

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 86 / 2

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

March 16, 1977

Senator Mike Colletta
State Capitol
Pouch V
Juneau, Alaska 99811

Dear Senator Colletta:

The Northern Alaska Health Resources Association Board of Directors has voted to endorse all components of the Governor's proposals for legislative action to curb alcohol abuse.

The Board expressed near unanimous support for the bills concerning excise tax (H.B. 196/S.B. 167), sales tax (H.B. 232/S.B. 182) and appropriations for prevention, education and treatment programs (H.B. 241/S.B. 168).

The Board voted to express its support for the bill concerned with local option elections and measures concerned with "dry" communities (H.B. 240/S.B. 183), but by a relatively narrow margin. The primary concern expressed was a fear that a patchwork of "wet" communities contiguous to "dry" communities would increase the compulsion for hazardous and/or expensive travel by impaired persons, and increase the compulsion to consume alcoholic beverages immediately once they were obtained.

Sincerely,



Wayne Myers M.D.
President
Board of Directors

WM:lr

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Floyd Miller Enterprises

Northway, Alaska

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- AIRCRAFT CHARTER
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- GENERAL MERCHANDISE STORE
- AIRCRAFT AND AUTO
GAS AND OIL

Senator Mike Colletta
Juneau, Alaska

Re: Your letter addressed to Millers Cave regarding hearings on
Liquor legislation.

Dear Sir:

I would like to appear before the committee but a long standing appointment in Anchorage has priority.

My feelings regarding the abuse of alcohol are very strong and even though we have both a retail and a dispensary license I feel that something should be done. I must say though that I feel the wrong approach is being taken and will do nothing more than aggravate the already bad situation. I will try and explain why I feel this way and what I think will help.

Taxing the industry will only raise the price of liquor to higher levels. The people with lower incomes who are problem drinkers will only have to forgo something else to buy booze. For these people booze is their crutch and they will buy it whatever the price. I am sure of this. I have lived with this for 20 years here at Northway. If booze is higher, fewer groceries and clothing will be purchased. The cash money will go for liquor and the available food stamps and purchase orders for food and essentials. I see this frequently. I might agree to a tax that would help finance a program of education but the proposed tax appears to be one that the State of Alaska would hope to get rich on the weakness of some of its people.

State owned or municipal stores are not the answer as they eventually become so politically involved with patronage that they begin to smell.

The answer I feel, lies in availability. We have practiced this here for years and know it works. We have closed our bar at midnight because experience has taught us that 99% of the trouble came after midnight. In the winter we close our liquor store at 7pm and in the summer 8pm. If you don't have it bought by then you are out of luck. It is my theory that problem drinkers can not buy ahead tonight for tomorrow. What they buy will be consumed quite rapidly. We avoid having the fellow that got cheery by 9pm coming in for another jug when he does not need it. My solution and it will work is:
Close all liquor stores by 6PM Open not before 10AM
Close all bars by 12 midnight Open not before 10AM
Only wholesalers would be allowed to ship liquor.

It is the early morning drink that gets most people into trouble. Not sick enough to die but too sick to live without the morning crutch.

For several years we did not sell booze here but at the request of Robert Olson than a trooper and now U S Marshall we applied for and received a license. His reason was that possibly we could reduce the accidents (and there were some bad ones with fatalities) if liquor was available in the area and the people would stay off the highway. It has worked real well. People are going to drink and you cannot keep them from it with laws. I lived in the prohibition days in North Dakota and it was always around but many times we went without because the heat was on and even your favorite bootlegger would go out of business for awhile.

I hope I have gotten my thoughts across. I believe if you talk to Senator Butrovich or Joe La Rocca they will be able to identify and tell you more about our operation here at Northway. Also, we do hope that the bill co-sponsored by Red Swanson for the mandantory jail sentence for drunk friving is made into law. Murder, Robbery, Rape and most others you have some defense against. There is absolutely no defense against the drunken driver that you meet on the highway at night or driving down the street when you need to cross.

We thank you for listening to our feelings.

Yours Truly,

Floyd Miller
Floyd Miller

Box 405
Northway, Ak 99764

3-17-76

Our Liquor Store
4343 Spenard Rd.
Anchorage, Alaska 99503

Senator Mike Calletta
Pouch V
Juneau, Alaska 99811

Re: House Bill #196 - Senate Bill #167

Dear Sir:

In reading and discussing this bill we feel that our honorable governor is really hacking at a group of business people which as a result of the bill will put a certain portion of them out of business.

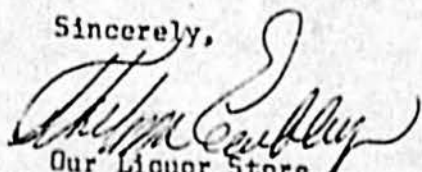
We all realize that there is a problem but we feel that if the existing laws were enforced a night club would be a decent place to go. There is no reason for the way some are allowed to consume alcohol on the premises.

The tax to be placed on alcohol is ridiculous. We already pay as much as or more than any other state and we feel that such an increase would be an unfair tax for our government to place upon the whole public.

The bill not only places a burden on the public so that a business will see a great decrease in their income, it also hacks away at businesses again by increasing their license by 40%.

No way are we in favor of this bill.....

Sincerely,


Our Liquor Store
Thelma Embley, President

P.O. Box 44
Unalakleet, Alaska 99684
March 17, 1977

Fran Ulmer
Pouch A
Juneau, Alaska 99811

Dear Fran:

This letter is in response to the hearings that will begin on the 25th of March concerning Hammond's proposal on the excise tax for alcohol. I have studied some of the options that is proposed and those that relate to such future bills should this current bill does not pass. I have some feelings that the bill (SB 167) will receive some potential feedback going against it. However, I would like to see a continued effort from our legislation to curb our problems with alcoholism by the use of the laws they amend. Ironically, I sense that alcohol has controlled society, and I feel that society should control it. Statistics that you have presented showing the contrast per capita between Alaskans and the other states are indicative of our problems.

I feel that your excise tax increase would benefit our little communities throughout Alaska. For example, the soaring costs to purchase coffee has slowed our coffee-drinking and I feel that that your excise tax would do the same.

I am interested in areas that have been affecting our rural communities. Most of the outlying villages are dry and usually in some cases the bootlegging is drastically deteriorating them. I would like to see an effective system in which this illegal act would stop. There have been cases in our area where bootleggers have sold to minors and where fatalities have resulted from such. In predicaments as such, I see no sense of the law against bootlegging if it is not carried out. There will be future occurrences if no stronger measures are taken.

We both understand that we have to live with circumstances that affect our life style and yet there are those who need help. For one thing, I know that in order for an alcoholic to seek help he has to understand his problem first. It's the same way with the \$17 million that we spend. The drinker has to support his habits and not reflect his bills to those who are jeopardized.

Once again I would like to acknowledge my support for the proposed measures you have done towards alcoholism. I surely hope that the laws that are made are not only introduced if they are passed, but also that they are enforced. Thank you for your efforts.

Sincerely yours,

Henry Cynamick
Henry Cynamick

Staton's

P.O. BOX 629
SITKA, ALASKA 99835
TELEPHONE 747-3396

Norman & Ethel Staton, Owners

March 18, 1977

Alaska State Senate
Pouch V
Juneau, Alaska 99811

Attention: Senator Mike Colletta, Chairman
Special Committee on Alcoholism

Dear Senator Colletta,

We would like to Thank You for asking for our in-put on Senate Bill 167.

We are against raising the taxes at this time and do hope that your committee will defeat this bill.

All small liquor businesses in Alaska will be hurt by this proposal. It is hard enough to stay in business in Alaska with the higher costs of the product, wages, insurance, freight rates and now the taxes.

It seems as though the Governon is defeating his purpose and that is to push and promote tourism in our State. Then, we as small bussinessmen would have to charge more for liquor to the tourist and our local Alaskans and run them out.

The Ferry System has a fifteen million dollar budget to bring people to our State and it is not paying for itself, so raise the rate. Do not single out the liquor industry to keep raising the taxes. Maybe, the Governon should have a tax on grocery stores for the people who over-eat.

This bill will not help or stop the Alcoholic but it might raise our crime rate. Alcoholics will steal for money to get more liquor.

