826	126,143
Ketchikan	142,147	58,101	49,405	-0-	8,696	40,120	43,926
Kodiak	150,496	117,430	73,867	28,500 FG	15,063	-0-	33,066
Kotzebue	52,700	36,981	31,403	-0-	5,578	-0-	15,719
NCA-AR	736,158	79,478	64,576	-0-	14,902	656,680	-0-
Nome	126,121	85,430	85,430	-0-	-0-	-0-	40,691
Petersburg	36,093	27,070	-0-	27,070 FG	-0-	-0-	9,023
Seward	43,900	34,700	-0-	34,700 PI/FG	-0-	-0-	9,200
Sitka	185,451	79,380	66,536	-0-	12,844	80,000	26,071
Tok	128,600	13,700	13,700	-0-	-0-	114,900	-0-
Unalaska	141,020	26,800	26,800	5,000	-0-	86,220	23,000
Valdez	65,260	65,260	-0-	65,260 PI	-0-	-0-	-0-
Wrangell	35,813	26,860	26,860	-0-	-0-	-0-	8,953
Yakutat	18,500	13,875	13,875	-0-	-0-	-0-	4,625
TOTAL	\$5,277,157	\$2,306,809	\$1,345,702	\$691,578	\$274,529	\$2,102,049	\$863,299

The following is a tabulation of the State funding approved by the Governor's Advisory Board at this meeting:

1977

Program	State Office Recommendation	Approved by G.A.B.
Yakutat	\$17,327✓	\$17,327
Seward	33,688✓	33,688
Ketchikan	103,474✓	103,474
Dillingham	27,435✓	27,435
Wrangell	35,293✓	35,293
Unalaska	38,645✓	38,645
Kotzebue	49,205✓	49,205
Bethel	138,456✓	138,456
Fairbanks	318,239✓	318,239
Juneau		
1. ACA	108,623✓	108,623
2. Gastineau Manor	21,200✓	21,200
Anchorage	607,225✓	607,225
Sitka	78,388✓	78,388
Kodiak	123,771✓	123,771
Tok	15,070✓	15,070
Petersburg	39,375✓	39,375
NCA-AR	107,182✓	107,182
Nome	114,393✓	114,393
Galena	-----	-----

PIPELINE IMPACT RESPONSE PROJECT GRANTS

Program	State Office Recommendation	Approved by G.A.B.
ALMEA (Ak. Labor & Management Employee Affairs, Inc.)	200,000✓	200,000
Seward	18,040✓	18,040
Valdez	65,260✓	65,260
Copper Center	67,108✓	67,108
Barrow	74,080✓	74,080
Anchorage	169,221✓	169,221

NEW COMMUNITY-GRANT-IN-AID REQUESTS

Program	State Office Recommendation	Approved by G.A.B.
Cook Inlet	40,679	-----
Center for Alcohol & Addiction Studies (U of A)	47,597	-----
Petersburg		-----
Fort Yukon	-----	-----
Gastineau Manor (women's)		-----
Craig		-----

+ + + + + + + +



DOYON

COOK INLET

Anchorage
Spenard

CHUGACH

LISTA

QUERY NO. B539

NIAAA GRANTS ACTIVE AS OF JUNE 1977
BY PROGRAM, STATE, CITY, INSTITUTION AND P.I.

INVESTIGATOR DEPARTMENT	PROJECT TITLE	START DATE	END DATE	IRS	PY	PROGRAM CLASS	GRANT NUMBER	POT YES	DOLLARS AWARDED
								NO. & AMT. OF STIPENDS	
ALASKA ANCHORAGE RURAL ALASKA COMMUNITY ACTION PROGRAM LYNNE, EVELYN E NONE	<i>combs center Pristal Bay, Copper Center</i> Rural Cap & Ancestral 3 - "Councilors" Regional 1701 Transfer Request to NIAAA effective by Oct 1	06-01-77	05-31-78	ASRI	77	SSAI	2H84AA00588-04	2	110,000
ALASKA ANCHORAGE NATIONAL COUNCIL ON ALCOHOLISM ALASKA KEATING, JOHN H NONE	ALASKA PUBLIC EDUCATION AND PREVENTION PROJECT	12-01-76	11-30-77	NSS	77	CA	2H84AA01714-02	0	303,913
ALASKA ANCHORAGE ALASKA NATIVE CON ALCOHOL & DRUG ABUSE LINCOLN, GRACE B NONE	<i>Orfettalli</i> ALASKA NATIVE SPECIAL ALCOHOL	04-01-77	06-30-77	ASRI	77	SSAI	3H84AA02201-0251	1	110,593
ALASKA ANCHORAGE ALASKA NATIVE CON ALCOHOL & DRUG ABUSE LINCOLN, GRACE B NONE	<i>7 positions + 3 staff = 10 Technical Assistants - Health Planner</i> ALASKA NATIVE SPECIAL ALCOHOL	12-01-76	06-30-77 <i>4-1-77</i>	ASRI	77	SSAI	<i>Contract Budget 200,000 Total 115,000 per central staff 12/76 - 12/77</i> 5H84AA02201-02	1	128,000
ALASKA ANCHORAGE SOCIAL DEVELOPMENT CENTER DE GOOYER, GENE NONE	ANCHORAGE SOCIAL DEVELOPMENT CENTER PROJECT	07-01-76	06-30-77	ASRB	76	SSPI	5H84AA02329-02	1	103,100
ALASKA ANCHORAGE UNIVERSITY OF ALASKA ANCHORAGE SR COLL MOLINARI, CAROL V NONE	ALASKA STATEWIDE ALCOHOLISM CONTROL PROGRAM	10-01-76	09-30-77	ALT	76	AT	5T21AA07066-02	0	88,830
ALASKA COLLEGE UNIVERSITY OF ALASKA JONES, DOROTHY M NONE	INSTITUTIONAL RESPONSES TO ALCOHOL IN ALASKA	09-01-75	08-31-77	ASRP	75	CP	1H84AA01862-01	1	77,301

1,042,577

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM
DIVISION OF SPECIAL TREATMENT AND REHABILITATION PROGRAMS

PROGRAM CLASS CODE

SS-DD	Alcohol Project Grant	-	Drinking Driver
SS-AI	" " "	-	American Indian
SS-PP	" " "	-	Poverty Programs
SS-PI	" " "	-	Public Inebriate
SS-SA	" " "	-	Spanish American
SS-WP	" " "	-	Women Program
SS-CJ	" " "	-	Criminal Justice
SS-BP	" " "	-	Black Program
SS-YP	" " "	-	Youth Program
SS-AP	" " "	-	Aged Program
SS-CS	" " "	-	Comprehensive Staffing
SS-MW	" " "	-	Migrant Workers
SS-CP	" " "	-	Cross Population
SS-NC	" " "	-	Non-Categorical
SS-OA	" " "	-	Occupational

+ Pipeline Impact

SATURDAY



BERING STRAITS

Norton Sound

YUKON DELTA

ALASKA

CALISTA

Kuskokwim Bay

Alutian Mountains

BRISTOL BAY

KATMAI

Fort Davis
Cape Nome
Port Safety
Bluff
Dickson
Safety Sound

Golovin Lagoon
Rocky Point
Golovin Bay
Golovin Mission
Cape Dalton

Stuart Island
Proposed Coastal National Wildlife Refuge

St. Michael L.
St. Michael
Pikmituk
The Sisters

Proposed Yukon Delta National Wildlife Refuge
Curlew L.

St. Marys (Anadyrsky)
Tahak
Marsh
Fortuna Ledge

Proposed Yukon Delta National Wildlife Refuge
Aropak Lake

Whitefish L.
Mt. Hamilton
Mt. Plummer

Yuglarni, Eskimo history museum, Bethel
Winter Carnival, January or February

Quinhagak
Jackman Bay
Lander Mt. 2000

Wahoon Islands
Hagemeister Strait
Cape Porpoise

Proposed National Park addition to Katmai
In 1912 a new volcano, Mt. Katmai, erupted.

Moose Point
Norton Bay
Cape Denbigh
Shaktolik
Egavik

Unalakleet
Golovin
St. Michael L.
Kikhtalik
Galan

Grayling
Hollis
Anvik
Shageluk

Paradise Hill
Paradise Dome
Holy Cross
Palmuit

Iditarod
Cameo
Sikil
Discovery

Crooked Creek
Hore Mts. 2730'

Whitefish L.
Mt. Hamilton
Mt. Plummer

Yuglarni, Eskimo history museum, Bethel
Winter Carnival, January or February

Quinhagak
Jackman Bay
Lander Mt. 2000

Wahoon Islands
Hagemeister Strait
Cape Porpoise

Proposed National Park addition to Katmai
In 1912 a new volcano, Mt. Katmai, erupted.

Quinhagak
Jackman Bay
Lander Mt. 2000

Wahoon Islands
Hagemeister Strait
Cape Porpoise

Proposed National Park addition to Katmai
In 1912 a new volcano, Mt. Katmai, erupted.

Quinhagak
Jackman Bay
Lander Mt. 2000

Wahoon Islands
Hagemeister Strait
Cape Porpoise

Proposed National Park addition to Katmai
In 1912 a new volcano, Mt. Katmai, erupted.

Quinhagak
Jackman Bay
Lander Mt. 2000

Proposed Koyukuk National Wildlife Refuge
Whiskey Creek

Kalaboket Cr. A.F.S.
Yukon Cr.

Proposed Koyukuk National Wildlife Refuge
Pinnacles Landing

Proposed Yukon Delta National Wildlife Refuge
Discovery

Proposed Yukon Delta National Wildlife Refuge
Aropak Lake

Whitefish L.
Mt. Hamilton
Mt. Plummer

Yuglarni, Eskimo history museum, Bethel
Winter Carnival, January or February

Quinhagak
Jackman Bay
Lander Mt. 2000

Wahoon Islands
Hagemeister Strait
Cape Porpoise

Proposed National Park addition to Katmai
In 1912 a new volcano, Mt. Katmai, erupted.

Quinhagak
Jackman Bay
Lander Mt. 2000

Wahoon Islands
Hagemeister Strait
Cape Porpoise

Proposed National Park addition to Katmai
In 1912 a new volcano, Mt. Katmai, erupted.

Quinhagak
Jackman Bay
Lander Mt. 2000

Wahoon Islands
Hagemeister Strait
Cape Porpoise

Proposed National Park addition to Katmai
In 1912 a new volcano, Mt. Katmai, erupted.

Quinhagak
Jackman Bay
Lander Mt. 2000

Wahoon Islands
Hagemeister Strait
Cape Porpoise

Proposed Koyukuk National Wildlife Refuge
Whiskey Creek

Kalaboket Cr. A.F.S.
Yukon Cr.

Proposed Koyukuk National Wildlife Refuge
Pinnacles Landing

Proposed Yukon Delta National Wildlife Refuge
Discovery

Proposed Yukon Delta National Wildlife Refuge
Aropak Lake

Whitefish L.
Mt. Hamilton
Mt. Plummer

Yuglarni, Eskimo history museum, Bethel
Winter Carnival, January or February

Quinhagak
Jackman Bay
Lander Mt. 2000

Wahoon Islands
Hagemeister Strait
Cape Porpoise

Proposed National Park addition to Katmai
In 1912 a new volcano, Mt. Katmai, erupted.

Quinhagak
Jackman Bay
Lander Mt. 2000

Wahoon Islands
Hagemeister Strait
Cape Porpoise

Proposed National Park addition to Katmai
In 1912 a new volcano, Mt. Katmai, erupted.

Quinhagak
Jackman Bay
Lander Mt. 2000

Wahoon Islands
Hagemeister Strait
Cape Porpoise

Proposed National Park addition to Katmai
In 1912 a new volcano, Mt. Katmai, erupted.

Quinhagak
Jackman Bay
Lander Mt. 2000

Wahoon Islands
Hagemeister Strait
Cape Porpoise

RESEARCH REPORTS ON ALCOHOLISM AND ADDICTION RELATED LEGISLATION
North and Western Alaska Itinerary
September 16 - September 21, 1977

Depart McGrath 9:00 am Saturday, September 17, 1977

RUBY

Arrive 9:30 am

9:30 am - 11:30 am

Dineega Bldg.

Met by Donald Honea, President
Village Council

No State Programs or Grants

GALENA

Arrive 11:45 am

1:00 pm - 3:00 pm

Lunch

City Hall

Met by Frank Benson, Mayor

Receives State Grant FY76 \$14,000.
Chartered by National Council
on Alcoholism (Volunteer)

Key Persons:

Frank Benson, Mayor and Bar Owner

Carol LaRoe, Health Clinic

Roger Huntington, City Manager and
Program Manager for City of
Galena Alcoholism Program

Lunch at Galena Lodge

COMMITTEE ON ALCOHOLISM AND ALCOHOL RELATED LEGISLATION
North and Western Alaska Itinerary
September 16 - September 21, 1977
Saturday, Cont.

ANVIK

Arrive 4:10 pm

4:10 pm - 6:00 pm

Village Council

Met by Ken Chase, President Village Council

No State Programs or Grants

HOLY CROSS

Arrive 6:45

Overnight

7:00 pm

Village Council Lodge

8:00 pm

Community Center
Dinner/ Breakfast

Met by Theresa Dementieff

No State Programs or Grants

Interested People:

Dean O'Dell, Community School Director

7:00 pm Private meeting with Village Council at Council Lodge

Dinner arranged by local residents at lodge.