Sincerely yours,

Norman Staton

Norman Staton

Ethel Staton

Ethel Staton

MAYOR'S OFFICE
EXT. 211
ADMINISTRATION & FINANCE
EXT. 210
PUBLIC WORKS DEPT.
EXT. 249
PLANNING DEPT.
EXT. 244

NORTH SLOPE BOROUGH

P. O. BOX 69
BARROW, ALASKA 99723

907 - 852-2611

March 18, 1977

ASSESSING
EXT. 230
HOUSING AGENCY
EXT. 245
HEALTH AGENCY
EXT. 241
ACCOUNTING
EXT. 237

Senator Frank Ferguson
Senate Special Alcohol Committee
Pouch Z
Juneau, Alaska 99811

Dear Senator Ferguson:

I have been looking over the Governor's proposed Alcohol Legislation Package. In my opinion it is a potentially valuable tool in dealing with this critical problem area. It has the added advantage of placing the responsibility for action at the local level. As we all are aware, particularly in rural areas, this type of control will ultimately be more manageable and responsive to the needs of our areas.

Specifically let me comment:

HB196/SB167

I concur with this concept, but feel that perhaps more of a differential based on alcohol/volume would be better.

HB241

The additional money is badly needed but should not be spent on well funded, ill running programs. Perhaps some of this money could be used to insure rural programs have continued funding.

HB232

Should insure that the revenues are spent on related services, on additional services aimed at dealing with alcohol abuse.

HB240

Local option election is excellent. I do, however, see a potential problem where local magistrates are called upon to levy felony charges against those who are caught bootlegging. If charges are pressed then the arresting officers may face tremendous pressure after someone has been convicted. On the other hand, if they don't make arrests, or charges are more often dropped, the effect will be to undermine the intent of the legislation.

Senator Frank Ferguson
Senate Special Alcohol Committee
March 18, 1977
Page two

Regarding the advertising bar, I would view this as discriminatory against those who own liquor businesses. I am against this provision.

Also, regarding solicitation, I view this as a section which will be used discriminantly. Those who are intoxicated cannot legally be served but this is virtually never enforced. Also, a bar owner has the right to refuse service to anyone. The only place where this would have any effect is where there are dancers or "hostesses" who solicit drinks at higher prices for the establishments benefit.

HB241

I agree with simplifying referral and also with combining Alcohol and Drug Abuse Offices.

I hope these comments are helpful to you and the committee.

Sincerely yours,

Bob Worl

Bob Worl, Director
NORTH SLOPE BOROUGH
Health & Social Services

cc: All member of Special Committee
Governor Jay Hammond
Files



The
Captain Cook *hotel*

WALTER J. HICKEL, JR.
GENERAL MANAGER

P. O. BOX 2280, ANCHORAGE, ALASKA 99501
PHONE (907) 277-4571

March 19, 1977

Senator Mike Colleta
Senate Floor Leader
Pouch V
Juneau, Alaska 99801

Dear Mike:

I would like to express my concern over Governor Hammond's excise tax and license fee bill, HB 196. As one of the largest buyers of distilled spirits, our Company objects to the astronomical increases of existing liquor prices which will only continue to fuel inflation by further increasing retail prices.

I cannot comprehend the Governor's position in attempting to make Alaska dry - which is totally unrealistic in a Northern environment. Further regulations of the industry by the State will only heighten the opportunity for the rural villagers to bootleg.

We are asking for your support in opposing the Governor's bill and I believe a coalition of the liquor industry in cooperation with our friends in Juneau will defeat this bill.

Sincerely,

THE HOTEL CAPTAIN COOK


Wally Hickel, Jr. General Manager

WHJr/tch

Valley Medical Center

Box 879

Palmer, Alaska 99645

March 21, 1977

Governor Jay Hammond
Pouch A
Juneau, Alaska 99811

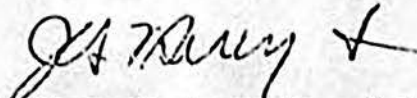
Attention: Fran Ulmer

Dear Sir,

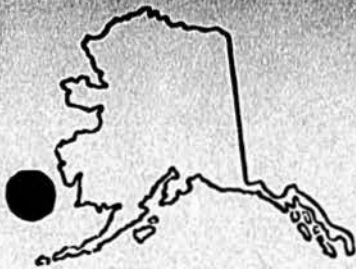
I appreciate the opportunity to offer a written testimony at the meeting of the Senate Special Committee on Alcoholism. I very much appreciate your efforts with regard to alcohol control in the state. After eight years of practice in Alaska my tolerance with the damage alcohol does is exhausted. Without first hand knowledge I suspect it is hard to comprehend. So far as acutely detrimental effects is concerned, the greatest problem is of course the drinking driver. Whenever an accident is a serious one or occurs late at night, the expectation is that alcohol is a major factor. Very often young people are involved; it is very depressing to tell parents that their children are dead or maimed. On a more chronic basis I consider alcohol to be one of the most important factors underlying marital difficulties and juvenile delinquency. The effect that an alcoholic household has on the children thereof is of criminal proportions.

I feel that your proposals are proportionate to the magnitude of the problem and I support both the increased taxes and the community "semi-dry option". Without considering the numbers of people involved, alcohol abuse comprises one of the worst drug problems with which we have to deal. It is psychologically and physically addicting and over a period of years is very physically damaging, affecting heart, muscle, nerve, brain, liver, pancreas, skin, et cetera. If the numbers of people involved are considered, alcohol abuse is far and away the worse drug problem that we have to deal with. Actually, Governor, I would tend to go beyond what you have proposed.

Sincerely,


James F. Ivey, Jr., M.D.

JFI:neh



Alaska House of Representatives



HUGH MALONE

POUCH V
JUNEAU
99811

P. O. BOX 9
KENAI
99611

March 21, 1977

Glen R. Jackson
P.O. Box 3691
Kenai, Alaska 99611

Dear Glen:

You can testify via telephone, and we may have such a hearing. I'll keep you informed.

You are only partly right that the Governor's bills are dead. Actually, they will receive public hearings throughout the state during this summer. Sen. Colletta will be chairing these meetings. I'll ask him to hold one on the Peninsula.

Sincerely,


Hugh Malone

HM:ls

cc. Mike Colletta

NEW 2 1977
CIVIL RIGHTS OFFICE

Flora S. Jack
City Treasurer
Mekoryuk, Alaska 99630

Jay S. Hammond
Governor
Juneau, Alaska 99801

Dear Mr. Hammond,

Received your letter today and I am writing to tell you that since our phone is out of order, I am unable to make a phone call to the persons you gave me the names and phone numbers. . But I do want to testify or write statements to the committee.

My question, how do I go about doing it, when I cannot make a phone call? The RCA in Bethel has told us that they would come and fix the phone but later on told a visiting nurse that they wouldn't come and fix the phone, as long as the city's CB radio was at the phone ~~xxxxx~~ room. The CB was used to call in the people who had phone calls, but was taken out after RCA said they wouldn't come as long as the CB was in the phone room. Still they won't come out here and fix the phone.

Well, since I cannot make a phone call, I might as well try to help by writing about this "home breaker liquor" and "killer". I used to drink but not as bad as some people do. But no matter how much I drank or how little, it was still liquor that I drank. And nearly killed myself one time. Because once I drank, I wouldn't stop until there was no more liquor to consume or till I was too drunk to drink anymore. And one day I drank too fast, too much and had trouble breathing. Thinking back, I just shudder to remember that I had a close call with death. And now that I don't drink, I feel so good, get up every morning thanking God for the day and getting up without the horrible hangover. No problem with the city judge saying I have to take care on my drinking or lose my son. No more going to the courts on drunken charges. Yes, I was a drinker too and probably was slowly killing myself that way.

But I have quit drinking, and when I quit drinking, people start trusting me. Every since I quit drinking, I have become one of the city council, in fact, the ^{*}first woman to become a city councilman. After being elected to councilman, I was elected as a city treasurer, then to Sunday School teacher, Sunday School treasurer and also other things I would never have been if I was still a drinker. Best of all, my mother no longer worried about me and I am very glad I stopped drinking before she passed away. Whenever I see young people drinking, I think of their parents who are worrying about them, who suffer to see them drink.

My husband still drinks and when he does, I always feel like leaving him. But he doesn't drink often, because he is afraid of becoming alone. Or maybe its because I am holding on to him, that he has stopped drinking so much. Sometimes months pass before he touches a drink. When I was a drinker, he was drinking as much as he could, and we nearly lost our son that way. We were fighting every time we drank too, and got often in trouble. Now, we have no more fights the kind we had when I was a drinker.

I have seen a man drinking so much every day that his eyes were just red, his eyes had no more whites, and there was even dried blood near his tear-ducts. It is a wonder he didn't kill himself. And a friend in Anchorage told us how a man drowned in few inches of water because that man passed out inside a boat with his face facing the bottom of the boat.

Yes, the liquor is really a killer, and so many families that I know have broken up because of drinking problems.

* the first that I knew of.

And every time I see movie stars drinking while they are acting, it makes me think maybe they are alcoholics, because "do they have to drink every time they make a movie"? And every time I see a bottle of whiskey being advertised in magazines, I get disgusted. Its as if the whiskey company is saying, "drink up, this is the way to hell."

Like they say; People drink to do something, and end up doing nothing, more like end up doing exactly "nothing", thats killing themself. They drink to feel good, and end up feeling bad, more so worst. They drink to solve problems and get into more problems. They drink to look important and look very very silly and horrible. To drink for something to do, boy, I used to end up doing a lot of cleaning after a drinking binge, or else be too sick to do anything. I never never did feel good after drinking or while I was drinking. And drinking NEVER did solve any problems I had, in fact I got into more trouble. And trying to show off that I could drink any time I feel like it, usually next day after being drunk, I could never show my face in public.

Do you believe in Heaven and Hell, Mr. Governor? I do. if I didn't, I would still be a drinker and probably wouldn't be alive now. The real reason why people drink is because the devil who will be going to Hell does not want to suffer alone, so he tempts so many people to drink, so he wouldn't have to suffer alone.

Hope you don't mind what I wrote. I have written what I feel about this intoxicating liquor, this "homebreaker and killer". And I hope you have someone or yourself talk about what I have written.

Thank you, your honor, for your concern and help.

Sincerely,
Flora S. Jack

Flora S. Jack

MAYOR'S OFFICE
EXT. 211

ADMINISTRATION AND FINANCE
EXT. 210

PUBLIC WORKS DEPARTMENT
EXT. 249

PLANNING DEPARTMENT
EXT. 245

ACCOUNTING
EXT. 239

NORTH SLOPE BOROUGH

P. O. BOX 69
BARROW, ALASKA 99723
(907) 852-2611

DEPARTMENT OF PUBLIC SAFETY

March 21, 1977

*Copies for
Members
S. H. ...
ASSESSING
EXT. 263*

TREASURY
EXT. 237

HOUSING AGENCY
EXT. 243

HEALTH AGENCY
EXT. 255

Senator Glenn Hackney
Senate Special Committee on Alcoholism
Pouch V
Juneau, Alaska 99811

Dear Senator Hackney:

I have very carefully reviewed Senate Bill 167 "Excise Tax" on alcohol, and House Bill 196. While I certainly cannot speak as vociferously as the well-greased liquor lobby in Juneau and elsewhere, I do want my feelings known to you and the Committee. Both as a police officer in Barrow and, now, as the Director of Public Safety for the North Slope Borough, it is my responsibility to speak out on issues which directly affect public peace and safety.

During 1975 when the City of Barrow had voted "wet" and operated a community liquor store, a dozen people between the ages of 6 months and 30 years died as a direct result of alcohol abuse. In 1976, when the community voted "dry", deaths attributed to alcohol abuse went down to zero. In the first two months of 1977, seven people have died. Two were babies neglected to death by intoxicated mothers, one young man who shot himself in the neck while drunk, dying instantly, a young mother who overdosed on barbituates while drunk, and on and on for 1977 to

Crime during the 1976 "dry" year dropped 300%. During the first two months of 1977 ("wet" year), crime has shot up from between 500% to 1,000%. The single highest killer of the young in Barrow (including all medical and accidental causes) is alcohol.

I hope all members of the Senate and House will find time to pause for one moment to let the early dead speak to them about how much money their lives were worth to the liquor industry. I realize Governor Hammond's alcohol package is looked upon by many in dollars and cents, but the extinguished life of 3-1/2 month old Panigeo, whose mother suffocated him while drunk, would like to know how much he was worth? Is he worth 50¢ more for a bottle of Calvert's whiskey...28¢ more for a six-pack of beer? I could go on and on but it would be belaboring the point.

Senator Glenn Hackney

March 21, 1977

Page 2.

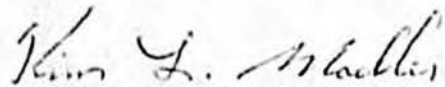
Seven dead in two months.

Barrow is a poor community. It cannot afford to build and run a sleep-off center where intoxicated people can be taken and cared for before they freeze to death outdoors: we put them in jail to protect their lives. There is nowhere else. With the passage of SB 167/HB 196, money would be available to Barrow on a 50-50 match to build a sleep-off center through the Legislature's HB 241/SB 168 appropriation.

Needless to say, I support not only the Excise Tax bill but the whole package as a major step in putting the value of life above the value of money. In addition, for the North Slope Borough - and probably for any rural area of Alaska - overall crime incidents would drop so hard that police departments would need fewer men instead of more. If, as it is acknowledged by all criminal justice practitioners, bush crime is 95% to 100% alcohol-related, the reduction of consumption and abuse should equally reduce crime. That is the key principle of my department and for public safety on the North Slope.

Please consider this letter in your deliberations.

Sincerely,



Kim L. Moeller, Director
Department of Public Safety

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

Division of Social Services

JAY S. HAMMOND, GOVERNOR

P. O. Box 41
Kotzebue, AK 99752

March 22, 1977

Senate Special Committee on Alcoholism
Senator Mike Colletta
Pouch A
Juneau, AK 99811

Dear Senator Colletta:

I would like to enter my voice of support for HB 196/SB 167. I live in an area of the State where alcohol consumption is very high, yet, money for rehabilitative or detoxification programs is almost non-existent. If money from these additional taxes could be channelled to areas where the alcohol is consumed, it would be an invaluable recourse to those communities.

I also support HB 232/SB 182 which would give communities the power to assess and collect additional taxes on alcoholic beverages. This would give communities power for additional monetary restraints and give them more money for additional programs.

I also support HB 240/SB 183 giving even more power to communities to restrain the alcohol consumption in their community.

I especially like the provision for Confiscation of Vehicles Used in Illegal Sale. This section would certainly raise the risk to bootleggers and in turn, raise the price of any bootlegged beverages.

I support the entire package and hope that this is the road to better and more effective alcohol legislation.

Sincerely,



Mark Nielsen
Social Worker
Kotzebue
Division of Social Services

MM/nw

Tape

CITY OF AKOLMIUT
C/O CITY CLERK
NUNAPITCHUK, ALASKA 99641

MARCH 22, 1977

LEGISLATIVE AFFAIRS
FOUCH A
C/O MIKE COLLETTA
JUNEAU, ALASKA 99811

I am representing City of Akolmiut and also myself for being in favor of the proposed regulations under SB 167, SB 182, and SB 183. We would especially like to see the passage of SB 183. We are deeply in opposition of bootlegging activities in Bethel, Alaska. Because bootlegging affects our Community we would very much appreciate some observers who would act as detectives to locate bootleggers and turn them in. Also we are in favor of political subdivisions having the option of increased percentage of tax power in relation to alcohol sales.

Indeed, if state law and local law were more strict in alcohol control we would be more content. Even though Bethel is dry it is always abundant in liquor. Please do something about this by means of locating bootleggers, or stop the inflow of liquor by planes from Anchorage.

We will be expecting a reply from you in the near future.
Thank-you!

Sincerely,

Eli J. Wasillie
City of Akolmiut
C/O City Clerk
Nunapitchuk, Alaska 99641

CITY OF SEWARD



P. O. BOX 337
SEWARD, ALASKA 99664

CITY MANAGER	224-5214
COMPTROLLER	224-5216
INFORMATION	224-5215
CITY POLICE	224-5201

March 22, 1977

Senator Mike Colletta
Committee Chairman
Special Committee on Alcoholism
Pouch V
Juneau, Alaska 99801

Sir:

I have read and approve the Governor's Alcohol package. I feel that this will be a great step forward in the struggle against the present and ever-growing problem of alcohol and drug abuse in the State of Alaska. I feel that something must be done now and that the Legislature would be remiss in not supporting this program. I would like to suggest that one addition might be made to the program. This would fall under the category of bringing the horse to water, ie: the abuser to the program. As it stands, the Alcohol Centers are entirely dependent upon the voluntary commitments, the occasional Judicial requirement or good luck, as the abuser is not always aware of his problem or the routes that he may take to alleviate the situation. He is influenced by his peers in considering the Alcohol Counselors as a group of ineffectual do-gooders. His sense of right is dulled by his illness.