NOTE: All villages visited this day receive direct financial assistance or technical support through National Institute of Alcoholism and Alcohol Abuse (NIAAA) and Tanana Chiefs Council, as well as Alaska Native Commission on Alcoholism and Drug Abuse (ANCADA).

FUNDING SOURCES FOR STATE OFFICE OF ALCOHOLISM PROJECTS

1976

<u>SOA Statewide and Regional Programs</u>	<u>Total Project Cost</u>	<u>State Alcoholism Award</u>	<u>State General Fund</u>	<u>NIAAA Formula Pipeline</u>	<u>Titles IVA VI,XVI</u>	<u>Total Other Federal Income</u>	<u>Misc. Funding</u>
ALMEA	\$ 200,000	\$ 200,000	\$ -0-	\$200,000 PI	\$ -0-	\$ -0-	\$ -0-
Barrow	54,730	54,730	-0-	54,730 PI	-0-	-0-	-0-
Bethel	132,214	93,500	93,500	-0-	-0-	950	37,764
Copper Center	55,000	55,000	-0-	55,000 PI	-0-	-0-	-0-
Dillingham	31,505	22,100	-0-	22,100 FG	-0-	-0-	9,405
Fairbanks	1,072,440	290,200	217,650	-0-	72,550	657,000	125,240
Galena	18,667	14,000	9,750	4,250 FG	-0-	-0-	4,667
GAAB	1,501,013	821,854	567,470	109,488 PI	144,896	333,353	345,806
Juneau	349,329	90,360	4,880	85,480 FG	-0-	132,826	126,143
Ketchikan	142,147	58,101	49,405	-0-	8,696	40,120	43,926
Kodiak	150,496	117,430	73,867	28,500 FG	15,063	-0-	33,066
Kotzebue	52,700	36,981	31,403	-0-	5,578	-0-	15,719
NCA-AR	736,158	79,478	64,576	-0-	14,902	656,680	-0-
Nome	126,121	85,430	85,430	-0-	-0-	-0-	40,691
Petersburg	36,093	27,070	-0-	27,070 FG	-0-	-0-	9,023
Seward	43,900	34,700	-0-	34,700 PI/FG	-0-	-0-	9,200
Sitka	185,451	79,380	66,536	-0-	12,844	80,000	26,071
Tok	128,600	13,700	13,700	-0-	-0-	114,900	-0-
Unalaska	141,020	26,800	26,800	5,000	-0-	86,220	23,000
Valdez	65,260	65,260	-0-	65,260 PI	-0-	-0-	-0-
Wrangell	35,813	26,860	26,860	-0-	-0-	-0-	8,953
Yakutat	18,500	13,875	13,875	-0-	-0-	-0-	4,625
TOTAL	\$5,277,157	\$2,306,809	\$1,345,702	\$691,578	\$274,529	\$2,102,049	\$863,299

SUNDAY

GENERAL OFFICE COMMITTEE ON ALASKA AND ALASKA RELATED LEGISLATION
North and Western Alaska Itinerary
September 16 - September 21, 1977

Depart Holy Cross

9:00 am

Sunday, September 18, 1977

BETHEL

Arrive 10:00

Stop at airport only to pick up
Fred Pete, translator

HOOPER BAY

Arrive 11:15 am

Lunch

12:00 pm - 2:00 pm

Community Center

Met by Rudy Smith

No State Programs or Grants

Flora Jack -- Resident of Mekoryk,
Nunivak Island is
flying in special for
this meeting.

Box Lunch from Bethel

AKIACHAK

Arrive 3:15 pm

3:15 pm - 4:30 pm

Fred Pete Contacts

No State Programs or Grants

Chartered by National Council on
Alcoholism (Volunteer)

William Lomack, President Akiachak
Council on Alcoholism
President Village Council

NAPASKIAK

Arrive 4:40 pm

5:00 pm - 6:00 pm

Fred Pete Contacts

No State Programs or Grants

BETHEL

Arrive 6:10 pm

Dinner - Breakfast

7:00 pm

City Council Chambers

Bethel currently is a "dry" community. However, an initiative petition to go "wet" has been circulated and certified for a vote at the next municipal election. The Committee will hear much about this during the meeting.

The City's Public Works department is considering constructing an alcoholic treatment center. The FY76 state budget appropriated \$187,000. for construction.

The State Office of Alcoholism funds a program in Bethel for \$93,500.

Key Persons in Bethel:

Ignatius Louie Andrew, Reg. Tech. Alcohol Assistant.
Yukon-Kuskokwim Health Corp.

Jay Lively, Health Director
Yukon-Kuskokwim Health Corp.

Jacqueline Pflaum, Previous Member
Governor's Alcohol Advisory Board

Bob Butch
~~Eugene Strickland~~, Program Manager
Bethel Alcohol Treatment Center

Cecilia Esparsara, Div. of Soc. Serv.
Lyman Hoffman, City Manager
City of Bethel

Ron Tetola, Bush Air Service

Fred Pete, Reg. Tech. Assistant
Yukon-Kuskokwim Health Corp.
(Contact Person)

Flora Jack, Flying from Mekoryk,
Nunivak Isl.

Betty Hickling, Governor Hammond's Office

NOTE: All Villages and Bethel also receive direct financial assistance and technical support from NIAAA, and Alaska Native Commission on Alcoholism and Drug Abuse (ANCADA).

Flora S. Jack
City Treasurer-Councilman
Mekoryuk, Alaska 99630

7-27-77

Dear Senator Colletta,

Thank you for your letter of July 15th, and thank you for your concern about the alcoholism. I am writing to you, because I need your help in this. I would like for the intoxicating liquor to stop coming into our village or better service from our police. I know its up to the city councilman to do this job, but it always seem like they can't do it. We have been trying to get a new local police, but never happens. The police we have now never does anything with the intoxicated persons. In fact he disappears during the drinking binge and while a fight is going on, even if the police might know about it, he does not go break it up. Like last night for exsample, a bunch of young men were fighting, and that police didn't show up as always. It might be the fact that our local police is old and may be scared of the drunks. They have tried to hire two young men to be police, but I don't know what happened.

Just last month a young guy in his twenties drowned while he was intoxicated. He was boat-riding with two other intoxicated persons and when he fell off the boat, he was not rescued. I really don't know the whole story but people kept repeating that the incident was not checked till about one hour later, I mean after it happened. It happened that the persons who said that the person fell in the water were not believed, probably because the persons reporting it were intoxicated. But, if liquor was not involved, this probably wouldn't have happeded.

I ask this question, will the counsils, (myself too) wait till more people die from drinking before they decided to do something?

Some older people are concerned too, so they tell me. One woman came to me this morning and asked me if there was some way to stop the guys from ordering liquor. I told her that I was writing to you, but I know that its up to the city counsils to do the job of stopping the liquor from coming into our village. A lot of older people agreed at the meeting we had one time, that it would be best if it was done. But it hasn't been done. There were some people against the idea, mainly drinkers.

The drinkers are getting more violent as they drink. But I will bring up the subject the next time we are havang our monthly meeting, that is the first Monday of next ~~xxxxx~~ month.

I wrote to you about this so you can see that I am still concerned about it. Any suggestions from you will be appreciated. Thank-you.

Sincerely,
Flora S. Jack

Flora S. Jack

c/c ~~my~~ file

*Nunavut Island: closer hearing - Bethel or
Hooper Bay*



CITY of BETHEL

P. O. Box 388 • Bethel, Alaska 99559

543-2297 — Area Code 907

July 22, 1977

Mike Colletta
Special Committee on Alcoholism
1026 West 6th Avenue
Anchorage, Alaska 99501

Dear Mr. Colletta:

I have read your letter to Mr. Bruce Bartlett concerning the public hearings throughout Alaska on alcohol, alcohol abuse and the treatment of alcoholism. Mr. Bartlett is no longer with the City of Bethel.

The City does consider alcohol abuse a high priority. Under local public works projects, the construction of an alcohol treatment center is considered as the City's top priority.

Depending on when and where your committee will be holding hearings, the City would be interested in providing testimony.

Sincerely,

Lyman Hoffman, City Manager

Gary
Mike

DICKSON, EVANS & ESCH

ATTORNEYS AT LAW

GEORGE A. DICKSON
M. P. EVANS
BEN J. ESCH
M. GREGORY PAPAS

880 M STREET, SUITE 200
ANCHORAGE, ALASKA 99501

TELEPHONE
AREA CODE 907
276-2272

August 16, 1977

Mr. Mike Colletta
State Senator
380 Ocean View Drive
Anchorage, Alaska

Re: Proposed Alcoholism Legislation

Dear Mike:

I wanted to suggest an area which your interim committee to study alcoholism might investigate.

As you are aware, Bethel has been "dry" for the past several years. It might be interesting for your committee to investigate Bethel on its before and after situation in regard to the affects that being dry has had on Bethel. For instance I am told by the City Manager, Lyman Woodman, that ~~alcohol related deaths dropped from 15 to 2 per year~~ since the City has been dry. He also informed me that some people from UCLC came to Bethel to make a ~~study of the town~~ in that regard but that they ~~never processed their raw data~~. You might try to find out what happened to the data they collected and even ask them to complete their study.

Another item that should be pursued is the duties of the Alcoholic Beverage Control Board. Alaska Statute § 04.05.010 states that one of the Board's duties is as follows:

"The Board shall meet at least once each year in each of the four judicial districts to ~~study, reconsider, and modify existing agency rules and regulations in the light of current local problems.~~


To my knowledge the Board has limited its actions to simply issuing or denying new liquor licenses. This most important charge has been neglected. The Board

Mr. Mike Colletta
August 16, 1977
Page Two

should be admonished to pursue its duties and to prepare reports and proposed legislation for the State Legislature.

As I have stated before the problems that alcohol has created in Alaska are manifold and demand high priority attention from the legislature. I hope that your interim committee will do its utmost to come up with innovative and clear solutions to this problem.

Best Regards,


George A. Dickson

GAD:emo

FUNDING SOURCES FOR STATE OFFICE OF ALCOHOLISM PROJECTS

1976

<u>SOA Statewide and Regional Programs</u>	<u>Total Project Cost</u>	<u>State Alcoholism Award</u>	<u>State General Fund</u>	<u>NIAAA Formula Pipeline</u>	<u>Titles IVA VI,XVI</u>	<u>Total Other Federal Income</u>	<u>Misc. Funding</u>
ALMEA	\$ 200,000	\$ 200,000	\$ -0-	\$200,000 PI	\$ -0-	\$ -0-	\$ -0-
Barrow	54,730	54,730	-0-	54,730 PI	-0-	-0-	-0-
Bethel	132,214	93,500	93,500	-0-	-0-	950	37,764
Copper Center	55,000	55,000	-0-	55,000 PI	-0-	-0-	-0-
Dillingham	31,505	22,100	-0-	22,100 FG	-0-	-0-	9,405
Fairbanks	1,072,440	290,200	217,650	-0-	72,550	657,000	125,240
Galena	18,667	14,000	9,750	4,250 FG	-0-	-0-	4,667
GAAB	1,501,013	821,854	567,470	109,488 PI	144,896	333,353	345,806
Juneau	349,329	90,360	4,880	85,480 FG	-0-	132,826	126,143
Ketchikan	142,147	58,101	49,405	-0-	8,696	40,120	43,926
Kodiak	150,496	117,430	73,867	28,500 FG	15,063	-0-	33,066
Kotzebue	52,700	36,981	31,403	-0-	5,578	-0-	15,719
NCA-AR	736,158	79,478	64,576	-0-	14,902	656,680	-0-
Nome	126,121	85,430	85,430	-0-	-0-	-0-	40,691
Petersburg	36,093	27,070	-0-	27,070 FG	-0-	-0-	9,023
Seward	43,900	34,700	-0-	34,700 PI/FG	-0-	-0-	9,200
Sitka	185,451	79,380	66,536	-0-	12,844	80,000	26,071
Tok	128,600	13,700	13,700	-0-	-0-	114,900	-0-
Unalaska	141,020	26,800	26,800	5,000	-0-	86,220	23,000
Valdez	65,260	65,260	-0-	65,260 PI	-0-	-0-	-0-
Wrangell	35,813	26,860	26,860	-0-	-0-	-0-	8,953
Yakutat	18,500	13,875	13,875	-0-	-0-	-0-	4,625
TOTAL	\$5,277,157	\$2,306,809	\$1,345,702	\$691,578	\$274,529	\$2,102,049	\$863,299

MONDAY



North and Western Alaska Itinerary
September 16 - September 21, 1977

Depart Bethel 9:00 am

Monday, September 19, 1977

UNALAKLEET

Arrive 10:00 am

10:00 am - 11:30 am

Shafter Bldg.

Met by Henry Oyumick, Norton Sound Health Corp.

No State Programs or Grants
Receives direct assistance from ANCADA

NOME

Arrive 12:07 pm

Lunch

1:00 pm - 4:00 pm

Norton Sound Family Service Bldg.

Met by Stephen Harrison, Norton Sound Health Corporation

Receives \$114,393. from State Office of Alcoholism for programs.

Key Persons:

Darryl Trigg, Vice-Chairman of Alaska Native Health Board

Stephen Harrison
Norton South Health Corporation

Bill Dann, Health Director
Norton South Health Corporation

Tom Reardon
Breaker's Bar

Frank Couch
Northern Commercial Store (18 yrs.)

Myrtle Johnson
Governor Hammond's Office

Lunch Arrangements Open

North and Western Alaska Itinerary
September 16 - September 21, 1977
Monday, Cont.

KOTZEBUE

Arrive 4:50 pm

Lunch

6:30 pm -

City Council Chambers

Arrangements by Senator Ferguson

Receives State Alcoholism Grant
\$49,205.

Key Persons:

Loretta Eaken, Program Manager
Hope Center, Mauneluk Assoc.

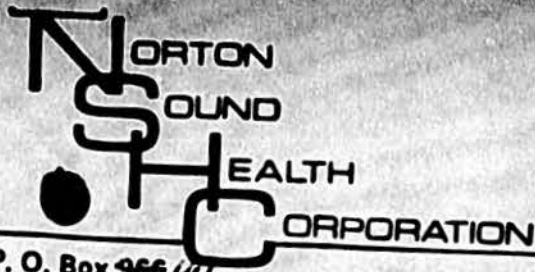
Chuck Green, Health Director
Mauneluk Assoc.

Keith Martin, Social Worker III
SOA, DHSS

Joe Ryan, Board Member
Northern Alaska Health Resources Board

Mabel Walsh, Board Member
Northern Alaska Health Resources Board

Mark Nielsen, Social Worker
SOA, DHSS



Delegate of Alaska Federation of Natives

P. O. Box 96644

UNK Nome, Alaska 99762 99654

443-2261

Special Committee on ALCOHOLISM

1016 W 6th Avenue

Suite C

ANCHORAGE, ALASKA

DEAR SIR:

MEMBERS OF THE BOARD FOR THE UNALASKAET COUNCIL ON ALCOHOLISM, AN AFFILIATE OF THE NATIONAL COUNCIL ON ALCOHOLISM - ALASKA REGION, WOULD LIKE TO MEET WITH YOUR COMMITTEE.

Time can be at your discretion. Place for meeting will be arranged, however if you have preference of a place we can be flexible.

Thank you,

Henry Ojournick

Norton Sound Family Service Rep.

FUNDING SOURCES FOR STATE OFFICE OF ALCOHOLISM PROJECTS

1976

<u>SOA Statewide and Regional Programs</u>	<u>Total Project Cost</u>	<u>State Alcoholism Award</u>	<u>State General Fund</u>	<u>NIAAA Formula Pipeline</u>	<u>Titles IVA VI,XVI</u>	<u>Total Other Federal Income</u>	<u>Misc. Funding</u>
ALMEA	\$ 200,000	\$ 200,000	\$ -0-	\$200,000 PI	\$ -0-	\$ -0-	\$ -0-
Barrow	54,730	54,730	-0-	54,730 PI	-0-	-0-	-0-
Bethel	132,214	93,500	93,500	-0-	-0-	950	37,764
Copper Center	55,000	55,000	-0-	55,000 PI	-0-	-0-	-0-
Dillingham	31,505	22,100	-0-	22,100 FG	-0-	-0-	9,405
Fairbanks	1,072,440	290,200	217,650	-0-	72,550	657,000	125,240
Galena	18,667	14,000	9,750	4,250 FG	-0-	-0-	4,667
GAAB	1,501,013	821,854	567,470	109,488 PI	144,896	333,353	345,806
Juneau	349,329	90,360	4,880	85,480 FG	-0-	132,826	126,143
Ketchikan	142,147	58,101	49,405	-0-	8,696	40,120	43,926
Kodiak	150,496	117,430	73,867	28,500 FG	15,063	-0-	33,066
Kotzebue	52,700	36,981	31,403	-0-	5,578	-0-	15,719
NCA-AR	736,158	79,478	64,576	-0-	14,902	656,680	-0-
Nome	126,121	85,430	85,430	-0-	-0-	-0-	40,691
Petersburg	36,093	27,070	-0-	27,070 FG	-0-	-0-	9,023
Seward	43,900	34,700	-0-	34,700 PI/FG	-0-	-0-	9,200
Sitka	185,451	79,380	66,536	-0-	12,844	80,000	26,071
Tok	128,600	13,700	13,700	-0-	-0-	114,900	-0-
Unalaska	141,020	26,800	26,800	5,000	-0-	86,220	23,000
Valdez	65,260	65,260	-0-	65,260 PI	-0-	-0-	-0-
Wrangell	35,813	26,860	26,860	-0-	-0-	-0-	8,953
Yakutat	18,500	13,875	13,875	-0-	-0-	-0-	4,625
TOTAL	\$5,277,157	\$2,306,809	\$1,345,702	\$691,578	\$274,529	\$2,102,049	\$863,299

TUESDAY



ARCTIC SLOPE

NANA

DOYON

Fairbanks

Number 4 Loop Road

TRANS-ALASKA PIPELINE (UNDER CONSTRUCTION)

White Hills

Proposed Koyuk National Wildlife Refuge

Proposed Yukon Flats National Wildlife Refuge

Proposed Katuk Valley National Monument

Proposed Hood National Arctic Range

Nome Ice Classic, contest on prediction of when river ice will break up in spring

Anderson Clear Middle Early Warning Station

Head office records headquarters office on a cliffside for 1912

Springs discovered in 1912

Proposed Yukon-Charley National Preserve

Proposed National Preserve

Proposed Porcupine National Forest

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

Proposed National Preserve

North and Western Alaska Itinerary
September 16 - September 21, 1977

Depart Kotzebue 9:00 am

Tuesday, September 20, 1977

KIANA

Arrive 9:20 am

9:30 am - 10:30 am

No direct contact was able to be made with Kiana, however, Representative Shaffer in Kotzebue attempted to make arrangements with Mayor Vince Schuerch. We will check from Kotzebue before flying to Kiana.

No State Programs or Grants

FORT YUKON

Arrive 12:30 pm

Lunch

1:00 pm - 4:00 pm

Community Center

Met by Janie Butler, President
Ft. Yukon City Alcoholism Program

Titus Peter is key contact person

No State Programs or Grants, receives
indirect assistance from ANCAD

North and Western Alaska Itinerary
September 16 - September 21, 1977
Tuesday, Cont

FAIRBANKS

Arrive 5:15 pm

Dinner - Breakfast

7:00 pm - 9:00 pm

Tuesday
Governor's Conference Room

9:00 am - 12:00 pm

Wednesday
Governor's Conference Room

Travel to Travellers Inn by cab,
Check in.

Fairbanks is an open public hearing
for all people to attend. However,
the Committee may want to adopt the
following schedule of persons to
lead off the hearing. (See Attached)

Receives Alcoholism Grant \$318,239.
and NIAAA grand \$77,341.

Chartered by National Council on
Alcoholism (Volunteer)

FUNDING SOURCES FOR STATE OFFICE OF ALCOHOLISM PROJECTS

1976

<u>SOA Statewide and Regional Programs</u>	<u>Total Project Cost</u>	<u>State Alcoholism Award</u>	<u>State General Fund</u>	<u>NIAAA Formula Pipeline</u>	<u>Titles IVA VI,XVI</u>	<u>Total Other Federal Income</u>	<u>Misc. Funding</u>
ALMEA	\$ 200,000	\$ 200,000	\$ -0-	\$200,000 PI	\$ -0-	\$ -0-	\$ -0-
Barrow	54,730	54,730	-0-	54,730 PI	-0-	-0-	-0-
Bethel	132,214	93,500	93,500	-0-	-0-	750	37,764
Copper Center	55,000	55,000	-0-	55,000 PI	-0-	-0-	-0-
Dillingham	31,505	22,100	-0-	22,100 FG	-0-	-0-	9,405
Fairbanks	1,072,440	290,200	217,650	-0-	72,550	657,000	125,240
Galena	18,667	14,000	9,750	4,250 FG	-0-	-0-	4,667
GAAB	1,501,013	821,854	567,470	109,488 PI	144,896	333,353	345,806
Juneau	349,329	90,360	4,880	85,480 FG	-0-	132,826	126,143
Ketchikan	142,147	58,101	49,405	-0-	8,696	40,120	43,926
Kodiak	150,496	117,430	73,867	28,500 FG	15,063	-0-	33,066
Kotzebue	52,700	36,981	31,403	-0-	5,578	-0-	15,719
NCA-AR	736,158	79,478	64,576	-0-	14,902	656,680	-0-
Nome	126,121	85,430	85,430	-0-	-0-	-0-	40,691
Petersburg	36,093	27,070	-0-	27,070 FG	-0-	-0-	9,023
Seward	43,900	34,700	-0-	34,700 PI/FG	-0-	-0-	9,200
Sitka	185,451	79,380	66,536	-0-	12,844	80,000	26,071
Tok	128,600	13,700	13,700	-0-	-0-	114,900	-0-
Unalaska	141,020	26,800	26,800	5,000	-0-	86,220	23,000
Valdez	65,260	65,260	-0-	65,260 PI	-0-	-0-	-0-
Wrangell	35,813	26,860	26,860	-0-	-0-	-0-	8,953
Yakutat	18,500	13,875	13,875	-0-	-0-	-0-	4,625
TOTAL	\$5,277,157	\$2,306,809	\$1,345,702	\$691,578	\$274,529	\$2,102,049	\$863,299

QUERY NO. B539

NIAAA GRANTS ACTIVE AS OF JUNE 1977
 BY PROGRAM, STATE, CITY, INSTITUTION AND P.I.

INVESTIGATOR DEPARTMENT	PROJECT TITLE START DATE	END DATE	IRG	PT	PROGRAM CLASS	GRANT NUMBER	FY YES NO. & AMT. OF STIPENDS	DOLLARS AWARDED
ALASKA FAIRBANKS FAIRBANKS NATIVE ASSOCIATION CAPLO, LUCY A NONE	DEBA ALCOHOLISM SERVICES 10-01-75	06-30-77	ASRI	76	SSAI	5H04AA00059-02	1	?
ALASKA JUNEAU ALASKA STATE DEPARTMENT OF HLTH-SOC SVCS COLP, ROBERT L DIV OF FAMILY & CHILDREN SERV:	THE PIPELINE IMPACT RESPONSE PROJECT 07-01-76	06-30-77	ASRO	76	CA	5H04AA02055-02	1	731,992
ALASKA KETCHIKAN GATEWAY MENTAL HEALTH CENTER RASHUSSEN, LAPRELE S NONE	KETCHIKAN COMPREHENSIVE ALCOHOLISM PROGRAM - STAPPING 11-01-76	10-31-77		77	SSCB	5H04AA03229-05	3	27,009
ALASKA NETLAKATLA NETLAKATLA INDIAN COMMUNITY SCUDPRO, BONNIE G NONE	NETLAKATLA INDIAN COMMUNITY ALCOHOLISM SERVICES PROGRAM 06-01-77	05-31-78	ASRI	77	SSAI	5H04AA00532-03	0	29,400
ALASKA MOUNT EDGECUMBE MOUNT EDGECUMBE HIGH SCHOOL MCCUSKEY, MIKE NONE	MOUNT EDGECUMBE COMPREHENSIVE ALCOHOLISM PROGRAM - RECAP 03-01-77	02-28-78	ASRI	77	SSAI	5H04AA00027-03	0	51,069
ALASKA TOR UPPER TANANA REGIONAL COUNCIL ON ALCOHOLISM BYFORTHAN, CHARLIE R NONE	UPPER TANANA REGIONAL COUNCIL ON ALCOHOLISM 06-01-77	05-31-78	ASRI	77	SSAI	5H04AA00535-06	0	127,523

964,637

12 → 2,011,210
 13

QUERY NO. B539

HIAAA GRANTS ACTIVE AS OF JUNE 1977
BY PROGRAM, STATE, CITY, INSTITUTION AND P.I.