Unless the abuser comes to the bottom of the curve of abuse, at which point he can start up, with the help of the Alcohol Centers, or violates the law, he is not likely to have the necessary contact with the counselors who can help him.

Abusers can be controlled to a great extent, but not cured without the use of controlled programs, individual counseling, and a great deal of patience. If allowed to work with the abuser, the Alcohol Counselor can change many individuals down curve into an upward spiral, if allowed, or given methods of identifying and contacting the abuser.


I feel that this can be achieved through the systems in the alcohol package, and those already in existence, by the addition of stipulations to Title 47 of the Statutes of Alaska. I have found the present Statutes on involuntary commitment of alcoholics to be so complex and ponderous as to be almost unusable, except in rare instances.

The systems of identification and contact should be based on repetition and gross instances of harm, either to himself or others. For example, a person who has been in protective custody four times might then be investigated by the Alcohol Counselor, in conjunction with the Police reports and advice from a licensed physician. Should the investigation show a need for treatment, the abuser would then be summoned before the nearest Judge, who might require that the abuser contact the Alcohol Counselors or face proceedings under the involuntary committment procedure. The Magistrate would have the authority to order the investigation required for involuntary committment.

This would allow the Alcohol Counselors the opportunity to work with the abuser on a semi-voluntary basis. This would be a step forward in protecting the public by beginning remedial techniques on the abuser, who affect the general public in his illness. The already over-worked treatment facilities would not be placed in the position of having a short period of time to attempt to cure an illness that may have been five years in the making.

I feel very strongly that the Alcohol Counseling programs are the answer, in the long run, to the problem's growth, and may with proper support, begin to reverse the number of abusers. Let us put some teeth into the programs that have been created to deal with the problem.

Sincerely,



Louis A. Bencardino
Chief of Police
Seward, Alaska

LAB/dw

cc: Governor Hammond
Fran Ulmer



CITY of BETHEL

P. O. Box 388 • Bethel, Alaska 99559

543-2297 — Area Code 907

March 22, 1977

Honorable Jay S. Hammond
Governor
State of Alaska
Pouch A
Juneau, Alaska 99811

Dear Governor Hammond:

Pursuant to your proposals for legislative action addressing the problems of alcoholism and alcohol abuse within the State of Alaska, the Municipality of Bethel's City Council and Administration endorse and support the salient elements of the proposals. On March 21, 1977, the City Council held a public hearing to receive comments on such proposals from the community-at-large. At the conclusion of the public hearing, a majority of the City Council in-conjunction with members of the City's Administration voiced support for and simultaneously requested additional clarification and amendments with respect to the following:

- A. Increasing the excise tax proposal was endorsed without recommended amendments, with the understanding that \$1.5 million additional funding from the increased revenue will be allocated for prevention, education and treatment programs for alcoholism and alcohol abuse.
- B. The sales tax proposal enabling municipalities to tax beverage alcohol at a rate higher than other commodities was endorsed without recommended amendments, with the understanding and recommendation that an unlimited taxing maximum be included in such legislation.
- C. The options delineated under the local option election section of existing alcohol law within the State were endorsed by the Council and Administration with the following request for clarification: Would a municipality be required to place on the ballot all four (4) options presented within your legislative proposals, or would fewer than the four (4) options be allowed, depending upon petition stipulations? In addition, greater clarity (definition) was requested by the Council with reference to the banning of shipment of mail or telephone ordered alcohol.

- D. Concomitantly, a question asked by a community member at the public hearing requested greater clarity with reference to the Community Liquor License option in terms of whether or not such a license would encompass community managed and/or controlled bars as compared to liquor stores?
- E. The various legislative measures under the dry communities section of your proposals were endorsed by the Council and Administration with the following recommended amendments: That the monetary compensation proposed for dry communities, because of lost tax revenue from beverage alcohol, should be higher than the \$10 per resident in order to encourage such communities to remain dry and restore sales tax revenue to a level which is economically beneficial relative to providing public services, including alcoholism and alcohol abuse treatment programs; that the possession limits be established by local ordinance; and that the provision for confiscation of vehicles used in illegal sales be expanded to include all motorized vehicles.
- F. The proposal for combining the Offices of Alcoholism and Drug Abuse was supported by the Council and Administration relative to all sections delineated in your legislative package.

On March 22, 1977, the City Council held a special meeting to consider Resolution No. 192, a Resolution of the City of Bethel, Alaska, endorsing the Governor's proposals for legislative action addressing the problems of alcoholism and alcohol abuse within the State of Alaska. The Resolution was passed and approved by a unanimous vote and is to be considered as a part of the endorsements by the City Council and Administration. (refer to attachment.)

This letter is to serve as written testimony for subsequent legislative hearings to be conducted by the House and Senate with respect to all of your proposals. Furthermore, the City Council and Administration wish to commend you for your initiatives within this area, and if your office requires additional information and/or supporting documentation, please contact the Administrative Offices of the City of Bethel.

Best Wishes.

Sincerely,



Bruce L. Bartlett
City Manager

cc: Senator George Hohman
Rep. Philip Guy
Senator Colletta
Senator Ziegler
Senator Hackney
Senator Ferguson
Senator Ray
City Council

City Council
Lyman Hoffman, Assistant City
Manager
Ben Esch, City Attorney

CITY OF BETHEL, ALASKA

RESOLUTION NO. 192

A RESOLUTION OF THE CITY OF BETHEL, ALASKA, ENDORSING THE GOVERNOR'S PROPOSALS FOR LEGISLATIVE ACTION ADDRESSING THE PROBLEMS OF ALCOHOLISM AND ALCOHOL ABUSE WITHIN THE STATE OF ALASKA.

WHEREAS, the City of Bethel's City Council has determined, through the public hearing process, that it is in the public interest of the City to support the Governor's proposals for legislative action addressing the problems of alcoholism and alcohol abuse within the State of Alaska;

WHEREAS, there is an estimated 30,000 problem drinkers within the State which directly affect an additional 75,000 family members;

WHEREAS, alcoholism and alcohol abuse account for increases in incidents of child abuse and neglect, traffic fatalities, violent and non-violent crimes, decay of the family unit, unemployment and underemployment, and the degradation of self-esteem;

WHEREAS, the human and economic costs of excessive alcohol consumption are high in comparison to the limited number of actions that State and local governments can now take to combat the problems of alcoholism and alcohol abuse;

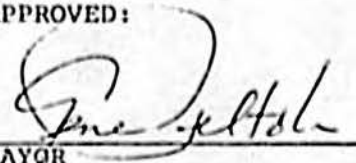
WHEREAS, the City of Bethel is a dry community which completely restricts the sale of beverage alcohol and is continually concerned with the problems of bootlegging and lack of adequate compensation because of a loss of sales tax revenue associated with liquor sales; and

WHEREAS, the legislative proposals introduced by the Governor offer more options to communities which want to limit the sale of alcohol, encourage more effective enforcement of bootlegging laws and raise the excise tax on beverage alcohol so that alcohol consumers assist in paying a greater share of alcohol related costs.

NOW THEREFORE LET IS BE RESOLVED, that the City Council of the City of Bethel hereby endorse and support the Governor's proposals or legislative action addressing the problems of alcoholism and alcohol abuse within the State of Alaska and encourage the State Legislature to pass and approve the salient elements of the aforementioned legislative proposals.

Passed and approved this 22 day of March, 1977.

APPROVED:


MAYOR

ATTEST:


CITY CLERK

MAUNELUK ASSOCIATION

P. O. Box 256
Kotzebue, Alaska 99752

Phone
(907) 442-3311
or
(907) 442-3313

March 23, 1977

Governor Jay Hammond
State of Alaska
Pouch "A"
Juneau, Alaska 99811

Dear Governor Jay Hammond:

Some people have proposed that your Alcohol Package is a program that resembles the unsuccessful prohibition era in the United States during the early 1900s.

However, the lack of any other initiatives to improve the conditions brought about by alcohol consumption in Alaska causes our organization to lend support in favor of your alcohol package.

We strongly favor compensation for dry communities because of the conditions in the villages, and the lack of other resources. The consequences of other conditions in a dry community is fine IF THERE ARE OPPORTUNITIES FOR STRENGTHENING THE LAW ENFORCEMENT CAPABILITIES.