INVESTIGATOR DEPARTMENT	PROJECT TITLE	START DATE	END DATE	IRG	FY	PROGRAM CLASS	GRANT NUMBER	FY NO. & ART. OF STEPS	DOLLARS AWARDED
ALASKA ANCHORAGE RURAL ALASKA COMMUNITY ACTION PROGRAM HARRIS, EVELYN E NONE	<i>Low to under Riviera Bay, Copper Center</i> Residual + Anacada 3 - "Councilors" Regional 1701 Transfer request to HUCND effective by Oct 1	06-01-77	05-31-78	ASRI	77	SSAT	2804AA00508-04	2	110,000
ALASKA ANCHORAGE NATIONAL COUNCIL ON ALCOHOLISM ALASKA KEATING, JOHN H NONE	ALASKA PUBLIC EDUCATION AND PREVENTION PROJECT	12-01-76	11-30-77	BSS	77	CA	2804AA01714-02	0	383,913
ALASKA ANCHORAGE ALASKA NATIVE CON ALCOHOL & DRUG ABUSE SINCOLN, GRACE NONE	ALASKA NATIVE SPECIAL ALCOHOL	04-01-77	06-30-77	ASRI	77	SSAT	3804AA02201-0251	1	110,593
ALASKA ANCHORAGE ALASKA NATIVE CON ALCOHOL & DRUG ABUSE SINCOLN, GRACE NONE	<i>7 positions + 3 staff = 10 Technical Assistants - Health Planner</i>	12-01-76	06-30-77	ASRI	77	SSAT	5804AA02201-02	1	128,800
ALASKA ANCHORAGE SOCIAL DEVELOPMENT CENTER DE GOOYER, GENE NONE	ANCHORAGE SOCIAL DEVELOPMENT CENTER PROJECT	07-01-76	06-30-77	ASRB	76	SSPI	5804AA02329-02	1	183,100
ALASKA ANCHORAGE UNIVERSITY OF ALASKA ANCHORAGE SR COLL MOLINARI, CAROL V NONE	ALASKA STATEWIDE ALCOHOLISM CONTROL PROGRAM	10-01-76	09-30-77	ALT	76	AT	5721AA07066-02	0	88,830
ALASKA COLLEGE UNIVERSITY OF ALASKA JONES, DOROTHY H NONE	INSTITUTIONAL RESPONSES TO ALCOHOL IN ALASKA	09-01-75	08-31-77	ASRP	75	CP	1804AA01062-01	1	77,301

1,042,577

BILLS

Original sponsor: Rules Committee by request
of the Governor

Offered: 5/9/77
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 167

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the excise tax on and license fees
7 for sale of intoxicating liquors; and providing for an
8 effective date."

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

10 * Section 1. AS 43.60.010(a) is amended to read:

11 (a) Every brewer, distiller, bottler, jobber, retailer, whole-
12 saler, or manufacturer who sells intoxicating liquors in the state or
13 who consigns shipments of intoxicating liquors into the state, whether
14 or not the liquors are brewed, distilled, bottled, or manufactured in
15 the state, shall pay on all malt beverages (alcoholic content of one per
16 cent or more by volume), wines, and hard or distilled liquors, the
17 following taxes: (1) malt beverages at the rate of 25 cents a gallon or
18 fraction of a gallon; (2) wine or other liquor of less than 14 [21] per
19 cent alcohol by volume [OR LESS,] at the rate of \$1 [60 CENTS] a gallon
20 or fraction of a gallon; [AND] (3) other liquors having a content of
21 more than 21 per cent alcohol by volume at the rate of \$5 [\$4.00] a
22 gallon; and (4) wine or other liquor of at least 14 per cent alcohol by
23 volume but not more than 21 per cent alcohol by volume at the rate of
24 \$1.35 a gallon or fraction of a gallon.

25 * Sec. 2. AS 04.10.110 is amended to read:

26 Sec. 04.10.110. WHOLESALE LICENSE. (a) The holder of a general
27 wholesale license may sell intoxicating liquors in the original package,
28 and wine in bulk, in quantities of not less than five wine gallons to
29 holders of licenses. The holder of a general wholesale license may

1 not sell to a consumer. Liquor requiring internal revenue strip stamps
2 shall have the stamps intact on the package. A general wholesale
3 license shall be required for each distributing point. The general
4 wholesale license fee schedule is based upon the total amount of busi-
5 ness transacted during any year and is \$500 as a minimum license fee, to
6 accompany the application, and in payment of the fee for the first
7 \$50,000 of business transacted, and, in addition thereto, on the busi-
8 ness transacted during any year,

9	above \$50,000 and not	
10	over \$75,000	a fee of \$250
11	above \$75,000 and not	
12	over \$100,000	a fee of \$500
13	above \$100,000 and not	
14	over \$125,000	a fee of \$750
15	above \$125,000 and not	
16	over \$150,000	a fee of \$1000
17	above \$150,000 and not	
18	over \$175,000	a fee of \$1250
19	above \$175,000 and not	
20	over \$200,000	a fee of \$1500
21	above \$200,000 and not	
22	over \$250,000	a fee of \$2000
23	above \$250,000 and not	
24	over \$300,000	a fee of \$2500
25	above \$300,000 and not	
26	over \$350,000	a fee of \$3000
27	above \$350,000 and not	
28	over \$400,000	a fee of \$3500
29	above \$400,000 and not	

1	over \$500,000	a fee of \$4500
2	above \$500,000	<u>one per cent of the business</u>
3		<u>transacted</u>
4		[A FEE OF \$5000]

5 (b) The holder of a wholesale malt beverage and wine license may
6 sell malt beverages and wine in the original packages and malt beverages
7 and wine in bulk in quantities of not less than five wine gallons to
8 holders of licenses. The holder of a wholesale malt beverage and wine
9 license may not sell to a consumer. The malt beverages and wine license
10 fee schedule is based on the total amount of business transacted in any
11 year and is \$100 as a minimum license fee, to accompany the application,
12 and in payment of the fee for the first \$10,000 of business transacted,
13 and, in addition, on the business transacted during any year,

14	above \$10,000 and not	
15	over \$25,000	a fee of \$150
16	above \$25,000 and not	
17	over \$50,000	a fee of \$500
18	above \$50,000 and not	
19	over \$75,000	a fee of \$750
20	above \$75,000 and not	
21	over \$100,000	a fee of \$1000
22	above \$100,000 and not	
23	over \$150,000	a fee of \$1500
24	above \$150,000 and not	
25	over \$200,000	a fee of \$2000
26	above \$200,000 and not	
27	over \$300,000	a fee of \$3000
28	above \$300,000 and not	
29	over \$400,000	a fee of \$4000

1 above \$400,000

one per cent of the business
transacted

[A FEE OF \$5000]

2
3
4 * Sec. 3. AS 04.10.040(a) is amended to read:

5 (a) The holder of a beverage dispensary license may sell for cash
6 or serve on the premises beer, wine and hard liquors for consumption on
7 the premises only. The beverage dispensary license fee is \$750 [\$500]
8 in all unincorporated communities and incorporated cities having a
9 population not exceeding 1,500 persons and \$1,500 [\$1,000] in all unin-
10 corporated communities and incorporated cities having a population in
11 excess of 1,500 persons. The population shall be determined at the time
12 of filing the application. Each applicant for a beverage dispensary
13 license shall file with the application a cash bond or a surety bond
14 executed by a surety company approved by the board. The condition of
15 the bond or undertaking shall be that the applicant or applicants are
16 the sole owners of the business to be licensed, and that no other person
17 is financially interested directly or indirectly, and that the applicant
18 or applicants will conduct the business in accordance with the appli-
19 cable laws pertaining to intoxicating liquor in the state. The bond
20 shall be in the penal sum of \$2,500. Upon revocation of the license,
21 the bond may be forfeited and the amount deposited into the general fund
22 of the state.

23 * Sec. 4. AS 04.10.050 is amended to read:

24 Sec. 04.10.050. RESTAURANT LICENSE. The holder of a restaurant
25 license may sell beer and wine in a restaurant with meals furnished in
26 good faith to patrons. The restaurant license fee is \$500 [\$300].

27 * Sec. 5. AS 04.10.060 is amended to read:

28 Sec. 04.10.060. ROADHOUSE LICENSE. The holder of a roadhouse
29 license whose licensed premises are located not less than 18 miles

1 from the corporate limits of a city and who serves food to the traveling
2 public, may sell beer and wine for consumption on the premises only.

3 The roadhouse license fee is \$250 [\$150].

4 * Sec. 6. AS 04.10.100 is amended to read:

5 Sec. 04.10.100. RETAIL LICENSE. The holder of a retail license
6 may sell for cash in his establishment intoxicating liquors in the
7 original packages and wine in bulk. All liquor requiring internal
8 revenue strip stamps shall have the stamps intact upon the packages.
9 The consumption of intoxicating liquor on premises licensed under this
10 provision is prohibited. Sales under a retail license are limited to
11 less than 20 wine gallons to any one person in any one sale. The
12 retail license fee is \$1,000 [\$600], but the retail license fee for a
13 retail liquor store having gross sales from the sale of intoxicating
14 liquors not exceeding \$20,000 in any calendar year is \$300.

15 * Sec. 7. This Act takes effect July 1, 1977.
16
17
18
19
20
21
22
23
24
25
26
27
28
29

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 182

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to municipal sales taxes."

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

8 * Section 1. AS 04.15.070(a) is amended to read:

9 (a) A municipality may by ordinance provide [RULES AND] regu-
10 lations governing the barter, sale and possession of intoxicating
11 liquor within the municipality necessary to the orderly conduct of the
12 business of selling intoxicating liquor. When, under a local option
13 election, the city clerk finds the majority of the voters are against
14 the sale of intoxicating liquor, the municipality, by ordinance, may
15 make the sale of intoxicating liquor within the municipality a mis-
16 demeanor whether the sale is made pursuant to license or otherwise.
17 The ordinance may not be inconsistent with this title or the rules and
18 regulations promulgated under this title. No municipality may impose
19 taxes other than property taxes on liquor inventories and sales taxes
20 on liquor sales [WHEN THESE TAXES ARE LEVIED ON OTHER PROPERTY AND
21 SALES WITHIN THE MUNICIPALITY].

22 * Sec. 2. AS 29.53.415(a) is amended to read:

23 (a) A borough may levy and collect a sales tax not exceeding
24 three per cent on sales or rents, and on services made within the
25 borough, except that a higher rate may be imposed on the sales of
26 intoxicating liquor. The sales tax may apply to any or all of these
27 sources. Exemptions may be granted by ordinance. Nothing in this
28 subsection prohibits the levy of a sales tax on a single class of
29 commodity, or the levy of a higher rate of tax on one class of com-

modity than on another.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

Introduced: 2/24/77
Referred: Special Committee
on Alcoholism, Community and
Regional Affairs, Finance and
Judiciary

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 183

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to alcoholic beverages; and
7 providing for an effective date."

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

9 * Section 1. AS 04.05.010(b) is amended to read:

10 (b) The governor shall appoint a director [, SUBJECT TO CON-
11 FIRMATION BY THE LEGISLATURE,] who is the executive officer of the
12 board. The director shall enforce this title and the [RULES AND]
13 regulations adopted [PROMULGATED] by the board. The director is not a
14 member of the board but may cast a tie-breaking vote. He shall issue
15 all licenses provided for under this title.

16 * Sec. 2. AS 04.10.020(m) is amended to read:

17 (m) unlimited community liquor license; [.]

18 * Sec. 3. AS 04.10.020 is amended by adding new subsections to read:

19 (p) limited community liquor license;

20 (q) in-flight catering license.

21 * Sec. 4. AS 04.10.100 is amended to read:

22 Sec. 04.10.100. RETAIL LICENSE. The holder of a retail license
23 may sell for cash in his establishment intoxicating liquor in the
24 original packages and wine in bulk. He may not sell intoxicating
25 liquor which has been ordered by mail or telephone from (1) an incor-
26 porated city, organized borough, unified municipality or election pre-
27 inct which has prohibited the sale of intoxicating liquor if the
28 governing body by resolution or the precinct voters by election have
29 expressed opposition to mail and telephone orders and notified the

1 board; (2) an incorporated city, organized borough, or unified municipi-
2 pality which has been issued a limited community liquor license; or
3 (3) an incorporated city, organized borough, or unified municipality
4 which has no licensed premises and has not authorized the sale of
5 intoxicating liquor if its governing body has expressed by resolution
6 its opposition to mail and telephone orders and notified the board.
7 The board shall regularly furnish retail license holders with a current
8 list of these municipalities and precincts. All liquor requiring
9 internal revenue strip stamps shall have the stamps intact upon the
10 packages. The consumption of intoxicating liquor on premises licensed
11 under this provision is prohibited. Sales under a retail license are
12 limited to less than 20 wine gallons to any one person in any one
13 sale. The retail license fee is \$600, but the retail license fee for
14 a retail liquor store having gross sales from the sale of intoxicating
15 liquors not exceeding \$20,000 in any calendar year is \$300.

16 * Sec. 5. AS 04.10 is amended by adding a new section to read:

17 Sec. 04.10.135. IN-FLIGHT CATERING LICENSE. The holder of an
18 in-flight catering license may sell intoxicating liquors in the origi-
19 nal package and wine in bulk with prepared meals catered to certifi-
20 cated domestic and international air carriers. The holder of an in-
21 flight catering license may not sell to a consumer and must purchase
22 intoxicating liquor, wine, and beer from a wholesaler licensed under
23 sec. 110 of this chapter. The in-flight catering license fee is \$600.

24 * Sec. 6. AS 04.10.139 is amended to read:

25 Sec. 04.10.139. COMMUNITY LIQUOR LICENSES. (a) The holder of
26 an unlimited [A] community liquor license must be an incorporated
27 city, unified municipality, or organized borough in which the majority
28 of voters has authorized unlimited community sale of intoxicating
29 liquor by a local-option election under secs. 430 or 433 of this

1 chapter [A FIRST OR SECOND CLASS CITY]. [A CITY WHICH HAS WITHIN ITS
2 MUNICIPAL BOUNDARIES A LIQUOR LICENSE COMING UNDER SEC. 20(a) OR (g)
3 OF THIS CHAPTER AND ISSUED TO A PRIVATE PERSON WITHIN THE CITY BEFORE
4 JUNE 1, 1970 IS NOT ELIGIBLE FOR A COMMUNITY LIQUOR LICENSE, EXCEPT
5 THAT A CITY HAVING HELD A LIQUOR LICENSE THROUGH A LOCAL CORPORATION
6 OR OTHERWISE BEFORE JUNE 1, 1970 IS ELIGIBLE FOR THE LICENSE.]

7 Unlimited community [COMMUNITY] liquor licenses issued under this
8 subsection [SECTION] are restricted to the types of licenses authorized
9 under sec. 20(a) and (g) of this chapter. [THIS SECTION DOES NOT
10 CHANGE THE PROVISIONS OF SEC. 430 OF THIS CHAPTER PROVIDING FOR LOCAL
11 OPTION ELECTIONS.]

12 * Sec. 7. AS 04.10.139 is amended by adding new subsections to read:

13 (b) The holder of a limited community liquor license must be an
14 incorporated city, unified municipality, or organized borough in which
15 the majority of voters has authorized limited community sale of intoxi-
16 cating liquor by a local-option election under secs. 430 or 433 of
17 this chapter. It may conduct only retail sales of intoxicating liquor
18 as provided by sec. 100 of this chapter for a license under sec.
19 20(g), except that sales shall be limited to no more than 2.4 wine
20 gallons to any one person in any one day, and sales may be made only
21 by advance orders placed at least two weeks before delivery.

22 (c) Upon the issuance of a limited or unlimited community liquor
23 license the board may not issue or renew a privately held liquor
24 license as long as the community liquor license is in effect. All
25 existing privately held liquor licenses will remain in effect for
26 three months after the local-option election or until the current
27 period of licensure expires, whichever is later. No fees may be
28 imposed for this extension of existing licenses beyond their normal
29 expiration date.

1 (d) A community liquor license remains in effect for the
2 period specified in sec. 320 of this chapter. Subject to local-option
3 election results, a community liquor license may be renewed.

4 (e) A community liquor license issued before the effective
5 date of this Act is considered an unlimited community liquor license.
6 If a majority of the voters at an election in an incorporated
7 city, unified municipality, or organized borough holding an
8 unlimited community liquor license approves application for a limited
9 community liquor license, or reject both classes of community
10 liquor license, it may not be reissued by the board after it has
11 expired. A new community liquor license may be issued following
12 voter approval at a new election under secs. 430 or 433 of this
13 chapter.

14 * Sec. 8. AS 04.10.200 is repealed and re-enacted to read:

15 Sec. 04.10.200. PUBLIC NOTICE. (a) Notice shall be given by
16 the applicant for a new license or for the renewal, reissuance, or
17 transfer of an existing license by posting at the premises for a
18 period of at least 10 days a true copy of the application. If the
19 application is for a location in the unorganized borough, the appli-
20 cant shall, in addition to posting at the premises, post notice at the
21 nearest post office.

22 (b) When it determines that the public interest requires, the
23 board shall require the applicant to cause announcements to be made to
24 inform the public of the proposed issuance, renewal, or transfer of
25 licenses in newspapers and on radio or television stations beginning
26 not later than 10 days after the application is filed. Announcements
27 must be bilingual when necessary, and the board may direct or require
28 that the announcement be published or delivered in a language other
29 than English that serves to inform the public.

1 * Sec. 9. AS 04.10.270 is amended to read:

2 Sec. 04.10.270. [HEARING ON] PROTEST OF LOCAL GOVERNING BODY.

3 An application for a transfer, renewal or new license [COMING FROM]
4 within a municipality shall be transmitted directly to the board and
5 need not bear a recommendation of the governing body of the municipality
6 Upon receipt of [DECIDING TO APPROVE] an application, the board shall
7 transmit a copy of the application to the city council [WRITTEN NOTICE
8 OF ITS INTENT TO APPROVE THE TRANSFER, RENEWAL OR NEW LICENSE REQUESTED
9 TO THE CITY GOVERNING BODY], if the application is for premises within
10 an incorporated city, or to the borough assembly, if the application
11 is for premises within the area of an organized borough outside the
12 boundaries of an incorporated city. If the [LOCAL] governing body
13 wishes to protest the application [APPROVAL], it shall furnish the
14 board with a notice of protest within 30 days after [OF] receipt of
15 the copy of the application provided by the board [NOTICE OF INTENT TO
16 APPROVE THE APPLICATION]. Upon receipt of the [A] protest by the
17 local governing body, the board may not take final action on the
18 application until it has provided for a hearing on the protest in
19 accordance with the administrative adjudication provisions [REQUIRE-
20 MENTS] of the Administrative Procedure Act (AS 44.62).

21 * Sec. 10. AS 04.10.300 is repealed and re-enacted to read:

22 Sec. 04.10.300. PROTEST IN AREAS OUTSIDE MUNICIPALITIES. An
23 adult resident of the unorganized borough outside incorporated cities
24 who resides within a 10-mile radius of an establishment may protest
25 the issuance of a new license or the renewal or transfer of an existing
26 license within that area. Within 30 days after a copy of an application
27 is first posted, an adult resident may protest by delivering or mailing,
28 to the applicant and the board a written statement of the reasons for
29 his protest. In considering the application, the board shall consider

1 every protest duly received. The board may give notice and hold a
2 hearing within the area at which all persons residing there may be
3 heard. The board may, if in its opinion the public interest would be
4 served by the refusal, refuse to issue, renew, or transfer the license.

5 * Sec. 11. AS 04.10.330(b) is amended to read:

6 (b) Application for the transfer of ownership of an existing
7 license shall be accompanied by a statement, under oath, executed by
8 the transferor in which he lists all debts and the amounts which he
9 owes to a creditor of the business and the taxes due. The board shall
10 promptly inform each creditor of the application and of the amount
11 owed that creditor. The board shall determine those debts and taxes
12 which must be paid or for which satisfactory security must be given
13 before an application for transfer may be approved. The board may
14 [SHALL] not approve the application for transfer unless all of the
15 debts and taxes which it determines must be paid are in fact paid, or
16 the transferor gives security for the payment of them satisfactory to
17 the creditor or taxing authority prior to approval of the application.

18 * Sec. 12. AS 04.10.350(c)(4)(A) is amended to read:

19 (A) upon application filed during the 30-day [SIX-
20 MONTH] period beginning with February 28;

21 * Sec. 13. AS 04.10.430 is repealed and re-enacted to read:

22 Sec. 04.10.430. ELECTION IN INCORPORATED CITIES OR UNIFIED
23 MUNICIPALITIES. (a) Whenever 35 per cent of the total number of
24 voters at the last general municipal election held in an incorporated
25 city or unified municipality petition the governing body to do so, the
26 governing body shall conduct an election on the following questions:

27 (1) Do you favor allowing the sale of intoxicating YES []
28 liquor within this municipality? NO []

29 (2) If the results of this election show a majority

1 in favor of the sale of intoxicating liquor PRIVATE []
2 would you favor having private licenses or COMMUNITY []
3 only a community license?

4 (3) If the results of this election show a
5 majority in favor of a community license, LIMITED []
6 would you favor an unlimited community UNLIMITED []
7 license or limited community license?

8 (4) If the results of this election show a majority
9 against the sale of intoxicating liquor, would YES []
10 you also favor prohibiting purchases of intoxi-
11 cating liquor by mail or telephone order from NO []
12 other areas by residents of this municipality?

13 (b) The election shall be conducted in accordance with standard
14 election procedures in the city or unified municipality not later than
15 60 days after receipt of a proper petition. The regular election
16 officials for the city or unified municipality shall canvass the
17 ballots and certify the election results to the board. The board
18 shall proceed as follows:

19 (1) if a majority of the votes cast on question 1 is against
20 the sale of intoxicating liquor in the city or unified municipality,
21 the board shall reject all applications for a new license or to
22 transfer or renew a license for an establishment within the city or
23 unified municipality or within five miles of it;

24 (2) if a majority of the votes cast on question 1 favors
25 the sale of intoxicating liquor in the city or unified municipality,
26 the board may issue, renew, or transfer licenses within the city or
27 unified municipality or within five miles of it solely on the basis of
28 the election results on questions (2) and (3).

29 (c) If, at an election under (a) of this section, a majority is

1 against the sale of intoxicating liquor but is not against mail or
2 telephone orders, question 4 alone may be presented to the voters at a
3 subsequent date, upon following the procedures set out in (a) of this
4 section.

5 (d) If, following an election resulting in a prohibition against
6 or a limitation upon the sale of intoxicating liquor in the municipality,
7 a majority of the voters at a subsequent election conducted for the
8 purpose and in accordance with (a) of this section favor a change from
9 the then existing status of the sale of intoxicating liquor, the board
10 may issue licenses solely on the basis of the election results on
11 questions 2 and 3, and, if no restrictions are adopted, may, upon
12 application, issue the number and type of license to the same or other
13 premises within the municipality as were in existence at the time of
14 the last election at which a majority of the voters favored prohibit-
15 ing or restricting the sale of intoxicating liquor. Those applicants
16 who were licensees and whose licenses were not reissued by reason of
17 the last election conducted under the provisions of this section have
18 a preference over other applicants.

19 (e) No new license for the sale of intoxicating liquor may be
20 issued under this title for an establishment in an incorporated city
21 or unified municipality in which, on the effective date of this Act,
22 there are no licensed premises, unless an election under this section
23 is first conducted.

24 * Sec. 14. AS 04.10 is amended by adding new sections to read:

25 Sec. 04.10.433. ELECTION IN ORGANIZED BOROUGHES. (a) Whenever
26 35 per cent of the total number of voters at the last general municipi-
27 pal election held in an organized borough outside incorporated cities
28 within that borough petition the governing body to do so, the govern-
29 ing body shall conduct an election on the following questions:

1 (1) Do you favor allowing the sale of intoxicating YES []
2 liquor within this borough outside incorporated NO []
3 cities?

4 (2) If the results of this election show a
5 majority in favor of the sale of intoxicating PRIVATE []
6 liquor, would you favor having private COMMUNITY []
7 licenses or only a community license?

8 (3) If the results of this election show a majority
9 in favor of a community license, would you LIMITED []
10 favor an unlimited community license or a UNLIMITED []
11 limited community license?

12 (4) If the results of this election show a majority
13 against the sale of intoxicating liquor, would YES []
14 you also favor prohibiting purchases of intoxi-
15 cating liquor by mail or telephone order from NO []
16 other areas by residents of this borough outside
17 incorporated cities?

18 (b) The election shall be conducted in accordance with standard
19 election procedures in the borough not later than 60 days after re-
20 ceipt of a proper petition. The regular election officials for the
21 borough shall canvass the ballots and certify the election results to
22 the board. The board shall proceed as follows:

23 (1) if a majority of the votes cast on question 1 is against
24 the sale of intoxicating liquor in the borough outside incorporated
25 cities, the board shall reject all applications for a new license or
26 to transfer or renew a license for an establishment within that area,
27 or within five miles of it outside the borough;

28 (2) if a majority of the votes cast on question 1 favors
29 the sale of intoxicating liquor in the borough outside incorporated

1 cities, the board may issue, renew, or transfer licenses within that
2 area or within five miles of it outside the borough solely on the
3 basis of the election results on questions (2) and (3).

4 (c) The provisions of this section apply to an organized borough
5 on an areawide basis if 35 per cent of the voters at the last general
6 election in the borough, with proportionate representation of incor-
7 porated cities within the borough and of the area outside those
8 cities, petition the governing body of the borough under this section.

9 (d) If, at an election under (a) of this section, a majority is
10 against the sale of intoxicating liquor but is not against mail or
11 telephone orders, question 4 may be presented alone to the voters at a
12 subsequent date, upon following the procedures set out in (a) of this
13 section.

14 (e) If, following an election resulting in a prohibition against
15 or a limitation upon the sale of intoxicating liquor within an organized
16 borough outside incorporated cities, a majority of the voters at a
17 subsequent election conducted for the purpose and in accordance with
18 (a) of this section favor a change from the then existing status of
19 the sale of intoxicating liquor within that area, the board may issue
20 licenses solely on the basis of the election results on questions 2
21 and 3, and, if no restrictions are adopted, may, upon application,
22 issue the number and type of license to the same or other premises
23 within that area as were in existence at the time of the last election
24 at which a majority of the voters favored prohibiting or restricting
25 the sale of intoxicating liquor. Those applicants who were licensees
26 and whose licenses were not reissued by reason of the last election
27 conducted under the provisions of this section have a preference over
28 other applicants.

29 (f) No new license for the sale of intoxicating liquor may be

1 issued under this title for an establishment in an organized borough
2 outside an incorporated city in which area, on the effective date of
3 this Act, there are no licensed premises unless an election under this
4 section is first conducted.

5 Sec. 04.10.436. ELECTION IN THE UNORGANIZED BOROUGH. (a)

6 Whenever 35 per cent of the total number of voters at the last general
7 election within an election precinct of the unorganized borough
8 outside incorporated cities petition the lieutenant governor to do so,
9 he shall conduct a special election within the election precinct on
10 the following questions:

11 (1) Do you favor allowing the sale of intoxicating YES []
12 liquor within this election precinct? NO []

13 (2) If the results of this election show a majority
14 against the sale of intoxicating liquor, would YES []
15 you also favor prohibiting purchases of intoxi-
16 cating liquor by mail or telephone order from NO []
17 other areas by residents of this election
18 precinct?