The other AND/OR condition I see necessary is the alternatives provided to maintain a dry community. Very few people seem to realize that in the absence of drinking, there are no other means to be entertained. Why not recognize an initiative to establish recreation-related activities? To parallel this alcohol package?

We are requesting that these services can be provided and subsidized; and not construed to be profit oriented. Some people will also state it should be self-sustaining, but consider this option only after a period of time (e.g., one to five (1-5) years). Someone always pays initially. We request that it be a function of the STATE OF ALASKA.

Any federal, state, or local government is established to provide needed services. Sometimes the governors (all elected officials) construe this to mean operating our governmental system as a profit corporation. We hear it in a phrase "pay as you go." That statement is misleading when the State of Alaska is initially investing into a program for legislation for Alaska citizens.

We support your alcohol package, and yet we have also considered the related exceptions. We take issue with the ADVERTISING BAN. It should be stricken from any proposed legislation.



MEMBER VILLAGES

An der, Buckland, Deering, Kiann, Kivalina, Kobuk, Kotzebue, Noatak, Nookak, Selawik, Shungnak

Governor Jay Hammond
State of Alaska
March 23, 1977

It is our sincere hope that our elected legislators throughout the State of Alaska will look at the complete package, and act for all of Alaska in support of your efforts.

The constituency and their elected officials should not interpret your efforts in such a narrow frame of reference to defeat something for which there have been no alternatives proposed, but perhaps only in reaction to what was submitted by you.

Sincerely,

MAUNELUK ASSOCIATION



Dennis J. Tjepelman, President

cc: Mauneluk Board of Directors
Senator Frank Ferguson
Representative Leo Schaeffer
Representative Al Nakuk
Senator Mike Colletta
Tundra Times
Association of Regional Health Directors

DJT/lrg

CENTRAL LODGE

CENTRAL, ALASKA 99730

Mr Brooks Hanford.
329 Dioster Ave
Juneau, Ak. 99801

Dear Sir,

Regarding: Bill: H.B. #194 It would
Put some of us small bars & Liquor
Stores out of business.

It would raise prices in all Bars.
If our politicians would Take
Care of the money coming into the
State now we won't need to be
jabbed any harder.

I'll get some petitions and
send in a few soon.

Good Luck.
Roy O. Riddle



Friendly Spirits Since 1937

Thank you for inviting us to air our views at this special meeting. We have been reviewing many of the proposed House and Senate Bills concerning the legislation of alcohol which are under consideration by our elected representatives. For the public record, we are opposed to the passage of all of the proposed legislation which we have seen.

We heartily agree with Governor Hammond in his intent to make some positive steps in alleviating the serious problems of alcohol abuse in this state. However, his methods of prohibition and harrassment of the concerned citizens in the alcohol industry is not our concept of constructive legislation. His ambition to tax alcohol into extinction is a short sighted cure. What assurances do we, the taxpayers, have that more moniew will acheive anything except more wasteful bureacratic paper shufflers to establish special committees to project more programs - leaving the problem alcohol abuser a pittance of what originally was intended.

The federal government should be congratulated for funding this project, the first significant statewide research concerning the analysis of alcohol problems. Unfortunately only two of the 5 volumes are available in print to the general public, so it is difficult for us to discuss the findings as expertly as the state. However, two interesting comments are made in the opening pages of the research:

1. Alcoholism and alcohol abuse "generally serve as catchall phrases for adverse personal or social events linked with alcohol comsumption".

In other words, the problem is not one of legislation of constitutional rights - but rather one of education and strengthening of our moral attitudes.

2. "The economic benefit of the sale and consumption of beverage alcohol amounted to \$94.1 million in 1975 (in the state of Alaska)."

A permanent industry of this size is already doing its job in supporting state and local governments and adding goods and services to the GNP of the communities in which it is involved.

Overall, we feel the state could better attend itself to policing and protecting this industry from bootleggers, after hour clubs and other such operation which rob already sufficient state tax levels and interfere with private business operation.

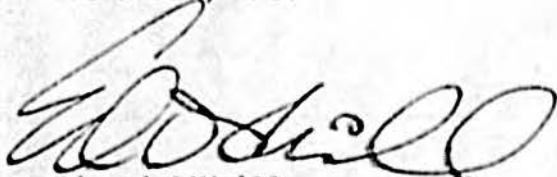
As concerned members of our community, we are especially close to problems caused by the misuse of our industry. We want to help this state sew up the wounds brought forth from rapid growth and social and personal pressures.

We are already working night and day trying to keep your underage sons and daughters from obtaining products which they, and sometimes their parents, do not have the sense to use responsibly. We feel if all of us looked in our own backyards, tried our best to educate our own families and friends to live moral, moderate lives, problems of alcohol abuse would be reduced immediately.

We want to constructively work with committees like this, and with Governor Hammond - for we refuse to stay silent and be subject to bad and ineffective legislation.

Sincerely,

BROWN JUG, INC.

A handwritten signature in cursive script, appearing to read "E. O'Neill", written in dark ink.

Edward O'Neill
President

South Central Health Planning and Development, Inc.

1135 West Eighth Avenue Suite 1 Anchorage, Alaska 99501

(907) 278-3631



March 25, 1977

Senator Mike Colletta
Pouch V
Juneau, Ak 99811
Mail Stop 3100

Dear Senator Colletta:

The Executive Committee of SCHPD in a phone poll conducted March 24, 1977, agreed to a stand in support of the concepts of a major attack on the problems of alcoholism without supporting the specific elements of legislation introduced by Governor Hammond.

The Committee felt that Governor Hammond should be commended for his attempt to deal with this major health problem in the State of Alaska. There was, however, sufficient disagreement among Board members regarding the methods outlined in the several pieces of legislation that consistent support for any portions of the legislation could not be generated. It is the Committee's recommendation therefore that rather than allowing defeat of legislation with good intent that it be referred to an interim committee and that that interim committee be made accessible to organizations such as SCHPD in the development of a program approaching the problems of alcoholism.

Sincerely,

A handwritten signature in cursive script that reads "Ron Hammett".

Ron Hammett
Administrator

cc: Governor Hammond

RH/lb

DICKSON, EVANS & ESCH

ATTORNEYS AT LAW

880 H STREET, SUITE 200
ANCHORAGE, ALASKA 99501

TELEPHONE
AREA CODE 907
276-2272

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

March 25, 1977

Representative Mike Colletta
Pouch V
Juneau, Alaska 99811

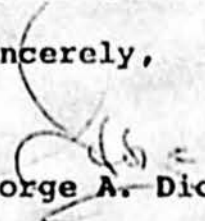
Dear Mike:

The Four Horsemen of the Apocalypse were Plague, War, Famine and Pestilence. Most would consider these horrors to be banished from our state, but a Fifth Horseman stalks Alaska and its name is Alcohol. Crime, illness, violence, child neglect, child abuse, broken marriages, failed businesses, automobile injuries and fatalities, are only some of the social ills which accompany Alcohol.

I have seen these ills first hand in my law office during the past ten years. As an Anchorage Assemblyman, I studied the problem of Alcohol and proposed legislation. As a citizen and a municipal legislator, my interest in the problem stemmed not from any personal involvement (I am not a teetotaler or a reformed drunk), but simply from observing what any citizen of this State sees in his everyday life.

The legislative body must make a strong policy statement and pass accompanying legislation to meet head on this terrible scourge which wastes our State. Governor Hammond's proposed legislation would be a good start.

Sincerely,


George A. Dickson

GD:fr

Testimony Before Senate Special
Committee On Alcoholism
SB167

March 25, 1977

My name is Ray Paddock, Jr. Currently, I am president of the Central Council of Tlingit and Haida Indians of Alaska. I am not testifying in that capacity, however, but as a citizen and taxpayer with considerable experience and knowledge of the problems of rural Alaska. My remarks are my own.

I wholeheartedly support the proposed increase in the excise tax. According to the Interdepartmental Coordinating Committee Report to the Governor, there has not been an increase in the excise tax in this State since 1961. At the same time the economic costs associated with alcohol abuse and alcoholism have risen dramatically. According to the recent study by the State Office of Alcoholism (Volume 1 - Economic Impact of Alcoholism and Alcohol Abuse In Alaska, p. 122), the total economic cost for Alaska was cited at a staggering 131.2M while the total economic benefits to the State from the sale and consumption of beverages alcohol is approximately 94.1M. Now, I am aware that there are those of you on this Committee who do not agree with the concept of taxing the consumer of alcohol to pay for the abuser of alcohol, but purely from an economic standpoint, those costs do exist, and we (the taxpayer) are all paying for those costs right now in lost production, increased motor vehicle accidents, prosecution and incarceration of individuals for alcohol-related offenses, use of hospital beds for alcohol

related admissions, and increased child protective services. The facts are all there in the Volume, and I urge the members of this Committee to take a serious look at those statistics, and to ask the question - who should pay for those costs?