19 (b) The lieutenant governor shall conduct the election substan-
20 tially in accordance with the provisions of the Alaska Election Code
21 (AS 15.05 - 15.60), except that the election shall be conducted not
22 later than 60 days after the receipt of a proper petition. The lieu-
23 tenant governor shall canvass the ballots and certify the election
24 results to the board. If a majority of the votes is against the sale
25 of intoxicating liquor in the precinct, the board shall reject all
26 applications for new licenses or to transfer or renew licenses for
27 establishments within the precinct.

28 (c) If, at an election under (a) of this section, a majority is
29 against the sale of intoxicating liquor but is not against mail or

1 telephone orders, question 2 may be presented alone to the voters at
2 a subsequent date, upon following the procedures set out in (a) of
3 this section.

4 (d) If, following an election resulting in a prohibition against
5 the sale of intoxicating liquor in the precinct, a majority of the
6 voters at a subsequent election conducted for the purpose and in
7 accordance with (a) of this section favor the sale of intoxicating
8 liquor within the precinct, the board may issue the number and type of
9 license to the same or other premises within the precinct as were in
10 existence at the time of the last election at which a majority of the
11 voters prohibited the sale of intoxicating liquor. Those applicants
12 who were licensees and whose licenses were not reissued by reason of
13 the last election conducted under the provisions of this section have
14 a preference over other applicants.

15 (e) No new license for the sale of intoxicating liquor may be
16 issued under this title for an establishment in a precinct in the
17 unorganized borough outside incorporated cities in which precinct, on
18 the effective date of this Act, there are no licensed premises unless
19 an election under this section is first conducted.

20 Sec. 04.10.439. COMPENSATION FOR LOST REVENUE. (a) A munici-
21 pality with a population of fewer than 12,000 which has prohibited the
22 sale of intoxicating liquor is eligible for and may apply to the
23 Department of Community and Regional Affairs for payment to compensate
24 the municipality for any revenue which it may have lost or foregone as
25 a result of prohibiting the sale of intoxicating liquor. The muni-
26 cipality is eligible for payment of \$10 per resident for Fiscal Year
27 1978. The commissioner of community and regional affairs shall adjust
28 the payment rate for future fiscal years in accordance with changes in
29 the Consumer Price Index for Anchorage, Alaska, published by the

1 Bureau of Labor Statistics, United States Department of Labor. The
2 Consumer Price Index for October 1976 is considered the initial
3 Consumer Price Index. No payment may be made for any fiscal year
4 preceding Fiscal Year 1978.

5 (b) In making the adjustments under (a) of this section, the
6 commissioner of community and regional affairs shall comply with the
7 following procedure:

8 (1) before December 31 of each year, the commissioner shall
9 calculate the change in the October Consumer Price Index for the
10 current year from the October Consumer Price Index for the previous
11 year;

12 (2) the commissioner shall then

13 (A) compute the percentage increase or decrease for
14 that period; and

15 (B) adjust the payment rate by the same percentage
16 increase or decrease, rounded to the nearest tenth of a dollar.

17 (c) The determination of the Department of Community and Regional
18 Affairs on the adjustment to be made, if any, is final and not subject
19 to judicial review.

20 (d) In this section, "municipality" means an incorporated city,
21 organized borough, and municipality unified under AS 29.68.240 -
22 29.68.440.

23 * Sec. 15. AS 04.15 is amended by adding a new section to read:

24 Sec. 04.15.015. RESTRICTION ON ADVERTISING. No holder of a
25 license issued by the board, with the exception of those authorized by
26 AS 04.10.080, 04.10.090, and 04.10.120, may advertise intoxicating
27 liquor in any newspaper or magazine, or on any broadcasting station or
28 community cable system, in the State of Alaska. As used in this
29 section, "newspaper" includes shopping news and local television

1 program guides carrying advertisements for various businesses.

2 * Sec. 16. AS 04.15.090 is amended to read:

3 Sec. 04.15.090. PROHIBITION WITH RESPECT TO CERTAIN PERSONS

4 [FEMALES] IN CONNECTION WITH THE SALE OF BEVERAGES UPON LICENSED PRE-
5 MISES. (a) No [FEMALE] person employed in any capacity or for any
6 purpose by the holder of a license for a beverage dispensary establish-
7 ment, club, roadhouse, restaurant, or common carrier dispensary, or by
8 the operator or manager thereof may solicit or encourage the purchase
9 of any beverage, alcoholic or otherwise, by patrons of the licensed
10 premises for consumption by the patrons or by the [FEMALE] person; nor
11 may the [FEMALE] person accept a beverage, alcoholic or otherwise,
12 purchased by a patron of the establishment.

13 (b) No [FEMALE] person, whether an employee or patron of a
14 licensed beverage dispensary establishment, club, roadhouse, restau-
15 rant, or common carrier dispensary may remain about the premises of
16 the establishment and solicit any beverage, alcoholic or otherwise,
17 from a patron of the establishment, whether the beverage is for that
18 person [HERSELF], the patron, or another.

19 (c) No holder of a license for a beverage dispensary establish-
20 ment, club, roadhouse, restaurant, or common carrier dispensary, or an
21 operator or manager thereof may permit a [FEMALE] person employed by
22 him, in any capacity or for any purpose, to solicit or encourage the
23 purchase of any beverage, alcoholic or otherwise, by patrons of the
24 licensed premises for consumption by the patron or by the [FEMALE]
25 person; nor may the holder, operator, or manager permit an [A FEMALE]
26 employee to accept any beverage, alcoholic or otherwise, purchased or
27 offered by a patron of the licensed premises.

28 (d) No holder of a license for a beverage dispensary establish-
29 ment, club, roadhouse, restaurant, or common carrier dispensary, or an

1 operator or manager thereof may permit any [FEMALE] person to remain
2 about the premises of the establishment and solicit any beverage,
3 alcoholic or otherwise, from a patron of the licensed premises,
4 whether the said beverage be for that person [HERSELF], the patron, or
5 another.

6 (e) A holder of a license for a beverage dispensary establish-
7 ment, club, roadhouse, restaurant, or common carrier dispensary, or
8 the operator or manager thereof, or an [A FEMALE] employee thereof who
9 violates this section is guilty of a misdemeanor.

10 (f) A [FEMALE] person, not an employee of any licensed premises
11 described in this section, who violates (b) of this section is guilty
12 of a misdemeanor.

13 * Sec. 17. AS 04.15.100(b) is amended to read:

14 (b) Upon conviction of a licensee for a violation under (a) of
15 this section, or for violation of a municipal ordinance adopted by a
16 municipality in conformity with sec. 70 of this chapter, the judge
17 having jurisdiction shall send a notification of conviction together
18 with a certified copy of the record of conviction to the board and to
19 the city or unified municipality, if any, in which the licensed estab-
20 lishment is located or to the organized borough, if the licensed
21 establishment is located outside a city in an organized borough. The
22 board, council, or assembly may, upon the direction of a majority of
23 its members, thereupon suspend the license as hereinafter provided for
24 the first and second violations and upon a third violation, the board,
25 but not a council or assembly, may revoke the license and declare the
26 bond forfeited. For the purpose of this section, the terms "second
27 violation" and "third violation" include only those violations which
28 occur within five years of the first violation, but are not limited to
29 repeated violations of the same statutory provision or municipal

1 ordinance.

2 (1) First Violation. The license of the premises involved
3 may be suspended for not less than 10 nor more than 45 days;

4 (2) Second Violation. The license of the premises involved
5 may be suspended for a period of not less than 30 days nor more than
6 90 days.

7 * Sec. 18. AS 04.15 is amended by adding new sections to read:

8 Sec. 04.15.105. POSSESSION OF ALCOHOLIC BEVERAGES FOR COMMERCIAL
9 PURPOSES. No person may, for commercial purposes and without a
10 license, possess or bring into the state intoxicating liquor in excess
11 of 20 wine gallons. A person who violates this section is guilty of a
12 misdemeanor and, upon conviction, is punishable in accordance with
13 sec. 100 of this chapter.

14 Sec. 04.15.107. POSSESSION IN VIOLATION OF LOCAL OPTION. (a)
15 No person may possess more than 2.4 wine gallons of intoxicating
16 liquor other than beer and wine, and 4.5 wine gallons of beer and
17 wine, in a municipality or election precinct which has prohibited the
18 sale of intoxicating liquor or a municipality which holds a limited
19 community liquor license unless he has obtained a permit from the
20 board for possession for special occasions. The board may issue a
21 permit that allows a person to possess up to 20 wine gallons of in-
22 toxicating liquor in a municipality or election district which has
23 prohibited the sale of intoxicating liquor or a municipality which
24 holds a limited community license, for a restricted period of time so
25 that it may be served to a large group of persons at a wedding or
26 similar special occasion. A person who violates this section is
27 guilty of a misdemeanor and, upon conviction, is punishable in accord-
28 ance with sec. 100 of this chapter.

29 (b) In this section, "municipality" means an incorporated city.

1 organized borough, or municipality unified under AS 29.68.240 -
2 29.68.440.

3 * Sec. 19. AS 04.15.110 is amended to read:

4 Sec. 04.15.110. SALE IN VIOLATION OF LOCAL OPTION. Notwith-
5 standing any other provision of this chapter, a person who unlawfully
6 sells or offers for sale an intoxicating liquor in an area where the
7 local option election has made these activities illegal is, upon
8 conviction, guilty of a felony [MISDEMEANOR] and punishable by imprison-
9 ment for a period not to exceed six years [ONE YEAR], or a fine not to
10 exceed \$30,000 [\$5,000], or by both.

11 * Sec. 20. AS 04.15 is amended by adding new sections to read:

12 Sec. 04.15.120. SEIZURE OF CONVEYANCE. A conveyance used, or
13 intended for use, to transport or in any manner to facilitate the
14 transportation, sale, receipt, possession or concealment of an alcoholic
15 beverage sold in an area where a local option election has made its
16 sale or offering for sale illegal may be seized when the seizure is
17 incident to an arrest or a search under a search warrant.

18 Sec. 04.15.130. FORFEITURE AND SALE OF CONVEYANCE. Upon con-
19 viction of the offender or upon judgment of the court having jurisdic-
20 tion that a conveyance was used or intended for use to transport or in
21 any manner to facilitate the transportation, sale, receipt, possession
22 or concealment of an alcoholic beverage illegally sold in an area
23 described in sec. 120, it is forfeited and shall be disposed of to the
24 community in the local-option area most directly affected by the sale
25 of the intoxicating liquor or to the state, as directed by the court.
26 If the conveyance is sold for the benefit of the state, the proceeds
27 of the sale shall be transmitted to the proper state officer for
28 deposit in the general fund. If not ordered disposed of by the court,
29 any seized conveyance shall be returned after completion of the case

1 and payment of the fine, if any.

2 Sec. 04.15.140. LIMITATIONS ON SEIZURE AND FORFEITURE. (a) No
3 conveyance used as a common carrier in the transaction of business as
4 a common carrier is forfeited under sec. 130 of this chapter unless
5 the owner or other person legally in charge of the conveyance consented
6 to or knew of the illegal conduct.

7 (b) No conveyance is forfeited under sec. 130 of this chapter
8 because of conduct of a person, other than the owner, having unlawful
9 possession of it.

10 Sec. 04.15.150. APPEARANCE BY PERSON HAVING INTEREST IN CONVEYANCE.
11 A person holding a lien, mortgage, or conditional sales contract on a
12 conveyance seized under sec. 120 of this chapter may appear before the
13 court in the proceeding involving the forfeiture to petition for
14 remittance or mitigation of the forfeiture. The court shall remit or
15 mitigate the forfeiture if it finds that the petitioner has an interest
16 in the conveyance which he acquired in good faith and without knowledge
17 or reason to believe that the conveyance was being used or would be
18 used in the transportation of an illegally sold alcoholic beverage.

19 Sec. 04.15.160. DEFINITIONS. In secs. 120 - 160 of this chapter

20 (1) "conveyance" means a vessel, motor vehicle, trailer,
21 aircraft or other means, except animals, of transporting goods or
22 people;

23 (2) "illegally sold alcoholic beverage" means any intoxicat-
24 ing liquor as defined in AS 04.20.010 which is sold in the manner
25 described in AS 04.15.110.

26 * Sec. 21. AS 04.10.310 and 04.10.440 are repealed.

27 * Sec. 22. This Act takes effect immediately in accordance with AS 01.-
28 10.070(c).

Introduced: 3/11/77
Referred: Health, Education &
Social Services and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 242

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to treatment of alcoholism and drug
7 abuse; and providing for an effective date."

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

9 * Section 1. AS 47.37 is amended to read:

10 CHAPTER 37. [UNIFORM] ALCOHOLISM AND DRUG ABUSE

11 [INTOXICATION TREATMENT ACT].

12 ARTICLE 1. TREATMENT.

13 * Sec. 2. AS 47.37.010 is amended to read:

14 Sec. 47.37.010. DECLARATION OF POLICY. It is the policy of the
15 state that alcoholics, [AND] intoxicated persons, drug addicts and
16 drug abusers should not be criminally prosecuted for their consumption
17 of alcoholic beverages or drugs but [AND THAT THEY] should be afforded
18 a continuum of treatment so they may lead normal lives as productive
19 members of society.