I do not think that it is a new idea for consumers of a special product or service to pay for its use. I cite as one example the gasoline tax on motor vehicle owners, with the resulting revenues being used for highway construction and maintenance. The fact that this is an increase in a tax already established and not a new tax, is, I think, an important point for this Committee to remember, and the fact that the proposed increase is not totally unreasonable (50¢ on a 1/5 of liquor, 30¢ on a 1/5 of light wine, and 28¢ on a 6 pack of beer) should also be seriously considered. Revenues from this proposed tax certainly are not the final answer. It is just a very needed drop in an unfilled bucket.

Let me now speak to the specific needs and problems of the Southeast Indian community. In the Federal Programs and Alaska Native study published in 1974, the following is quoted:

"Alcoholism is one of the leading causes of deaths among Alaska Natives, with an average death rate of 39.4 per 100,000 population for the period 1968-1972... There is no question that alcoholism is a leading Native health and social problem. It ranked 10th in causes of hospitalization in Alaska Native Health Service hospitals in 1973, in terms of inpatient days. (Federal Programs and Alaska Native Study, Task 1, Part A, Section 1, Analytical Narrative, p. 9)

The Southeast Regional Health Corporation just recently has ranked alcoholism as a #2 health priority for this region.

As early as 1975, the Southeast Alaska Community Action Program (SEACAP) identified alcoholism as a #1 priority emphasizing the necessity for rural-based alcoholism programs with qualified personnel. Within the past year, three additional rural communities with predominately native populations (Hoonah, Kake, and Hydaburg) have incorporated Councils On Alcoholism, indicating that rural communities in Southeast have publicly identified that alcoholism is a priority health need that needs to be addressed immediately.

That brings me to the inevitable dollar question, where will the money come from? In the past years, program dollars from the State Office of Alcoholism (a portion of which is from the State General Fund - \$400,000), have gone mostly to urban-based programs. In our region, Yakutat is the only rural community that receives State program dollars. Without extra revenue, the Governor's Advisory Board and the State Office of Alcoholism will be placed in a position of not being able to fund all approved grant applications. I know for a fact that for the first time, at least four rural Southeast communities will be applying to the State Office this grant period, and hopefully, these grants will be approved and funded, but my concern is that they will be approved and not funded for lack of money.

On the federal level, the situation is approximately the same. At present, there is over 30M of approved but unfunded NIAAA grants nationally (700,000 for Alaska). I will quote briefly from a letter received recently in my office from Dr. Raymond Leatham, Chief of the Indian Desk, NIAAA, Washington, D.C.:

"There has been no change in the fiscal situation to fund new grants at this time. The budget allocation for alcoholism programs is only sufficient to honor continuation requirements of existing programs."(2-28-77)

The funding situation is critical then. At a time when the disease of alcoholism has finally been publicly identified as a priority need, funding sources both on the federal and State level are financially strapped. My immediate concern is for increased program dollars for rural communities this fiscal year. The only way that I see that happening is through an increase in the State General Fund portion of the State Office of Alcoholism budget. That increase, I believe, should be borne by the consumers of beverage alcohol.

WHO SHALL PAY? That is the question facing this Committee. In the long run, all of us are paying right now. Lost production must have an effect on the increased costs of goods and services. Motor vehicle accidents due to drinking helps to raise our insurance policies. The adjudication of alcohol related crimes and incarceration of individuals for alcohol related offenses is handed over to the taxpayer in the form of bond issues for new facilities, and the list goes on and on.

The costs are there, gentlemen. They cannot be taken lightly and they must be addressed now.

TESTIMONY BEFORE SENATE SPECIAL COMMITTEE ON ALCOHOLISM, MARCH 25, 1977, PROVIDED BY THOMAS L. STOWER, FIELD DEPUTY, ANCADA.

"WHO SHALL LIVE. AS EVIDENCED BY ECONOMICS AND SOCIAL CHOICE?"

"THE THEORY OF ECONOMICS DOES NOT FURNISH A BODY OF SETTLED CONCLUSIONS IMMEDIATELY APPLICABLE TO POLICY. IT IS A METHOD RATHER THAN A DOCTRINE, AN APPARATUS OF THE MIND, A TECHNIQUE OF THINKING WHICH HELPS ITS POSSESSOR TO DRAW CORRECT CONCLUSIONS."^{1/}

I SPEAK TODAY PRIMARILY AS A CITIZEN, BUT AS WELL AS A MEMBER OF A RECOGNIZED STATEWIDE AGENCY, AIMED AT THE AMELIORATION OF ALCOHOLISM.

MY PRIMARY POINT OF CONCERN WITH THIS ADDRESS, WILL SPEAK TO THE COMPARTMENTALIZED CAMPS OF THE ALCOHOLISM TREATMENT FIELD, THE SPECIAL INTEREST GROUPS BURIED WITHIN THE POLITICAL MILIEU OF OPINION MAKING PROCESS, AND TO THE GENERAL CONSTITUENCY OF THIS STATE THAT, FOR GENERATIONS, HAVE HELD AN INTRINSIC WISDOM, ACCUMULATED THROUGH ITS WEALTH OF TRADITIONS AND COMMON UNDERSTANDING.

WE TEND TO OVERLOOK, AT A TIME WHEN SOME OF OUR SOCIETIES MOST INTRACTABLE PROBLEMS EMERGE TO THE SURFACE, THE SOVEREIGN RIGHT TO SPEAK, OPENLY AND HONESTLY BEFORE OUR PEERS, UPON THE MOST MUNDANE AND PROVOCATIVE OF ISSUES.

BY THE INTERWOVEN PROCESS OF INTERNECINE MECHANICS, THE PUBLIC FORUM OF POLITICAL DEBATE, OFTEN COMPROMISES ACCESSABILITY OF COMMON UNDERSTANDING. PUBLIC FORUM IDEALLY PROVIDES A DIALOGUE WITHIN A PROBLEM SOLVING AREA, EXAMINING ITS CONTROVERSIAL ISSUES, ITS MOST INTRACTABLE PROBLEMS AND PROCESSES FROM BELOW,

^{1/} JOHN MAYNARD KEYNES.

RATHER THAN FROM ABOVE. HOWEVER, AS WE ORGANIZE OUR AGENDAS, TYPICALLY, WE RESORT TO THE REAL WORLD, A REALM OF POLITICAL STRATEGY THAT CANNOT COMMIT ITSELF TO RESOLUTION OF A "CONFLICT-OF-NEED" ON A "WIN-WIN" BASIS; RATHER, BY THE SOPHISTICATED PROWESS OF MANEUVERABILITY OF POWER AND AUTHORITARIAN DEVICE, TO PERPETUATE THE CLASSIC "WIN-LOSE" CONTINUUM.

AS WE EXAMINE, OR APPEAR TO EXAMINE THE ISSUES BROUGHT BEFORE THIS HEARING, LET US CONSIDER AN EXAMINATION OF OUR INDIVIDUAL ROLES AND THEIR IMPACT COLLECTIVELY UPON THE COMMON WEALTH OF THIS STATE. THE MOST OBVIOUS OF INTENT HAS BEEN DEMONSTRATED BY OUR GOVERNOR TO CALL UPON THE WISDOM OF THE COMMONWEALTH OF ALASKA FOR ITS HISTORICAL SUPPORT, EVIDENCED AS FAR BACK AS 1951 ON ALCOHOLISM ISSUES.

AT PRESENT THOUGH, THE DIVIDED GROUPS OF OPPOSITION HAVE SET THE STAGE OF CONFRONTATION FOR CONFRONTATIONS SAKE OR HAVE REMAINED MUTE IN THE WINGS, COMPLACENTLY WAITING FOR THE SPOILS OF SHARED PUBLIC ALLOCATION. THE EXCLUSIVE AND PRIVATE "CLUBS" OF INFLUENCE ARE CONTENT WITH THEIR PLATITUDES OF ALTRUISM, WHILE THE FACILITATORS OF SOCIAL CHANGE ARE DEVOURING ANTACID TABLETS AND PHONING THE LOCAL SHRINK. WHERE DOES ALL OF THIS REMAIN?