20 * Sec. 3. AS 47.37.020 is amended to read:

21 Sec. 47.37.020. OFFICE OF ALCOHOLISM AND DRUG ABUSE. An office
22 of alcoholism and drug abuse is established in the department. The
23 office shall be headed by a coordinator appointed by the commissioner.
24 The coordinator shall be a qualified professional who has training and
25 experience in the organization and administration of treatment services
26 for persons with alcoholism-drug [MEDICAL-SOCIAL] problems. The
27 coordinator is in the classified service.

28 * Sec. 4. AS 47.37.030 is amended to read:

29 Sec. 47.37.030. POWERS OF OFFICE. The office may

1 (1) plan, establish, and maintain prevention, training,
2 treatment and rehabilitation programs as appropriate;

3 (2) make contracts necessary or incidental to the per-
4 formance of its duties and the execution of its powers, including
5 contracts with public and private agencies, organizations, and indi-
6 viduals, to pay them for services rendered or furnished to alcoholics,
7 [OR] intoxicated persons, or other drug addicted or drug abusing
8 persons;

9 (3) solicit and accept for use a gift of money or property
10 or a grant of money, services, or property from the federal government,
11 the state, or a political subdivision of it or a private source, and
12 do all things necessary to cooperate with the federal government or
13 any of its agencies in making an application for a grant;

14 (4) review and comment on, and administer or supervise the
15 administration of the provisions relating to alcoholics, [AND] intoxi-
16 cated persons, drug addicts, and drug abusers, of any state plan
17 submitted for federal funding under federal health, welfare, [OR]
18 treatment, traffic safety, and criminal justice legislation;

19 (5) coordinate its activities and cooperate with alcoholism
20 and drug abuse programs in this and other states, and make contracts
21 and other joint or cooperative arrangements with state, local, or
22 private agencies for the treatment of alcoholics, [AND] intoxicated
23 persons, drug addicts, or drug abusers and for the common advancement
24 of alcoholism and drug abuse programs in this and other states;

25 (6) keep records and engage in research and the gathering
26 of relevant statistics; have access to records used by other agencies
27 of the state government except as prohibited by law;

28 (7) do other acts necessary to implement the authority
29 expressly granted to it;

1 (8) acquire, hold, or dispose of real property or any
2 interest in it, and construct, lease, or otherwise provide treatment
3 facilities for alcoholics, [AND] intoxicated persons, drug addicts and
4 drug abusers; however, the office shall encourage local initiative,
5 involvement and financial participation under grants-in-aid whenever
6 possible in preference to the construction or operation of facilities
7 directly by the office.

8 * Sec. 5. AS 47.37.040 is amended to read:

9 Sec. 47.37.040. DUTIES OF OFFICE. The office shall

10 (1) develop, encourage, and foster statewide, regional, and
11 local plans and programs for the prevention of alcoholism and drug
12 abuse and treatment of alcoholics, [AND] intoxicated persons, drug
13 addicts, and drug abusers in cooperation with public and private
14 agencies, organizations, and individuals, and provide technical assist-
15 ance and consultation services for these purposes;

16 (2) coordinate the efforts and enlist the assistance of all
17 public and private agencies, organizations, and individuals interested
18 in prevention of alcoholism and drug abuse and treatment of alcoholics,
19 [AND] intoxicated persons, drug addicts, and drug abusers;

20 (3) cooperate with the division of corrections in establish-
21 ing and conducting programs to provide treatment for alcoholics,
22 [AND] intoxicated persons, drug addicts, and drug abusers in or on
23 parole from penal institutions;

24 (4) cooperate with the Department of Education, school
25 boards, schools, police departments, courts, and other public and
26 private agencies, organizations and individuals in establishing
27 programs for the prevention of alcoholism and drug abuse and treatment
28 of alcoholics, [AND] intoxicated persons, drug addicts, and drug
29 abusers, and preparing curriculum materials for use at all levels of

1 school education;

2 (5) prepare, publish, evaluate, and disseminate educational
3 material dealing with the nature and effects of alcohol and other
4 drugs;

5 (6) develop and implement, as an integral part of treatment
6 programs, an educational program for use in the treatment of alcoholics,
7 [AND] intoxicated persons, drug addicts, and drug abusers which includes
8 the dissemination of information concerning the nature and effects of
9 alcohol and other drugs;

10 (7) organize and implement a coordinated manpower training
11 and education program [FOSTER TRAINING PROGRAMS] for all persons
12 engaged in occupations which provide treatment or other related services
13 to [OF] alcoholics, [AND] intoxicated persons, drug addicts, and drug
14 abusers;

15 (8) sponsor and encourage research into the causes and
16 nature of alcoholism, alcohol abuse, drug addiction and drug abuse,
17 [AND] treatment of alcoholics, [AND] intoxicated persons, drug addicts,
18 and drug abusers, and serve as a source [CLEARINGHOUSE] for information
19 relating to alcoholism and drug abuse;

20 (9) specify uniform methods for keeping statistical informa-
21 tion by public and private agencies, organizations, and individuals,
22 and collect and make available relevant statistical information,
23 including number of persons treated, frequency of admission and readmis-
24 sion, and frequency and duration of treatment;

25 (10) advise the commissioner, the regional health systems
26 agencies, the state health coordinating council, and the governor in
27 the preparation of an annual [A] comprehensive plan for the prevention,
28 treatment, and control of alcohol and drug abuse [TREATMENT OF ALCOHOL-
29 ICS AND INTOXICATED PERSONS];

1 (11) review all state health, welfare, criminal justice,
2 traffic safety and treatment plans to be submitted for federal funding,
3 and advise the commissioner on provisions to be included relating to
4 alcohol and drug abuse [ALCOHOLISM AND INTOXICATED PERSONS];

5 (12) encourage [ASSIST IN] the development and maintenance
6 of 'troubled employees' [, AND COOPERATE WITH, ALCOHOL EDUCATION AND
7 TREATMENT] programs in Alaska [FOR EMPLOYEES OF STATE AND LOCAL GOVERN-
8 MENTS AND BUSINESSES AND INDUSTRIES IN THE STATE];

9 (13) utilize the support and assistance of interested
10 persons in the community, particularly recovered alcohol or drug
11 abusers [ALCOHOLICS], to encourage alcohol or drug abusing persons
12 [ALCOHOLICS] to voluntarily undergo treatment;

13 (14) cooperate with the Department of Public Safety and the
14 Department of Highways in establishing and conducting programs designed
15 to deal with the problem of persons operating motor vehicles while
16 intoxicated or under the influence of drugs;

17 (15) monitor the admissions of [ENCOURAGE] hospitals and
18 other appropriate health facilities in compliance with federal law
19 which requires that the office ensure that they [TO] admit without
20 discrimination alcoholics and intoxicated persons and [TO] provide
21 them with adequate and appropriate treatment;

22 (16) encourage all health and disability insurance programs
23 to include alcoholism and certain other forms of drug abuse and addic-
24 tion as [A] covered illnesses [ILLNESS];

25 (17) submit to the legislature an annual report covering
26 the activities of the office.

27 * Sec. 6. AS 47.37.050 is amended to read:

28 Sec. 47.37.050. INTERDEPARTMENTAL COORDINATING COMMITTEE. (a)
29 An interdepartmental coordinating committee is created, composed of

1 the coordinator, [AND] the commissioners of health and social services,
2 revenue, education, [HIGHWAYS, LABOR AND] public safety, community and
3 regional affairs, the directors of traffic safety and the Criminal
4 Justice Planning Agency and representatives from the Department of
5 Law, the Division of Planning and Policy Development, the Division of
6 Budget and Management, and the Alaska Court System. The committee
7 shall meet at least quarterly [TWICE ANNUALLY] at the call of the
8 commissioner of health and social services who is its chairman. The
9 committee shall supervise the development and implementation of an
10 annual interdepartmental state plan for the prevention, treatment and
11 control of alcohol and drug abuse [PROVIDE FOR THE COORDINATION AND
12 EXCHANGE OF INFORMATION ON ALL PROGRAMS RELATING TO ALCOHOLISM], and
13 act as a permanent liaison among state departments engaged in activities
14 affecting alcoholics, [AND] intoxicated persons, drug addicts, and
15 drug abusers. The annual interdepartmental plan for the prevention,
16 treatment, and control of alcohol and drug abuse shall reflect con-
17 sideration of related plans and plan requirements of other agencies
18 with similar goals. [THE COMMITTEE SHALL ASSIST THE COMMISSIONER OF
19 HEALTH AND SOCIAL SERVICES AND THE COORDINATOR IN FORMULATING A COMPRE-
20 HENSIVE PLAN FOR PREVENTION OF ALCOHOLISM AND FOR TREATMENT OF ALCOHOL-
21 ICS AND INTOXICATED PERSONS.]

22 (b) In exercising its coordinating functions, the committee
23 shall assure that the appropriate state agencies

24 (1) provide all necessary medical, social, treatment, and
25 educational services for alcoholics, [AND] intoxicated persons, drug
26 addicts, and drug abusers and for the prevention and control of both
27 alcohol and drug abuse [OF ALCOHOLISM], without unnecessary duplication
28 of services;

29 (2) cooperate in the planning and implementation of integrated

1 systems of enforcement, adjudication, treatment, and rehabilitation
2 appropriate to the humane and professional provision of services to [USE
3 OF FACILITIES AND IN THE TREATMENT OF] alcoholics, [AND] intoxicated
4 persons, drug addicts, and drug abusers;

5 (3) adopt approaches for the prevention, [OF ALCOHOLISM AND
6 THE] treatment, and control of alcohol [ALCOHOLICS] and drug abuse
7 [INTOXICATED PERSONS] consistent with the policy of this chapter.

8 * Sec. 7. AS 47.37.060 is amended to read:

9 Sec. 47.37.060. ADVISORY BOARD ON ALCOHOLISM AND DRUG ABUSE.
10 There is established in the Department of Health and Social Services
11 an advisory board on alcoholism and drug abuse. This advisory board
12 shall function as a committee of the state health coordinating council,
13 and three representatives of it shall serve as an advisory subcommittee
14 of the interdepartmental coordinating committee.

15 * Sec. 8. AS 47.37.070 is amended to read:

16 Sec. 47.37.070. COMPOSITION. The advisory board on alcoholism
17 and drug abuse consists of nine members appointed by the governor.

18 * Sec. 9. AS 47.37.080 is amended to read:

19 Sec. 47.37.080. QUALIFICATIONS OF BOARD MEMBERS. Of the nine
20 members

21 (1) two shall be persons who are licensed to practice
22 medicine in the state [, ONE OF WHOM SHALL BE CERTIFIED IN PSYCHIATRY
23 BY THE AMERICAN BOARD OF PSYCHIATRY AND NEUROLOGY OR ELIGIBLE FOR THAT
24 CERTIFICATION, EXCEPT THAT IF A PSYCHIATRIST IS NOT AVAILABLE A CLINICAL
25 PSYCHOLOGIST MAY BE APPOINTED];

26 (2) one shall be a practicing attorney who has been ad-
27 mitted to the practice of law by the state supreme court;

28 (3) four [TWO] shall be persons who have evidenced an
29 interest in the problems of alcoholism or drug abuse and who have

1 knowledge of the social problems encountered in the rehabilitation of
2 alcoholics or drug abusers;

3 (4) two [ONE] shall be persons chosen from the following
4 professions:

5 (A) education;

6 (B) nursing;

7 (C) pharmacy;

8 (D) social work [A PUBLIC HEALTH NURSE];

9 (5) three shall also represent the board of directors of
10 each of the three regional health systems agencies created under P.L.
11 93-641 [ONE SHALL BE A REPRESENTATIVE OF THE LIQUOR INDUSTRY];

12 [(6) ONE SHALL BE FROM THE PUBLIC AT LARGE;]

13 [(7) ONE SHALL BE A SOCIAL WORKER].

14 * Sec. 10. AS 47.37.090 is amended to read:

15 Sec. 47.37.090. TERM OF OFFICE. (a) The members of the board
16 initially appointed under sec. 80(1)[(a)] of this chapter serve terms
17 of three [FOUR] years.

18 (b) The member initially appointed under sec. 80(2)[(b)] of this
19 chapter serves a term of three years.

20 (c) Two members [THE MEMBER] initially appointed under sec.
21 80(3)[(c)] of this chapter serve terms [SERVES A TERM] of one year and
22 the other two serve terms of two years [TWO YEARS].

23 (d) The members initially appointed under sec. 80(4)[(d) - (h)]
24 of this chapter serve terms of two [FOUR] years. Subsequent terms for
25 all board members are three [FOUR] years.

26 (e) A vacancy occurring in the membership of the board shall be
27 filled by an appointment by [OF] the governor for the unexpired portion
28 of the vacated term.

29 (f) Board members serve at the pleasure of the governor.

1 * Sec. 11. AS 47.37.100 is amended to read:

2 Sec. 47.37.100. COMPENSATION, PER DIEM, OR EXPENSES. Members of
3 the advisory board on alcoholism and drug abuse are not entitled to a
4 salary, but are entitled to per diem, reimbursement for travel and
5 other expenses authorized by law for other boards.

6 * Sec. 12. AS 47.37.110 is amended to read:

7 Sec. 47.37.110. DUTIES. The board shall act in an advisory
8 capacity to the commissioner and the interdepartmental coordinating
9 committee in the following matters:

10 (1) special problems affecting mental health which alcoho-
11 lism and drug abuse may present;

12 (2) educational and research activities conducted by the
13 office in respect to the problems presented by alcoholism and drug
14 abuse;

15 (3) social problems which affect rehabilitation of al-
16 coholics and drug abusers;

17 (4) legal processes which affect the treatment and rehabili-
18 tation of alcoholics and drug abusers;

19 (5) a program of public relations concerning the problem of
20 alcoholism and drug abuse conducted by a department of the state
21 government or by any organized group [AN ORGANIZED GROUP WHOSE PURPOSE
22 IS THE REHABILITATION OF ALCOHOLICS].

23 * Sec. 13. AS 47.37.120 is amended to read:

24 Sec. 47.37.120. ALCOHOLISM AND DRUG ABUSE PROGRAM COORDINATOR.
25 The alcoholism and drug abuse program coordinator shall carry out the
26 development and implementation of a comprehensive program dealing with
27 the prevention, treatment, and control of, research on and education
28 concerning alcohol and drug [ALCOHOLIC] problems as they affect the
29 state.

1 * Sec. 14. AS 47.37.130 is amended to read:

2 Sec. 47.37.130. COMPREHENSIVE PROGRAM FOR TREATMENT; REGIONAL
3 PROGRAMS [FACILITIES]. (a) The office shall establish a comprehensive
4 and coordinated program for the treatment of alcoholics, [AND] intoxi-
5 cated persons, drug addicts, and drug abusers. The [SUBJECT TO THE
6 APPROVAL OF THE COMMISSIONER, THE] coordinator shall [MAY] divide the
7 state into [APPROPRIATE] regions that conform to the health service
8 areas established by the secretary of the Department of Health, Educa-
9 tion and Welfare under P.L. 93-641 to plan and implement [TO CONDUCT]
10 the program and establish standards for the development of the program
11 on the regional level. In establishing the programs [REGIONS], con-
12 sideration shall be given to the city, [AND] borough, and Native
13 corporation boundaries [LINES] and population concentrations and,
14 when feasible, programs shall be established with maximum local com-
15 munity and Native corporation involvement.

16 (b) The program of the office shall include

- 17 (1) emergency treatment provided by a facility affiliated
18 with or part of the medical service of a general hospital;
19 (2) inpatient treatment;
20 (3) intermediate treatment; and
21 (4) outpatient and follow-up treatment.

22 (c) The office shall provide adequate and appropriate treatment
23 for alcoholics, [AND] intoxicated persons, drug addicts, and drug
24 abusers admitted under secs. 160 - 190 of this chapter within the
25 limits of available state and federal funds.

26 (d) The office shall maintain, supervise and control all facili-
27 ties operated by it subject to the regulations of the department. The
28 administrator of each facility operated by the department shall make
29 an annual report of its activities to the coordinator in the form and

1 manner the coordinator specifies.

2 (c) The [IF POSSIBLE, THE] office shall coordinate the activi-
3 ties of the program with all appropriate public and private resources.

4 (f) The office shall issue an annual license to a public or
5 private treatment facility which meets the appropriate standards
6 established under sec. 140(a) of this chapter. No treatment facility
7 may be operated in the state without a license, and no facility may
8 receive state funds under a contract or a grant-in-aid unless it is
9 licensed as a public treatment facility. [THE COORDINATOR SHALL
10 PREPARE, PUBLISH, AND DISTRIBUTE ANNUALLY A LIST OF ALL APPROVED
11 PUBLIC AND PRIVATE TREATMENT FACILITIES.]

12 (g) The office may contract for the use of any facility as an
13 approved public treatment facility if the coordinator, subject to the
14 regulations of the department, considers this an effective and economi-
15 cal course to follow.

16 * Sec. 15. AS 47.37.140 is amended to read:

17 Sec. 47.37.140. PUBLIC AND PRIVATE TREATMENT FACILITIES. (a)
18 The office shall establish standards in regulations adopted by the
19 department for facilities before their licensure [APPROVAL] as public
20 or private treatment facilities, and fix the fees to be charged for
21 the required inspections of those facilities. The standards for
22 private facilities may [SHALL] concern only the health conditions to
23 be met and standards of treatment to be afforded patients, but
24 standards for public facilities may include additional criteria to
25 assure responsible processing of state contract and grant-in-aid
26 funds.

27 (b) The office shall inspect, on a regular basis, licensed
28 [APPROVED] public and private treatment facilities at reasonable times
29 and in a reasonable manner.

1 (c) The office shall prepare, maintain, publish and distribute
2 annually a list of licensed [APPROVED] public and private treatment
3 facilities.

4 (d) Each licensed [APPROVED] public or or [AND] private treatment
5 facility shall file with the office on request, data, statistics,
6 schedules, and information which the office reasonably requires under
7 (a) of this section. If a licensed [AN APPROVED] public or private
8 treatment facility, [THAT] without good cause, fails to furnish any
9 data, statistics, schedules, or information as requested, or files
10 fraudulent returns of them, its license shall be suspended or revoked
11 [REMOVED FROM THE LIST OF APPROVED TREATMENT FACILITIES].

12 (e) The coordinator, after holding a hearing under the provisions
13 of the Administrative Procedure Act (AS 44.62), may suspend, revoke,
14 limit, restrict, or refuse to grant a license [AN APPROVAL] for
15 treatment facility, for failure to meet the [ITS] standards established
16 by the department.

17 (f) Upon petition of the office and after a hearing held upon
18 reasonable notice to the facility, the district court may issue a
19 warrant to an officer or employee of the office authorizing him to
20 enter and inspect at reasonable times, and examine the books and
21 accounts of any licensed [AN APPROVED] public or private alcoholism,
22 drug addiction, or drug abuse treatment facility refusing to consent
23 to inspection or examination by the office or which the office has
24 reasonable cause to believe is operating in violation of this chapter.

25 * Sec. 16. AS 47.37.150 is amended to read:

26 Sec. 47.37.150. ACCEPTANCE FOR TREATMENT. The department [CO-
27 ORDINATOR] shall adopt [PROMULGATE] regulations for the admission of
28 persons into the treatment program, considering available treatment
29 resources and facilities, for the purpose of early and effective

1 treatment of alcoholics, [AND] intoxicated persons, drug addicts, and
2 drug abusers. In establishing the regulations, the department [CO-
3 ORDINATOR] shall be guided by the following standards:

4 (1) if possible a patient shall be treated on a voluntary
5 rather than an involuntary basis;

6 (2) a patient shall be initially assigned or transferred to
7 outpatient or intermediate treatment, unless he is found to require
8 inpatient treatment;

9 (3) a person shall not be denied treatment solely because
10 he has withdrawn from treatment against medical advice on a prior
11 occasion or because he has relapsed after earlier treatment;

12 (4) an individualized treatment plan shall be prepared and
13 maintained on a current basis for each patient;

14 (5) provision shall be made for a continuum of coordinated
15 treatment services, so that a person who leaves a facility or a form
16 of treatment will utilize other appropriate treatment and facilities.

17 * Sec. 17. AS 47.37.160 is amended to read:

18 Sec. 47.37.160. VOLUNTARY TREATMENT OF ALCOHOLICS AND DRUG
19 ADDICTS. (a) An alcoholic, drug addict, or drug abuser may volun-
20 tarily apply for treatment directly to a licensed [AN APPROVED] public
21 or private treatment facility.

22 (b) Subject to regulations adopted [PROMULGATED] by the department
23 [COORDINATOR], the administrator in charge of a licensed [AN APPROVED]
24 public or private treatment facility may determine who shall be admit-
25 ted for treatment. If a person is refused admission to a licensed [AN
26 APPROVED] public or private treatment facility, the administrator
27 shall [, IF POSSIBLE,] refer the person to another licensed [APPROVED]
28 public or private treatment facility.

29 (c) When a patient receiving inpatient care leaves a licensed

1 [AN APPROVED] public or private treatment facility, he shall be encour-
2 aged to consent to appropriate outpatient or intermediate treatment.
3 If it appears to the administrator in charge of the treatment facility
4 that the patient is an alcoholic or drug addict who requires help, the
5 facility administrator [OFFICE] shall arrange for assistance in obtain-
6 ing supportive services and residential facilities.

7 (d) Except for diagnosis and referral, alcoholism treatment
8 programs shall be separate and distinct from treatment programs for
9 drug addicts. There may be integrated inpatient programs for the
10 treatment of alcoholics and cross-addicted persons, and there may be
11 integrated prevention programs for all forms of substance abuse. No
12 person addicted to an opium derivative may be treated except at a
13 licensed drug addiction treatment center. All federal and state laws
14 and regulations relating to requirements for methadone maintenance for
15 persons addicted to an opium derivative shall be strictly adhered to
16 by all drug addiction treatment facilities operated or funded by the
17 office.

18 * Sec. 18. AS 47.37.170(a) is amended to read:

19 (a) An intoxicated person may come voluntarily to a licensed [AN
20 APPROVED] public or private alcoholism treatment facility for emergency
21 treatment. A person who appears to be intoxicated in a public place
22 and to be in need of help or a person who appears to be intoxicated in
23 or upon a licensed premise where intoxicating liquors are sold or
24 consumed who refuses to leave upon being requested to leave by the
25 owner, an employee or a peace officer may be taken into protective
26 custody and assisted by a peace officer or a member of the emergency
27 service patrol to his home, a licensed [AN APPROVED] public treatment
28 facility, a licensed [AN APPROVED] private treatment facility, or
29 another appropriate health facility. If all of the preceding facilities

1 including the person's home, are determined to be unavailable, a
2 person taken into protective custody and assisted under this subsection
3 may be taken to a state or municipal detention facility in the area.

4 * Sec. 19. AS 47.37.170(b) is amended to read:

5 (b) A person who appears to be incapacitated by alcohol in a
6 public place shall be taken into protective custody by a peace officer
7 or a member of the emergency service patrol and immediately brought to
8 a licensed [AN APPROVED] public treatment facility, a licensed [AN
9 APPROVED] private treatment facility, or another appropriate health
10 facility or service for emergency medical treatment. If no treatment
11 facility or emergency medical service is available, a person who
12 appears to be incapacitated by alcohol in a public place shall be
13 taken to a state or municipal detention facility in the area, if that
14 appears necessary for the protection of the person's health or safety.

15 * Sec. 20. AS 47.37.170(c) is amended to read:

16 (c) A person who voluntarily appears or is brought to a licensed
17 [AN APPROVED] public or private treatment facility shall be examined
18 by a licensed physician within 24 hours [AS SOON AS POSSIBLE]. After
19 the examination, he may be admitted as a patient or referred to another
20 health facility. The licensed [APPROVED] public or private treatment
21 facility which refers him shall arrange for his transportation.

22 * Sec. 21. AS 47.37.170(d) is amended to read:

23 (d) No person who, after medical examination, is found to be
24 incapacitated by alcohol at the time of his admission or to have
25 become incapacitated at any time after his admission, may be detained
26 at a facility after he is no longer incapacitated by alcohol. No
27 person may be detained at a facility if he remains incapacitated by
28 alcohol for more than 72 [48] hours after admission as a patient,
29 unless he is committed under secs. [SEC.] 180 or 190 of this chapter.

1 Sec. 47.37.180. EMERGENCY DETENTION AND COMMITMENT. (a) An
2 intoxicated person who [(1)] has threatened, attempted to inflict, or
3 inflicted physical harm on another may be charged under an appropriate
4 criminal statute, taken into custody, and transported to a state or
5 municipal detention facility. A person who [OR IS LIKELY TO INFLICT
6 PHYSICAL HARM ON ANOTHER UNLESS COMMITTED, OR (2)] is incapacitated by
7 alcohol, may be committed to a licensed [AN APPROVED] public or private
8 alcoholism treatment facility for emergency treatment. A refusal to
9 undergo treatment does not constitute evidence of lack of judgment as
10 to the need for treatment.

11 (b) The certifying physician, spouse, guardian, or relative of
12 the person to be committed, or any other responsible person, may make
13 a written application for commitment under this section, directed to
14 the administrator of the licensed [APPROVED] public or private alcohol
15 ism treatment facility. The application shall state facts to support
16 the need for emergency treatment and be accompanied by a physician's
17 certificate supporting the need for emergency treatment and stating
18 that the physician has examined the person sought to be committed
19 within two days before the certificate's date.

20 (c) Upon approval of the application by the administrator in
21 charge of the facility, the person may be brought to the facility by a
22 peace officer, a health officer, a member of the emergency service
23 patrol, the applicant for commitment, the patient's spouse, the
24 patient's guardian, or any other interested person. The person shall
25 be retained at the facility to which he was admitted, or transferred
26 to another appropriate public or private treatment facility, until
27 discharged under (e) of this section. [HOWEVER, NO PERSON MAY BE DE-
28 TAINED UNDER THIS SECTION FOR MORE THAN 48 HOURS UNLESS A DISTRICT OR
29 SUPERIOR COURT JUDGE HAS REVIEWED AND APPROVED THE COMMITMENT APPLICA-