THERE IS A COMMON CALL TO THE FORUM; HOWEVER, SHOULD A TIDE OF OPPRESSIVE INFLUENCE EBB OVER THE DOMESTIC AND SOVEREIGN RIGHT OF CHOICE, OF THIS COMMONWEALTH, THE CONSEQUENCE OF SUCH VIOLATES THE BASIC INTEGRITY OF DOMESTIC AND SOCIAL WELL BEING.

WE HAVE ESTABLISHED ECONOMICS AND LAW AS NEGOTIABLE COMMODITIES, BUT THE INTRINSIC CULTURAL AND HERITAGE VALUES OF THE COMMON WEALTH OF ALASKA ARE NOT NEGOTIABLE. AND TO REMAIN MUTE TO THE CALL AT THE FORUM IS A PASSIVE ACT OF MORAL COWARDICE WHICH ONLY COMPLIMENTS THE COMPROMISE OF NEGOTIATING SUCH VALUES.

I CALL CHALLENGE, TO THE COMPARTMENTALIZED CAMPS OF ALCOHOLISM TREATMENT THAT RELY UPON THE GENERAL FUND FOR SUPPORT OF NEEDS AND WHO CHOOSE TO SIDELINE THIS VENTURE. I ASK, WHOSE NEEDS ARE REALLY BEING MET?

I CALL CHALLENGE TO THE ADVISORY BODY OF THE BEVERAGE LIQUOR INDUSTRY THAT HAVE NOT CONTRIBUTED TO THE ALLEVIATION OF OUR MOST CRITICAL AREA OF SOCIAL HEALTH, BUT HAVE RATHER CHOSEN ONLY TO THWART ANY POSITIVE THRUST IN SUCH DIRECTION BY FUNDAMENTALIST'S ATTITUDE BARRIERS, SANCTIONED ONLY UPON MORAL MISCONCEPTION AND MYTH.

I CALL CHALLENGE TO THE EXCLUSIVE CLUBS OF INFLUENCE, WHO IN THE LINE OF PURIST ALTRUISM CLAIM NO SPECIAL INTEREST, TO RESOLVE YOURSELVES TO A COMMITMENT OF OPEN DIALOGUE WITH THE COMMON WEALTH WITHOUT THE PROWESS OF AUTHORITARIAN INTERVENTION.

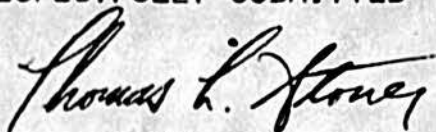
I CALL CHALLENGE TO THOSE OF US REMAINING DISILLUSIONED BY SUCH PROCESS TO SHARE IN THE WISDOM ACCUMULATED BY TRADITIONS OF GENERATIONS, AND TO REFLECT UPON A RESOLVE OF DIGNITY FOR THOSE GENERATIONS YET TO COME.

THESE ISSUES ARRIVE AS A CONSEQUENCE OF COMPLACENCY OVER THE PAST TWENTY-FIVE YEARS, BUT THE RISKS ARE EVEN GREATER TODAY! AS MARK TWAIN ONCE FOUND HIMSELF COMMENTING UPON THE

CLAIM TO HEROISM BY THE AMERICAN PEOPLE AS HISTORY HAS DOCUMENTED THE INVASION OF THE PHILIPINES - SO TOO, TODAY, SUCH HEROISM HAS ITS OWN CLAIM TO VIRTUE, BY FAILING TO CONFRONT THE CRITICAL FACTS - ITS COMMON DENOMINATOR REMAINS - "MORAL COWARDICE".

THANK YOU.

RESPECTFULLY SUBMITTED



THOMAS L. STONER

**Alaska Native Commission
on Alcoholism and Drug Abuse**

Thomas L. Stoner
Office for Technical Assistance
Field Deputy

750 E. Firwood Lane, Suite 2
Anchorage, Alaska 99503

Phone (907) 274-6531

I am Jerald Mikesell, an Asst. Professor of Education at the University of Alaska, Juneau & a resident of Juneau. However, for the purposes of this testimony represent the Church of Jesus Christ of Latter Day Saints as the First Counselor in the District Presidency. The Juneau Alaska district includes all of Southeastern Alaska.

Since alcoholism and alcohol related problems are such serious problems for the citizens of this state and since they take such a toll in lives, property and human misery we wholeheartedly support and applaud any legislation that makes alcohol less desirable or available.

In view of reports of the past couple of days which state that between 40 and 45 percent of our youth have tried alcohol by the time they are 10 years of age, we further recommend that steps be taken to enforce laws which prohibit making alcohol available to minors.

Attempts need to be made to find answers to the severe problems that are listed. While this effort may not be successful it is at least a try at solving the problems. We surely will be amiss if we don't try.

We need to address the problem at the level at which most people enter the problem. Probably most people get their introduction to alcohol through beer. Maybe an even higher tax on beer ought to be imposed.

Thank you
Jerald L. Mikesell

Homer Ministerial Association
c/o Joe L. Aprill
P.O. Box 127
Anchor Point, Alaska 99556

March 28, 1977

Senator Mike Coletta
Pouch V
Juneau, Alaska 99811

Re: Governor Hammond's alcohol program

Dear Senator Coletta,

The Homer Ministerial Association want to ad their names in support of Governor Hammond's alcohol program.

Please make every effort to get these bills passed.

Sincerely,

Raymond Arno

Raymond Arno, President
Walter Cline
Father R. Strass
Andrew Taylor
Floyd Seekins
Bill Yarborough
Keith Wise
Jim Fourtner
Claude Shubert
Don Smith
Joe L. Aprill

cc. Rep. Hugh Malone
Rep. Leo Rhode
Senator Clem Tillion

Juneau, AK
March 29, 1977

Senator Colletta,

I was unable to testify at the Alcoholic Committee hearing on Friday, but I'd like to have you know that I'm "for" all of the Governor's bills.

It is time (past) that the alcohol industry and the users help pay the true cost of the results of the use of this product!

Educational programs will be most helpful, but we also must reach the "users" and educate the young married (20 to 30 yrs) in the harmfulness of alcohol (to themselves and their children).

Personally, Senator Colletta, I believe tax payers are getting fed up footing the bill for everything!

Sincerely yours,

Vivian Lovaas
526 East Street
Juneau, AK 99801

P.S. Does anyone worry about human life anymore or are we all just worried about how much money we can make?

CITY OF SEWARD



P. O. BOX 337
SEWARD, ALASKA 99664

CITY MANAGER	224-5214
COMPTROLLER	224-5216
INFORMATION	224-5215
CITY POLICE	224-5201

March 31, 1977

The Honorable Mike Colletta-Chairman
Senate Special Committee on Alcoholism
Pauch V
Juneau, Ak 99811

Dear Mr. Chairman:

The City of Seward would like to take this opportunity to comment on Governor Hammond's Alcohol Legislative Package. We support the Governor's expressed desire to bring control over the serious alcohol problems that exist in Alaska. We recognize the problem of alcohol abuse as the number one health, social and criminal justice problem of Alaska, particularly from Seward's standpoint. We do, however, have some serious concerns over the approach the Governor is recommending to combat alcohol abuse and alcoholism.

There is a definite need to exert strong, enforceable controls over the use of alcoholic beverages. However, the approach the Governor is suggesting in Senate Bill 183 is only so much window-dressing. It presumes to give greater local control over the consumption of alcohol, when as a practical matter it would simply be taking the monkey off the State's back and placing it on that of the individual Alaskan communities. Although it may look good on paper, such an approach will never work as it is really too much to expect a community of 2100 people like Seward, with over 15 liquor establishments, to vote strict local controls on the sale of alcohol. It would simply never happen.

A second observation we wish to make concerns the manner in which the Governor has placed the matter of alcohol abuse before the legislature. The matter of controlling the use of alcohol is the subject of considerable controversy in every corner of Alaska. Any attempts to control the consumption of alcohol in the past have consistently run head-long into a very powerful liquor industry lobby. The Governor's alcohol package appears to be no exception. We feel, in this regard, it would be much more effective to approach alcohol reform at a gradual pace instead of launching an immediate

The Honorable Mike Colletta

March 31, 1977

Page 2

program of wide spread application. We believe that the Governor's approach has served only to further alienate the liquor industry and cause them to become further entrenched in their opposition to alcohol reform. It simply is an issue that affects too many Alaskans too closely to expect overnight change; too many Alaskans are addicted to the use of alcohol; for too many Alaskans alcohol is their bread and butter.

We support increasing the excise tax on beverage alcohol as this could make available increased funds for dealing with alcohol abuse and alcoholism. Accordingly, we view Senate Bill 167 as a step in the right direction.

While we can support the concept behind Senate Bill 182 which would allow cities to impose a high sales tax on beverage alcohol and other commodities, the proposal suffers the same weakness as Senate Bill 183 as it is not realistic to expect most Alaskan communities to vote a higher sales tax on alcohol consumed within their corporate boundaries. It simply would hit too many people too close to home. In order to realize any increased revenue from beverage alcohol, communities for a practical matter are going to require the assistance of the State in levying and collecting these taxes, whether it be through increased excise taxes or the imposition of the State sales tax on the commodity.

In summary, because of the nature of the alcohol abuse and alcoholism problem in Alaska, we believe no real advances in dealing with the problem will occur until the State assumes primary responsibility for controlling the sale and consumption of alcohol. The answer does not lie in shuffling the problem off on each individual political subdivision in hopes for a solution. For an effective alcohol program in Alaska, the State is going to have to take strong steps to limit the availability of alcohol and this will take measure to revoke an individuals right to consume this drug if he abuses it's use. The cities cannot hope to do this, and nothing short of such action is going to lessen our problems in this area.

Sincerely,


Clarence E. Johnson
City Manager

March 31, 1977

Senator Michael Colletta
Pouch V
Juneau, Alaska 99811

Dear Senator Colletta:

Enclosed please find copy of Tanacross petition in support of the Local Option of the Governor's Alcohol Package. The details must be worked out but the support is here. We urge you to reconsider your position on the Governor's package because our alcohol related and alcoholism problem is epidemic. Immediate control measures and increased support for our alcoholism program in the village and region is of paramount importance.

Thank you for your time and services.

Respectfully,

Carolynn M. Simeone

Carolynn M. Simeone
Tanacross Resident and
Village Council Alcoholism
Consultant

We, the undersigned, registered voters, 18 years old and over, support the Tanacross Village Council to make a by-law, or vote the Tanacross Village "dry", i.e. that no alcohol is allowed in Tanacross Village. This "dry" law would make it illegal to have alcohol anywhere or home in the Tanacross Village:

Verma Sanford	Charlie James (4)	<u>Witness</u> Verma Sanford Verde Paul
Sandra Sanford	Bailey Paul Jr.	
Elizabeth Sanford	Bynes Abraham	
Rose Lynn Davis	Rita Paul	
Roger Jonathan	Howen Paul	
Keith Jonathan	Elaine M. Titus	
Clifford Henry	Jouise Luke	
Carolyn Simone	Jucy Luke x)	<u>witness</u> m... Keith Jonathan
Grabe John	Frank Luke x)	
Arthur John	Jagan Luke	
Ed Sanford	Virginia Luke	
William Paul	Larry B. Jonathan	
Robert Paul	Burt Jonathan	
Julius Paul	Dollie Isaac	
Reka Paul	Abraham Paul	
Serold Paul	Roslyn Isaac	
Belle Paul	Bridy Henry	
Baker Henry	Ray Jonathan	
Martha Isaac	Betty Thomas	
	Ellen Demit	<u>Witness</u> Verma Sanford Verde Paul
	Lee Henry	
	Ang. Phillips	

Mildred Thomas
Alice Jonathan
Alfred W. Jonathan

Harvey James
DeWayne C. Sadford

Ford Thomas

Tenny Thomas, Sr

David T. Denny

Robert Denny

Annie Denny

Kathleen M. Matthews

Michael V. Matthews

Tom Denny Jr

Archie Denny

Clifford Cook

Orson Cook

Elmer Thomas

Shirley Paul

Jenny Duke (x) ^{Wilma} ^{Marjorie Thomas} ^{Keith Jonathan}

Silas Blom

Marian R. Isaac

Ray Denny

Bob Jonathan

Willie Dunn

Mary Lou Paul

Alfred W. Jonathan

Tom Mark

Raymond C. Thomas

Wm E. Sweeney

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPT. OF HEALTH AND SOCIAL SERVICES

Division of Social Services

P. O. Box 41
Kotzebue, AK 99752

April 5, 1977

The Honorable Mike Colletta
Alaska State Senate
Pouch V
Juneau, AK 99811

RE: Governor's Alcohol Package

Sir:

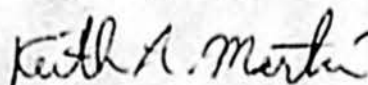
I am writing this letter to offer my wholehearted support to the passage of SB 76, SB 167, SB 182 and SB 183 - the Governor's Alcohol Package.

Our office works daily with families and children here in Kotzebue and in eleven villages. We see children neglected and/or abused; elderly people abused by their own grown children; and broken families. Alcohol abuse is virtually always a major contributing factor in each of these social problems.

These problems are reflected in higher welfare costs, foster care costs, and jail and court costs. Human costs are more difficult to point out, but are painfully high to those who live with alcoholics.

Alcoholism is difficult and expensive to deal with in the intensive and comprehensive fashion it requires. Although I do not relish having to pay 28¢ more for a six-pack, I have concluded the proposed excise tax and its companion bills will provide valuable assistance to the communities in our region that are beginning to come to grips with a serious and difficult problem.

Sincerely,



Keith A. Martin
Social Worker III

KAM/nw

cc: Lori Eakon - Mauneluk Assoc.

SB 168

HB 241

Introduced: 2/21/77
Referred: Health, Education
and Social Services and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 THE SENATE

2 SENATE BILL NO. 168

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Health and Social Services and to the Depart-
8 ment of Education for alcohol-related programs; and
9 providing for an effective date."

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

11 * Section 1. The sum of \$1,521,600 is appropriated from the general
12 fund to the Department of Health and Social Services for Fiscal Year 1978,
13 allocated as follows:

14	Medical Alcohol Detoxification Services	\$100,000
15	Non-Medical Alcohol Detoxification Facility	367,100
16	Acquisition Grants	
17	Operation of 30-Day Residential Intensive	
18	Treatment Facility for Alcohol Affected	
19	Persons	600,000
20	Public Information and Education Regarding	
21	Alcohol Abuse	350,000
22	Training of Personnel For Service in Alcohol	
23	Treatment and Counseling Programs at Various	
24	Locations	104,500

25 * Sec. 2. The sum of \$66,000 is appropriated from the general fund to
26 the Department of Education for Fiscal Year 1978, for the purpose of
27 development and implementation of an alcohol education curriculum for use
28 in the state's schools.

29 * Sec. 3. This Act takes effect July 1, 1977.

Introduced: 2/21/77
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 241

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Health and Social Services and to the Depart-
8 ment of Education for alcohol-related programs; and
9 providing for an effective date."

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

11 * Section 1. The sum of \$1,521,600 is appropriated from the general
12 fund to the Department of Health and Social Services for Fiscal Year 1978,
13 allocated as follows:

14	Medical Alcohol Detoxification Services	\$100,000
15	Non-Medical Alcohol Detoxification Facility	367,100
16	Acquisition Grants	
17	Operation of 30-Day Residential Intensive	
18	Treatment Facility for Alcohol Affected	
19	Persons	600,000
20	Public Information and Education Regarding	
21	Alcohol Abuse	350,000
22	Training of Personnel For Service in Alcohol	
23	Treatment and Counseling Programs at Various	
24	Locations	104,500

25 * Sec. 2. The sum of \$66,000 is appropriated from the general fund to
26 the Department of Education for Fiscal Year 1978, for the purpose of
27 development and implementation of an alcohol education curriculum for use
28 in the state's schools.

29 * Sec. 3. This Act takes effect July 1, 1977.

SB 182

HB 232

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

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

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-

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modity than on another.

SB 183

HB 240.

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

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

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 ality 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 intoxicating liquor by a local-option election under secs. 430 or 433 of
16 this chapter. It may conduct only retail sales of intoxicating liquor
17 as provided by sec. 100 of this chapter for a license under sec.
18 20(g), except that sales shall be limited to no more than 2.4 wine
19 gallons to any one person in any one day, and sales may be made only
20 by advance orders placed at least two weeks before delivery.

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

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

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

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

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

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

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

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

(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:

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

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

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

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

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

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

(2) if a majority of the votes cast on question 1 favors
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 municipi-
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).
29

Introduced: 2/21/77
Referred: Judiciary and
Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 240

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 providing
7 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 ality which has been issued a limited community liquor license;
3 or (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: