

CATEGORY: PUBLIC PROTECTION
PROGRAM: CONSUMER PROTECTION

AGENCY: COMMERCE AND ECONOMIC DEVELOPMENT
BRU(s): ALASKA PUBLIC UTILITIES COMMISSION (APUC)
 ALASKA TRANSPORTATION COMMISSION (ATC)
 ALASKA PIPELINE COMMISSION (APC)

This program consists of the following BRUs: the Alaska Public Utilities Commission; Alaska Transportation Commission; and the Alaska Pipeline Commission

The Alaska Public Utilities Commission regulates such utilities as natural gas, electric, water, sewer, steam heat, garbage, cable television, long lines, and local exchange telephone carriers, and radio common carriers. The primary goal of the Alaska Public Utilities Commission is to assure the users of utilities that the costs they are paying for services are reasonable and that the practices of the management of the utilities are fair. Another goal is to enable each utility to provide its services in the most efficient, safe, reliable, and nondiscriminatory manner.

The Alaska Public Utilities Commission (APUC) is empowered to protect the public by awarding certificates of public convenience and necessity to qualified providers of utility services and by ensuring that certificated utilities, except where exempted by statute, provide adequate, efficient, and safe service and facilities to the public at just and reasonable rates, terms, and conditions.

The Alaska Transportation Commission provides economic regulation of aircraft, and trucks in commercial use. The Commission is empowered to work jointly with the Interstate Commerce Commission and the Civil Aeronautics Board in matters under federal jurisdiction. The primary goal of the Alaska Transportation Commission is to insure that the public is provided with adequate, dependable, safe, convenient and reasonably priced transportation services within the State of Alaska. Regulation of transportation allows for competition between carriers when it is economically feasible, and allows for the development of the routes and carriers when competition is not economically feasible.

The Alaska Pipeline Commission regulates construction and certification of intrastate pipeline carriers and also regulates pipeline rates for existing carriers. The goal of the Alaska Pipeline Commission is to protect the public interest by establishing oil and gas pipeline transportation practices and prices which are fair to consumers, shippers, and pipeline companies alike. The determination of just and reasonable rates requires a full understanding of pipeline economics and an appreciation of the relationship between pipeline tariffs and market pricing. In its determination of fair tariffs, the Commission considers the interest of consumers of petroleum products, shippers, and carrier companies. Regulatory policy is being developed which promotes the orderly and balanced growth of pipeline transportation consistent with sound public policy and the present and future needs of intrastate and interstate commerce.

Phone Contact for more information: John Jewell 276-6222 (APUC) George W. Skladal 279-0783 (APC)
 Keith Miller 279-1451 (ATC)

SERVICE MEASURES	FY 80		FY 81	FY 82	
	Plan	Actual	Plan	Continuation	Total
Formal cases involving carrier operating rights brought to conclusion-ATC	400	428	400	400	400
Formal cases coming before commission involving transportation operating rights (includes petitions, transfers, amendments, motions, and appeals)-ATC	400	519	400	400	400
Number of cases involving public hearings-ATC	150	111	150	150	150
Actions involving compliance with insurance or other security for the protection of the public and it's property-APUC	200	233	200	200	200
Percent of tariff and other proceedings which are resolved within the statutory time frame-APUC	90%	90%	90%	90%	90%
Transportation savings on crude oil to North Pole Refinery based on interim tariffs set by APC.		\$7,171,200			
Transportation savings on crude oil to North Pole Refinery based on permanent tariffs set by APC.			\$10,977,000	\$11,000,000	\$11,000,000

CATEGORY: PUBLIC PROTECTION
PROGRAM: LIFE AND PROPERTY PROTECTION

AGENCY: PUBLIC SAFETY
BRU (S): HIGHWAY SAFETY PLANNING

The Highway Safety Planning BRU funds the operation of the Alaska Highway Safety Planning Agency. The goal of the Agency is to develop and implement programs to save lives and financial loss by reducing traffic-caused fatalities. To accomplish this, the agency must, through accident data and utilization of a management by objectives approach, work with all State agencies concerned, as well as all political subdivisions of the State to develop necessary programs and countermeasures, beginning at the city or village level, and merging all of these political subdivision plans into the State Highway Safety Plan. Once the plan is complete, the agency then promotes, coordinates and assists the various affected agencies in implementation of the required programs by providing the necessary guidance and expertise as well as funding through grants, which make up the bulk of expenditures in this BRU. The United State Department of Transportation, National Highway Traffic Safety Administration, assists the state in implementing the State Plan by providing a significant amount of federal funds.

The Highway Safety Plan for FY 1981 provides federal funds to assist countermeasures directed towards the 55 MPH enforcement, DWI/OMVI suppression, traffic law enforcement, driver education, school bus driver training, traffic safety training, roadway engineering deficiencies, emergency medical services and improved traffic records. A Highway Safety Plan is currently being developed for FY 1982.

Phone Contact for more information: Charles Smith, Director 465-4371

SERVICE MEASURES	FY 80		FY 81	FY 82	
	Plan	Actual	Plan	Continuation	Total
Number of highway traffic accident fatalities	102	90	96	91	91
Number of speed-related highway traffic fatalities	67	61	60	55	55
Number of alcohol-related highway traffic fatalities	70	64	60	55	55
Number of schools providing a state approved driver education program	18	22	20	24	24

(all data gathered on a calendar year basis)

STATE OF ALASKA -- BUDGET UNIT SUMMARY

11:16

1/05/81

CATEGORY: PUBLIC PROTECTION
 AGENCY: DEPARTMENT OF PUBLIC SAFETY

BRU(S): HIGHWAY SAFETY PLANNING

COMPONENT DESCRIPTION	80 AUTH	80 FINAL	80 ACT	81 AUTH	81 SUPL	81 RP	GOVERNOR
HIGHWAY SAFETY PLANNING AGENCY	2088.5	2088.5	808.6	1518.0			1552.1
** TOTAL	2088.5	2088.5	808.6	1518.0			1552.1
** CHANGE VERSUS 81 AUTH							2.2%
OBJECT DESCRIPTION							
PERS. SERV.	182.7	197.4	163.4	239.2			326.6
TRAVEL	30.0	62.5	35.1	28.5			68.3
CONTRACTUAL	55.5	61.0	23.5	49.1			37.0
COMMODITIES	5.0	5.0	4.8	4.9			5.3
EQUIPMENT		7.5	.1	1.1			.9
GRANTS, CLMS	1815.3	1755.1	581.7	1200.2			1114.0
FUNDING SOURCE							
FED. RECEIPT	1731.8	1731.8	1460.7	1315.8			1338.1
G. F. MATCH	49.7	49.7	49.7	50.2			49.3
GENERAL FUND	307.0	307.0	298.2	152.0			164.7
** GENERAL FUND CHANGE VS. 81 AUTH							5.8%
POSITIONS							
FULL TIME	6.0	7.0	7.0	7.0			7.0
STAFF MONTHS	72.0	75.0	75.0	84.0			84.0

← 239.2 | WHY THE SUM? →

1338.1
 49.3
 164.7
 > 1552.1

Transportation Safety

SENATE BILL NO. 57, by Senators Ray and Ferguson. Establishes the Transportation Safety Commission in the Dept. of Public Safety. Consists of 15 members: the Atty. General and the Commissioners of Public Safety, DOT&PF, and Health and Soc. Services; one Superior or District Court judge experienced in traffic cases; six members of the legislature, three from each house; and four residents selected by the Governor. States that the Commission "is the state planning agency and shall assist the governor in the exercise of his powers and duties relating to the Federal Highway Safety Act under AS 44.99.001" and that the Commission "shall provide assistance, planning, and coordination to state agencies with responsibilities related to transportation safety to encourage the efficient allocation, use, and coordination of transportation safety and related personnel at the state and local level and to determine reasonable qualifications for the employment of that personnel." Commission shall conduct conferences "to discuss and plan (1) transportation safety; (2) traffic enforcement and adjudication; and (3) offender rehabilitation programs and personnel for the court system and the state departments and agencies." (Provisions are added to AS 44.41 under new Art. 4, "Transportation Safety Commission.")

Bill adds new section to AS 09.65 entitled "Civil Liability for Voluntary Aircraft Safety Inspection." States that an aircraft or power plant technician or mechanic certified by the F.A.A. who participates without compensation in a voluntary aircraft safety inspection program is not liable for civil damage resulting from an act or omission arising out of an inspection in that program unless the act or omission "constitutes gross negligence or intentional misconduct."

Bill also amends 44.19.025 (Administration of the Highway Safety Program) to allow the Governor to designate a person to serve as his "highway safety representative," without relinquishing his ultimate responsibility for dealing with the federal government with respect to the programs and activities under the Fed. Highway Safety Act of 1966. Makes other minor amendments to section.

Provides Act effective immediately.

Introduced January 13 and referred to Judiciary and Transportation.

STATE
of ALASKA

MEMORANDUM

TO: Ron Lehr, Director
Division of Budget & Management
Office of the Governor

DATE: February 20, 1980

FILE NO:

FROM: Robert J. Stickles, Director
Division of Administrative Services
Department of Public Safety

TELEPHONE NO:
RJS

SUBJECT: Highway Safety Planning Agency
Budget Amendment

The Department of Public Safety, Highway Safety Planning Agency, requests that the Division's budget, affecting both Federal and General Funds, be amended as follows. In either case, no additional funds are involved. The request is only to realign the funds by transfer from 700 object group to other line items as explained in the attached budget forms. Earlier, the FY 81 budget was revised to include one (1) Federally funded position under the special classification of Program Assessment and Systems Officer.

a. Establish two (2) new PFT positions and one (1) new Project Employee using Federal funds.

- 1. Highway Safety Project Administrator - PFT
- 2. Highway Safety Field Monitor - PFT
- 3. System Analyst II - Project Employee

b. Establish four (4) new positions (3 PFT and 1 PPT) using General Funds. These positions are presently established and operating under the Court System under PCN's 41-6601, 41-6602, 41-6603 and 41-6604 via a General Fund grant issued by the Agency but, effective 7-1-80, the program will come under the direct administration of the Agency.

- 1. Administrative Officer - PCN 41-6603 - PFT
- 2. Screener - PCN 41-6602 - PFT
- 3. Secretary - PCN 41-6601 - PFT
- 4. Assistant Clerk - PCN 41-6604 - PPT

The critical need of this budget amendment will be evident by a review of the following attachments.

- 1. Memorandum from U.S. DOT Regional Administrator to the Division Director.
- 2. Memorandum from Commissioner Nix to Commissioner Hudson regarding the Division reorganization.

Necessary budget forms are attached detailing the new positions and line-item transfer.

As a part of the reorganization, certain reclassifications of existing positions are being proposed which will be submitted for your action in the form of a revised program shortly.

Attachments

cc: Charles Smith, Director, HSPA
Joe Hunsbath, Finance Officer

William C. ...
COMMISSIONER OF PUBLIC SAFETY

COMMISSIONER OF ADMINISTRATION

Governor of ALASKA

SECRETARY
41-6601

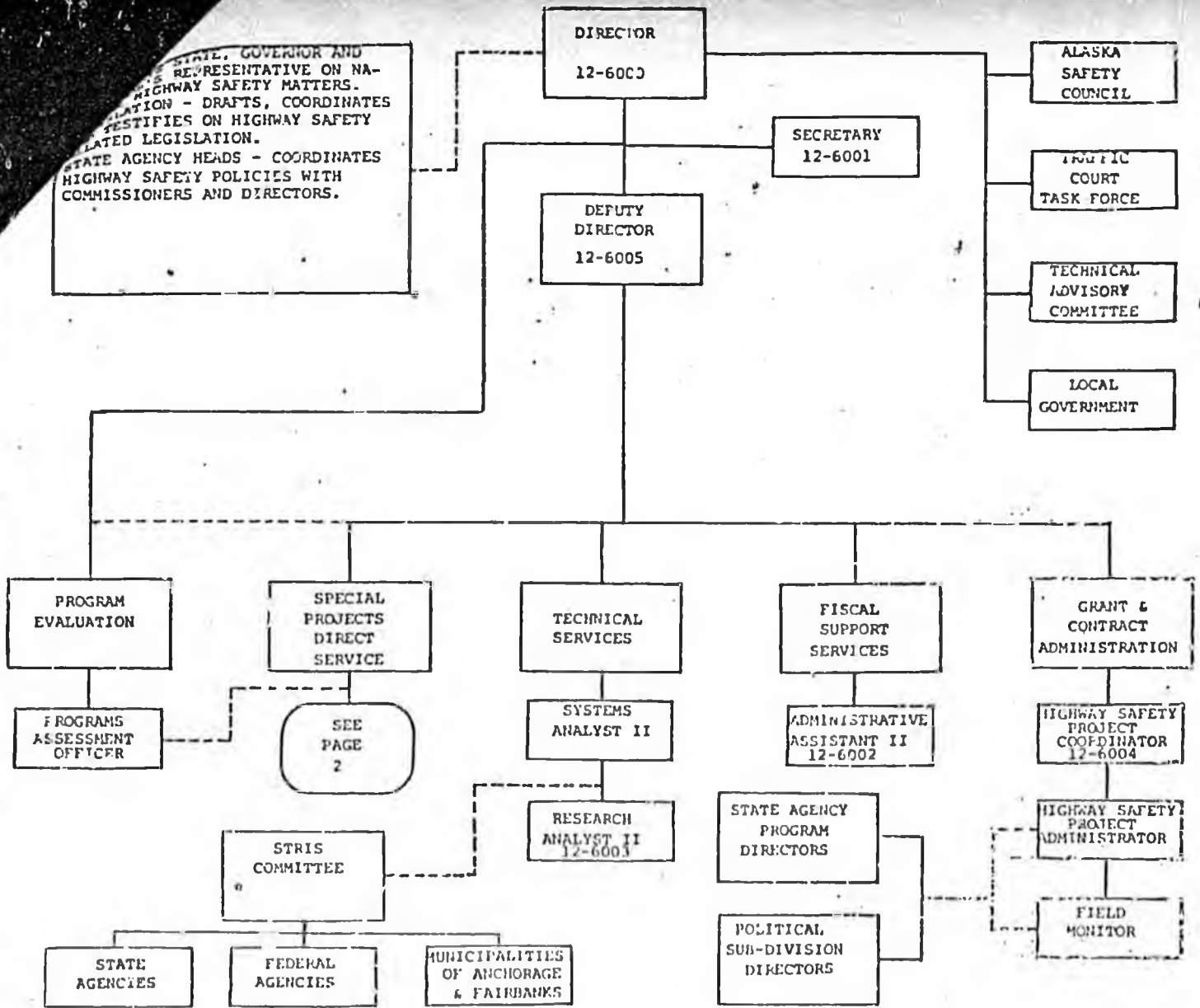
ASSISTANT
CLERK TYPIST
41-6604

KOTZEBUE
COUNSELOR

BETHEL
COORDINATOR

DILLINGHAM
ALCOHOLISM
EVALUATOR

STATE, GOVERNOR AND REPRESENTATIVE ON NA-HIGHWAY SAFETY MATTERS. LEGISLATION - DRAFTS, COORDINATES TESTIMONIES ON HIGHWAY SAFETY RELATED LEGISLATION. STATE AGENCY HEADS - COORDINATES HIGHWAY SAFETY POLICIES WITH COMMISSIONERS AND DIRECTORS.



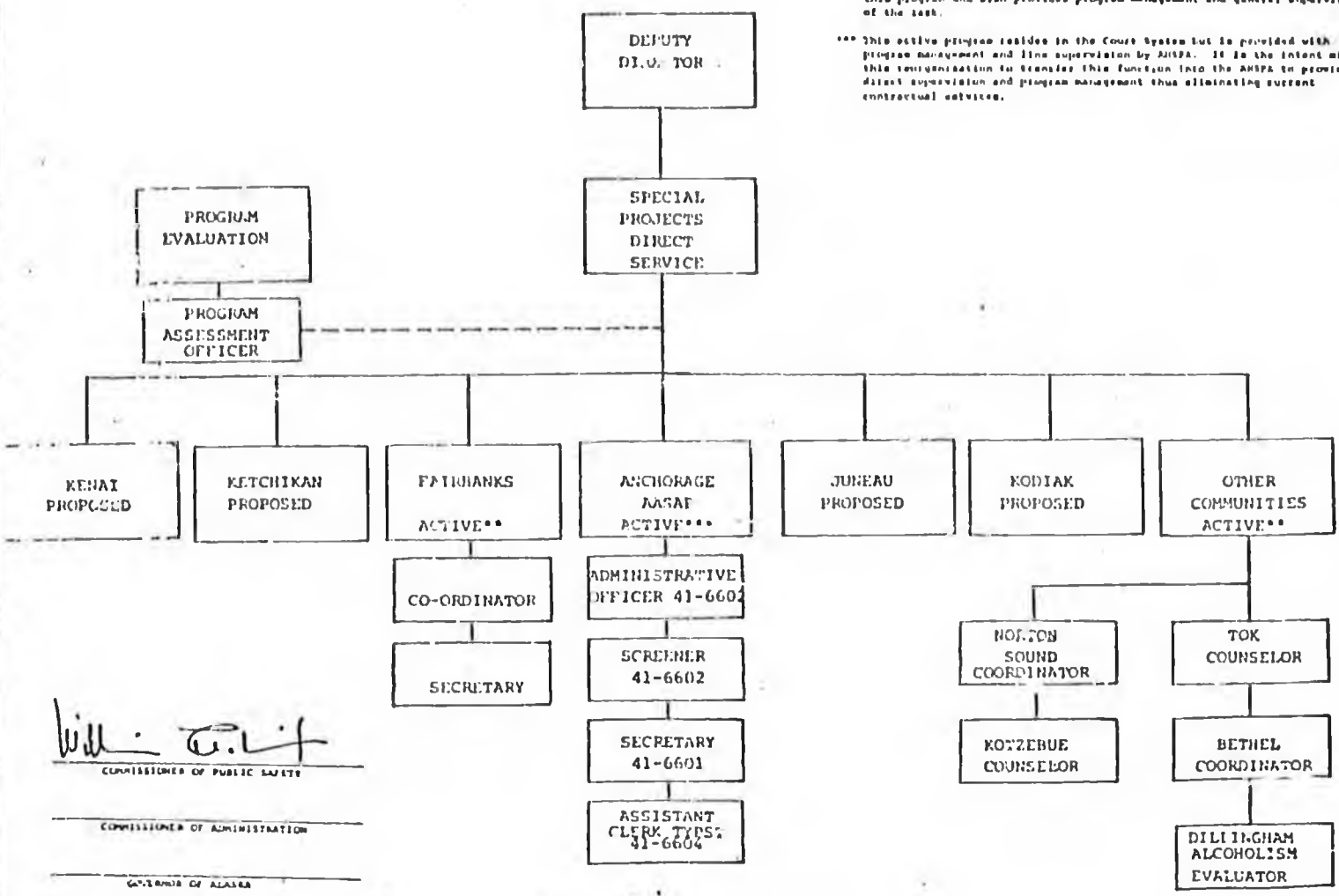
PAGE 2

ALCOHOL SAFETY ACTION PROGRAM

* The STRIS Committee will be set up to control the design and implementation of the State Traffic Records Information System. The Systems Analyst II will take the initial steps to form this committee and will provide the leadership necessary to the completion of the project.

** These active Alcohol Safety Action Programs are currently being conducted by various local associations in conjunction with the Alaska Highway Safety Planning Agency (AHSPA). The AHSPA provides funding to this association for this program and also provides program management and general supervision of the task.

*** This active program resides in the Court System but is provided with program management and line supervision by AHSPA. It is the intent of this reorganization to transfer this function into the AHSPA to provide direct supervision and program management thus eliminating current contractual services.



William C. ...
 COMMISSIONER OF PUBLIC SAFETY

 COMMISSIONER OF ADMINISTRATION

 GOVERNOR OF ALASKA



Alaska State Legislature

House of Representatives

Committee on State Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

May 16, 1980, Friday, 1:30 p.m.

Reel #43 - Side 1 - 0248

Present: Fuller, Eliason, Metcalfe, Parker
Absent: Miller, Martin, Gardiner

SB 377 Re/Transportation Safety

Testifying: Mike Lewis, DOT

Action: Mr. Lewis stated that the purpose of the bill is to put all safety programs under one umbrella. It was moved to amend p. 1 line 27/change 15 to 11. Passed unanimously. P. 2 line 6; six to two to amend the bill. Rep. Metcalfe moved to delete the point system, motion was defeated. Bill passed out as a CS.

DO PASS: Fuller, Eliason, Parker, Metcalfe, Martin

SB 470 Inherent Risks of Skiing

Testifying: Bill Stennis, Eaglecrest
Craig Linden

Action: Mr. Stennis and Mr. Linden testified in favor of the bill. Mr. Stennis suggested amending 18.76.010 to approval by one agency. Rep. Parker moved to change p. 3 line 3 by deleting period and adding the word "or". The bill passed out.

DO PASS: Fuller, Martin, Metcalfe, Parker, Eliason, Miller

0689

Committee Log Book - 1980

Tape Number 7

Machinery
Committee

Side Number 1 + 2

Dates 2/26/80 to 3/5/80

Bill Numbers Discussed 2/26/80 / 3/5/80

SB 317	SB 340	SB 348		SB 340	SB 348	SB 54	SB 58	
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Date & Time	Tape Meter Number	Bill	Significant Information (Witness, Action)
2/26	0211-0227	SB 340	Belle Rung - testimony re bill
2/26	0227-0226	"	Keith Sorenson testimony re bill w/ change
2/26	0226-0232	SB 340	Sen. Fricker - testimony re bill
2/26	0232-0235	SB 340	Sen. Fricker - testimony re bill
2/26	0235-0238	SB 348	Sen. Fricker - testimony re bill
3/5	0368-0386		opening of Meeting
"	0386-0450	SB 340	SEN. FRICKER - Explanation of Bill
"	0450-0473	"	SEN. ZIEGLER - what the bill accomplishes
"	0473-0506	"	MR. Lundell Deputy Comm. Dept Labor opposition
"	0506-0614	"	MR. Cook - Ex. Dir. Board of Fish + Game opposition
"	0614-0689	"	Questions for Cook + end of his testimony
"	0689-0701	"	Steve Penoyer - opposition
"	0701-0788	"	Art Peterson Ags office opposition
"	0788-0823	"	Questions for Art Peterson + end of testimony
"	0823-0850	"	Billy Gardner testimony PRO Bill
"	0850-0868	"	Billy Gardner - END OF TESTIMONY
"	0868-0879	"	MR. Leo Lano PRO Bill
"	0879-0179	"	END OF DISCUSSION ON SB 340
"	0179-0230	SB 438	SENATOR FRICKER explanation of Bill
"	0230-0268	"	KEN Showalter 50110 - IN FAVOR
"	0268-0314	"	Questions of Showalter END OF DISCUSSION + Passage
"	0314-0550	SB 54	Art Peterson Re Bills
"	0550-0600	SB 58	" " " "
"	0600-		FINAL Disposition of Bills.

#7 side
180

#2
#7

How will Commission increase Transportation

✓ in Additional Funds Needed.

↓
CURRENT PROBLEMS IN COORDINATING
EFFORT OF ALL STATE AGENCIES.

HWY SAFETY PLANNING AGENCY

CHARLIE SMITH - DIRECTOR 4371

1,329.7 80 ACTUAL
1,415.9 81 ADJUSTED
1,557.9 82 PROPOSED

} AK TRANSPORTATION
COMMISSION

80

} TRANSPORTATION SAFETY
COMMISSION

S

B

6

5



Official Business

Alaska State Legislature

Senate Committee on Community & Regional Affairs

465-4934
465-4935

Donald Gilman, Chairman
Robert H. Ziegler, Sr., Vice-Chairman
Mike Colletta
Arliss Sturgulewski
Frank Ferguson

Pouch V
State Capitol
Juneau, Alaska 99811

April 3, 1981

MEMORANDUM

TO: Senator Pat Rodey
Chairman
Senate Judiciary Committee

FROM: Senator *Don* Gilman
Chairman
Senate Community and Regional
Affairs Committee

RE: CS for SB 65 (C&RA)

There was some concern in this Committee about the policy and effect of Sec. 2 of CSSB 65(C&RA). Rather than delay the bill, the Community and Regional Affairs Committee voted to move it to your Committee on condition that a memo be sent requesting that your Committee give special scrutiny to Sec. 2 of the bill to make sure that the policy expressed is equitable and desirable.

ANALYSIS OF SENATE BILL 65

Section 1

Under current law a renewal for a liquor license is denied if the licensed premises have not been operated for 30 eight-hour days during the preceding calendar year. This section would allow recreational site licenses (e.g., those at ball parks, speedways, etc.) to be renewed if the license were exercised once during the year.

Section 2

Under current law corporations cannot be issued a liquor license unless they have been in existence for a year or, in the case of foreign corporations, had a certificate of authority to transact business for one year. This section would remove the time restriction on issuance of licenses to a domestic corporation if each of its stockholders have resided in the state for at least one year.

Section 3

This section would require that a municipality which files a protest to the issuance, transfer or renewal of a liquor license must also file its reasons for the protest. Under current law no statement of reasons is required.

Section 4

Current law requires both a municipality and the lieutenant governor to be involved in a local liquor option election. This section would allow a municipality to conduct its own election and would allow special elections on local option questions.

Section 5

This section prohibits the board from accepting applications for the issuance, renewal or transfer of a liquor license for one year after a local option election.

Section 6

This section is mostly a stylistic and technical clean-up. The insertion of the words "bona fide" is to emphasize that the language following refers to a type of licensed premises and not restaurants or eating places in the general sense.

Section 7

Under present law no person may accept money to solicit or encourage a patron of a licensed premises to purchase alcoholic beverages for consumption by a person other than the patron. This section would forbid the purchase under such circumstances regardless of the intent to consume.

Section 8

This section allows the board to designate certain eating places where minors, accompanied by a person over 19, may enter and remain for dining. Current law only allows minors in the company of an adult to enter a licensed premises holding a particular type of license known as a "restaurant or eating place license."

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED
AS A UNIT IN THE ORIGINAL DOCUMENT

MATERIALS TO BE INCLUDED WITH THE TESTIMONY OF
CAROLE A. BAEKEY

1. ALASKA LEGAL SERVICES CORPORATION HAND-OUT TO VILLAGES ON THE TITLE IV ALCOHOL LOCAL OPTIONS LAW
2. RURALCAPY BETHEL WORKSHOP RESOLUTIONS
3. RURALCAP JUNEAU WORKSHOP RESOLUTIONS
4. RURALCAP CITIZENS PARTICIPATION CONFERENCE ALCOHOL RESOLUTIONS
5. RESOLUTION OF THE STATE REVIEW BOARD ON ALCOHOLISM
6. LETTER FROM ALASKA NATIVE COMMISSION ON ALCOHOLISM AND DRUG ABUSE: SB 65
7. LETTER FROM DIVISION OF ELECTIONS: SB 65
8. LETTER FROM LIEUTENANT GOVERNOR: SB 65
9. LETTER FROM MEKORYUK CITY COUNCIL: SB 65
10. LETTER FROM CITY COUNCIL OF POINT HOPE
11. ST. MARY'S EMERGENCY ORDINANCE
12. CITY COUNCIL OF ALAKANUK RESOLUTIONS
13. LETTER FROM CONRAD EARL ALBRECHT, M. D. TO WILSON CONDON, ATTORNEY GENERAL RE: LOCAL OPTIONS
14. LETTER FROM NICK CHANAR, TOKSOOK BAY RE: LOCAL OPTIONS

LAW OFFICES OF
ALASKA LEGAL SERVICES CORPORATION
615 "H" STREET, SUITE 100
ANCHORAGE, ALASKA 99501
TELEPHONE (907) 272-9431

TO: Local Communities Concerned About the Alcohol Local Law
RE: Alaska Alcohol Local Option Law
DATE: March, 1981

Under the new 1980 alcohol "local option" law, your local village government may now control the sale and bringing of alcohol into your village. If your village makes certain choices, state law will back up the village choice.

The village choices are:

1. To forbid the sale of alcohol.
2. To sell liquor only in a community liquor store.
3. To forbid both the sale and bringing in of liquor.
4. To sell liquor only with a community approved liquor license.

A village can choose only one of these four choices. BUT, you must follow the state's rules when your village makes one of these choices. How you will elect and choose depends on whether your village is a municipality or an established village.

In both a municipality and an established village, at least 35% of the number of people voting in the last election must on a PETITION IN WRITING ask the local government of the village to put one of the four choices on a separate ballot at the next election.

EXAMPLE: If your village has 100 voters, 35 people now registered to vote must sign a paper asking the village government to put one of the four choices on a separate piece of paper for voters to choose what they want at the next election.

If the village is a MUNICIPALITY (a SECOND CLASS CITY), the time to make your choice will be next October at the next election.

If your village is an ESTABLISHED VILLAGE, a special election can be held.

If more than one half (1/2) of the people in your village vote for one of the choices, that will be the decision for the whole village.

EXAMPLE: If your village has 100 voters and 51 of the people

Memorandum
Alaska Alcohol Local Option Law
March, 1981

voting in the election want the village to forbid the sale and importation of alcohol in the village, that will be the decision for all of the people in the village.

The village must also ask the Lieutenant Governor's office to CERTIFY the decision of the village. That means the village government must ask the Lieutenant Governor's office to say that the election was properly held and that the vote of the village will now be village law. If the Lieutenant Governor's office says the village vote was all right, that means the village will have the permission of the state to follow certain procedures under state law to punish people who do not follow the decision of the village in the election.

BUT, if a liquor license is to be taken away from a store or bar, it will be taken away at the end of the year in which the local option election is held, on December 31st of that year. That will be the December 31st after the Lieutenant Governor's office has said the village vote was all right.

At this time (March, 1980), a second class city, also called a municipality, must wait until its next regularly scheduled election in October to vote. However, the Alaska State Legislature is considering an amendment to provide that a second class city may hold a special election to vote on the law. That means that a village could vote before next October --- after following the procedures for the petition. AT THIS TIME, A VILLAGE MUST WAIT BEFORE IT CAN HOLD A VALID ELECTION. However, a village can now begin to circulate its local option petition so it will be ready to vote as soon as possible. HAVING A PETITION THAT IS PROPERLY SIGNED IS NOT THE SAME THING AS VOTING ON THE LAW --- THOSE ARE TWO SEPARATE ACTIONS A VILLAGE MUST TAKE TO HAVE THE LOCAL OPTION.

ALASKA LEGAL SERVICES CORPORATION has lawyers who can help your village understand the local option law. If your village has questions or wants a lawyer to come to the village to provide assistance with the alcohol local option law, please call or write CAROLE A. BAEKEY, ALASKA LEGAL SERVICES CORPORATION, 615 H STREET, ANCHORAGE, ALASKA 99501, 272-9431. You may call collect. Someone will help your village with the law and will listen to what your village has to say.

REMEMBER YOUR VILLAGE CAN NOW MAKE A CHOICE ABOUT HOW TO HANDLE LIQUOR AND THAT CHOICE WILL BE BACKED UP BY STATE LAW ENFORCEMENT PENALTIES. If you need help, there are lawyers to help your village.

MEMORANDUM

TO: Alaska State Senate
Alaska House of Representatives
Office of Attorney General
Office of the Lieutenant Governor
Director of Elections
State Office on Alcoholism & Drug Abuse

FROM: Concerned Citizens Listed Below

RE: Concerns With Respect to Alcohol and Drug Laws and Regulations

DATE: January 30, 1981

As a result of a community participation workshop held in Bethel from January 23-30, 1981, we wish the legislative bodies and agencies listed above to address issues of local concern about alcohol and drug abuse and isolated at a workshop held in Bethel on alcohol abuse and local options:

1. Under existing Title IV legislation, a community designated as a municipality can not presently hold an election on alcohol "local options" until the next regularly scheduled election in October. Many of our communities are deeply concerned about alcohol abuse and its effects and we wish the authority to move as quickly as possible on the "local options" law. We should like Title IV to be amended as quickly as possible to give municipalities the authority to hold special elections ^{on the local option issue} as soon as possible.

2. Under existing Title IV legislation, an established village's power to enforce alcohol "local option" options is not clear and we would like that clarified.

3. Under existing Title IV legislation, 35% of all registered voters are required for a valid petition to put "local options" on a ballot at the next regularly scheduled election (in the case of a municipality; see paragraph 1 above) or at the next special election (in the case of an "established village"). We recognize that village populations can change radically in a relatively short time span and would like to see that requirement amended to provide 35% of the registered voters voting in the last election OR to define the concept of "registered voters" by the number of people presently residing in a village.

4. Also, under existing Title IV legislation, the office of the Lieutenant Governor is to "conduct" and "certify" the local options election. We should like clarification or regulations to define the meaning of both "to conduct" and "to certify", it being our express wish to be able to conduct the elections and have the Lieutenant Governor's office certify the results.

5. Once a village, be it municipality or established village, has voted on and secured any segment of the local options under Title IV, we wish assurance that the wishes of the village

Memorandum
 Alaska State Senate
 Alaska House of Representatives
 Office of Attorney General
 Office of the Lieutenant Governor
 Director of Elections
 State Office on Alcoholism & Drug Abuse
 January 30, 1981
 Page Three

SIGNATURES CONTINUED

	<u>Name</u>	<u>Village</u>	<u>Date</u>
10.	Melvin Tomack	Akiachak	1/30/81
11.	William A. Bean	Mtn. Village, Ak. 99632	1/30/81
12.	Kenneth Smith	McHenry, Ak. 99630	1/30/81
13.	W. Will	Akiak, Ak. 99552	1/30/81
14.	Yak A. Chappik	White Mountain 99784	1/30/81
15.	Patrick Salomonson	Seward, Ak. 99769	1/30/81
16.	Lois Joo	Aniak, Ak. 99557	1/30/81
17.	Barbara King	Barrow, Alaska 99769	1/30/81
18.	Russ E. Pook	St Paul Island Ak 99610	1-30-81
19.	Walter H. Smith	Wainwright, Ak. 99704	1/30/81
20.	Archie Elbie	Do. Naknek, Ak 99670	1-30-81

Rural Alaska

Community Action Program, Inc.

TO: Workshop Participants and Resource People DATE: February 27, 1981

FROM: Peg Engwall, Alcoholism Program Director

SUBJECT: Summary of discussion by Workshop Participants on clarification and enforcement of laws.

This summary is compiled from information gathered at Rural Community Action Alcoholism Education Workshop in Juneau, February 18 - 20. It is being mailed to all workshop participants and resource people.

1. Clarification of local option law as it is written to prohibit importation
 - a) Car prohibition of importation include prohibition of shipping alcohol to individuals for their personal use?
 - b) If an established village or incorporated city votes to prohibit importation, are shippers, (planes, ferries, boats, snow machines, cars) who import alcohol subject to search and seizure?
 - c) How can a petition be written by a village so that its language is clearly understandable to the people and still meets requirements of current local option law as a legal petition?
 - d) When the law is clarified, can the ABC Board be required to send letters stating which villages have votes to prohibit sale and/or importation to all liquor companies, warehouses, stores, common carriers and charter aircraft operators? Do the letters spell out the tough penalty for importing alcohol into a dry village?

2. Local law enforcement
 - a) What can be done in a village 1) Where the village safety officer feels threatened when he/she attempts to enforce the law? 2) Where the village council/city government is divided on what to do about alcohol? 3) Where there is a threat of personal injury from people who do not want to give up alcohol or drugs?
 - b) How can penalties against bootleggers be enforced? Are they tough enough? What kind of evidence do you have to have on a bootlegger? Who do you report it to?
 - c) What can be done when traditional village law is in conflict with state and federal law?

3. Drugs other than alcohol
 - a) Stricter penalties are needed for drug pushers/suppliers.
 - b) Better protection for informers and undercover agents is needed.
 - c) Clear lines of communication between people who want to complain about drug abuse and authorities who can investigate are needed.
4. Legislation to be considered
 - a) If possible, prohibit parents from giving their children booze.
 - b) Raise drinking age to 21.
 - c) Change current local option law to read the same for unincorporated villages as second class cities, that is, 35% of registered voters who voted in last election be enough signatures to make a petition valid.

Positive suggestions

1. Educate a group of people on how alcohol affects a village (health, schools, crime, accidents, death) and explain laws that the village itself can use to control alcohol within the village, and laws that can be enforced from outside the village by troopers, magistrate, attorney generals office, etc.
2. Form a group of people (counselor, elders, minister/priest, health aide, school board members, council members) who are willing to support restrictions on alcohol and go as a group to council, safety officer, store or bar, etc. and present specific suggestions to them.
3. If liquor sales are legal in a village and run by the community, restrict hours of sale and amount sold by order of the village council.

Please tell us if we have left anything out or gotten it wrong. Unless we hear objections from you, we will present this to the Citizens Participation Conference delegates in March for them to consider when they make recommendations. If there is anyone else you want us to mail it to, please let us know.

SUMMARY OF RECOMMENDATIONS

ALCOHOLISM WORKSHOP

The group elected as officers the following individuals: Karl Ashenfelter, Chairperson; Gail Evanoff, Secretary; Daisy May Lamont, Spokesperson; Stewart Nicolai, Sergeant at Arms. We addressed the following issues by appointing subcommittees and voting on their reports.

- (1) Full funding for alcoholism and drug programs as proposed in HB 50 (Governor's budget); addressing the issue of funding for those wishing to start new programs:

A resolution follows speaking to the above. In addition, meetings were arranged with Senator Parr (Senate HESS) and Representative Cotten (House Finance), to offer them information as to program accomplishments following increased funding for FY 81. (Senator Parr's attitude, as expressed in a letter to Robert Cole, is that he is unwilling to support full funding without seeing results). The workshop recommended that the chairperson of the Workshop send a letter to Senator Parr and that the Fairbanks delegate be asked to address Senator Parr's position and attitude when he reports back to Tanana Chiefs Conference.

- (2) Consideration of revisions of the drug laws (HB 180, SB 177, SB 180) and allied issues.

A series of resolutions on drug issues follows. A roll call on the resolution to recriminalize marijuana showed 18 in favor, 2 opposed, 1 abstention.

- (3) Review of Title 4 provisions on local option elections and proposed amendments as stated in SB 65:

The group requests the legislature to enact amendments permitting maximum use of local option and enabling established villages and second-class cities to move as quickly as possible to hold valid elections, including special elections.

The group recommends against the proposed amendment to SB 65, Section 11. AS.4.11.490(a) as an unnecessary restriction on cities with a population of over 2500 and recommends that it be stricken.

- (4) Consideration of other bills:

A summary of our recommendations follows. Resolutions on SB 71/HH 112, SB 117/HH 117, and SB 177 are attached.

<u>BILL # or SUBJECT</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
SB 65	Amends Title 4 provision for local option election.	Do pass with amendment. See subcommittee report.
SB 71/ HB 112	Raises legal drinking age to 21.	Do pass, resolution attached.
SB 117/ HB 117	Shortens hours bars may be open.	Do pass; reduces opportunities for abusers to obtain liquor.
SB 177/ SB 190/ HB 180	Revision of drug laws, prosecution of minors as adults.	No recommendation; much technical information which we do not feel competent to analyze. Resolutions on issues attached.
HB 5	Removes prohibition for intoxicated persons to enter and remain.	Do pass.
HB 50	Governor's budget. \$18 million for alcohol/drug abuse.	Do pass, resolution attached.
HB 62/ SB 241	Removes provision for civil liability for bartenders.	Do not pass.
HB 114	Combines alcohol/drug abuse review boards.	Do pass. Step toward unifying attack on the total problem.
SSHB 41	Health Insurance	Do pass; good basic bill, can be expanded later.
HB 178	Legal for grocery stores to sell beer and wine.	Do not pass. Already enough retail outlets; too easy for minors to obtain.
HB 226	Legalizes prescription of marijuana for cancer patients.	Do not pass. Not specific enough; beneficial effects of drug in question.
HB 249	Lowers annual fee for beverage dispensary license.	Do not pass. Profits from bars are high enough so that lowering license fee is not warranted.

All of the above were designated high priority.

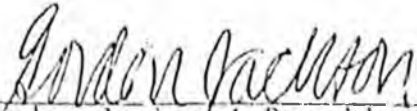
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Rural Alaska Community Action Program, Inc.

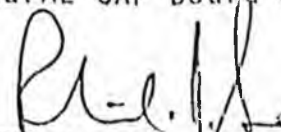
CPC RESOLUTION #81- 1

- ENTITLED: Additional funding for radio and TV programs giving preventive information on alcohol and drug abuse for adults and children alike.
- WHEREAS, The drug and alcohol abuse problems among our youth and adults is an increasing public health threat throughout the State, and,
- WHEREAS, The State Legislature has been supportive of developing programs to deal with the drug and alcohol problems within the state by increasing funds during the last legislative session, and,
- WHEREAS, Public education is one means of making people aware of the dangers involved in alcohol and drug abuse, and,
- WHEREAS, Funding has been allocated to provide limited media broadcasting to address the problems of alcohol and drug abuse in the State of Alaska, now, therefore be it
- RESOLVED: That additional statewide funding be provided to produce and broadcast educational material on alcohol and drug abuse prevention appropriate for the State of Alaska so that public awareness may be further increased.

Adopted by the Delegates to the Citizens Participation Conference, March 19, 1981, in Juneau, Alaska.



Gordon Jackson, President
Rural CAP Board of Directors



Philip J. Smith, Executive Director
Rural CAP

The group also voted to present the Rural CAP Board's resolution on additional provisions for informing the public as to what villages and cities have voted "dry".

Following the work session, some members of the group toured the Juneau Regional Rehabilitation Hospital, a component of the Juneau Alcoholism Comprehensive Agency.

The group was given invaluable background information and technical assistance by the following.

Representative Jack Fuller, Bush Caucus, and Cheryl Frasca, Legislative Assistant
Coordinator Robert L. Cole, State Office of Alcohol and Drug Abuse, and Dr. Earl Albrecht
Executive Director Matt Felix, Alcoholism Comprehensive Agency, Juneau
Statewide Alcohol Coordinator Carole A. Baeky and Legal Assistant Barbara Thorn, Alaska Legal Services Corporation
Legislative Analyst Dave Katzeek, Juneau

Rural Alaska Community Action Program, Inc.

CPC RESOLUTION #81-27

ENTITLED: "Support of HB #50, Governor's Budget"

WHEREAS, Alcoholism and drug abuse are the largest health problems in the State of Alaska, and,

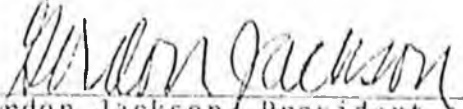
WHEREAS, The State of Alaska has initiated a much needed aggressive attack on the alcohol and drug abuse problem in most areas of the state, and,

WHEREAS, The problem is present in epidemic proportions throughout the state, and,

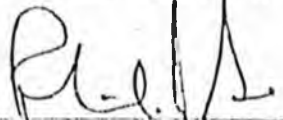
WHEREAS, In spite of the new programs there are still some areas of the State which have been overlooked and no programs have been started; now, therefore be it

RESOLVED: That the Governor's requested budget be amended by adding six hundred thousand dollars (\$600,000.) to the requested \$18,035,600 to allow programs to be initiated in those areas of the state that presently have no programs.

Adopted by the Delegates to the Citizens Participation Conference, March 19, 1981, in Juneau, Alaska.



 Gordon Jackson, President
 Rural CAP Board of Directors



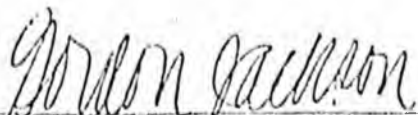
 Philip J. Smith, Executive Director
 Rural CAP

Rural Alaska Community Action Program, Inc.

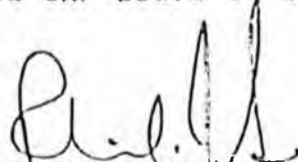
CPC RESOLUTION #81-3

- ENTITLED: "A resolution supporting SB#177 and other legisla-
tion providing for heavy penalties for individuals
supplying drugs to children on school grounds and
for drug rehabilitation offered as an alternative
to sentencing our youth"
- WHEREAS, Children are our most important resource, and,
- WHEREAS, Suppliers of drugs are endangering the lives of our
children and thereby the future of our state by enter-
ing upon school grounds and supplying drugs to our
children, and,
- WHEREAS, Our children and youth who do get involved with the
law due to the usage of drugs should be given every
opportunity for rehabilitation, and,
- WHEREAS, SB#177 states therefore heavy sentencing is proposed
and is appropriate; now, therefore be it
- RESOLVED: That suppliers of drugs should receive heavy manda-
tory penalties for supplying drugs to children on
school grounds; and be it further
- RESOLVED: That sentencing for children and youth who have become
involved with the law because of drugs should focus
upon rehabilitation through a drug treatment program.

Adopted by the Delegates to the Citizens Participa-
tion Conference, March 19, 1981, in Juneau, Alaska.



Gordon Jackson, President
Rural CAP Board of Directors



Philip J. Smith, Executive Director
Rural CAP

Rural Alaska
Community Action Program, Inc.

CPC RESOLUTION #81- 4

ENTITLED: "Seeking to control the flow of drugs through increased efforts to detect while being transported"

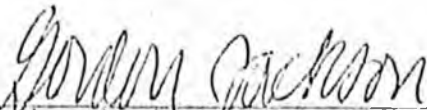
WHEREAS, Drug abuse is increasing at epidemic rates in the State of Alaska and is rapidly approaching a health and social problem equivalent to the alcohol abuse problem, and,

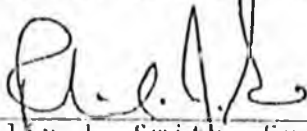
WHEREAS, The transportation and mail systems in the State are being extensively used to transport drugs, and,

WHEREAS, Methods of detecting concealed drugs while in transport do exist and are used in other states; now, therefore be it

RESOLVED: That detection programs (i.e.; trained dogs and surveillance equipment) should be established in transportation stations (i.e. airports, seaports and major bus depots) and the U.S. Postal Service for the purpose of finding and confiscating drugs and reducing the flow of drugs in Alaska.

Adopted by the Delegates to the Citizens Participation Conference, March 19, 1981, in Juneau, Alaska.


Gordon Jackson, President
Rural CAP Board of Directors


Philip J. Smith, Executive Director
Rural CAP

Rural Alaska Community Action Program, Inc.

CPC RESOLUTION #81- 5

ENTITLED: "To recriminalize marijuana"

WHEREAS, Our present laws do not protect our children and youth from the suppliers of the drug marijuana; and,

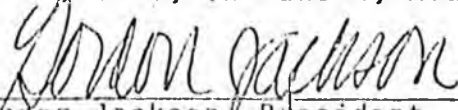
WHEREAS, The use of marijuana is interfering with the education of our children and youth, and,

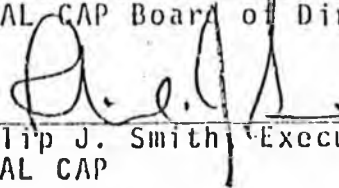
WHEREAS, Marijuana abuse is becoming one of the major problems with the youth of America, and,

WHEREAS, Children and youth are our most important resource, now, therefore be it

RESOLVED: That the drug marijuana should be recriminalized and be it further resolved that heavy penalties be enforced for those suppliers of the drug marijuana.

Adopted by the Delegates to the Citizens Participation Conference, March 19, 1981, in Juneau, Alaska.


Gordon Jackson, President
Rural CAP Board of Directors


Philip J. Smith, Executive Director
Rural CAP

Rural Alaska Community Action Program, Inc.

CPC RESOLUTION #81- 6

ENTITLED: "Supporting Senate Bill No. 71 and House Bill No. 112, authorizing vote to raise legal drinking age to 21..

WHEREAS, The epidemic alcohol abuse among our youth is an increasing recognized problem throughout the State of Alaska, and,

WHEREAS, There is an immediate problem concerning students 19 years of age and over in Alaskan high schools who are consuming and distributing alcohol to vulnerable minors, thereby causing detrimental problems in the area of their education and mental stability, and,

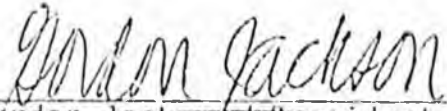
WHEREAS, The increasing rate as a result of alcohol abuse in crime, suicide, disorderly conduct, assault, accidental death and drop-outs is affecting our youth, and,

WHEREAS, Our state funded alcoholism programs show an increasing amount of our youths seeking treatment and counseling, and,

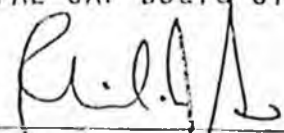
WHEREAS, Our youth shows an increasing amount of juvenile arrest and traffic fatalities for driving while under the influence of alcoholic beverages; now, therefore be it

RESOLVED: That the drinking age be legally raised to the age of 21, to lessen the easy access to alcohol by students still in elementary and secondary schools.

Adopted by the Delegates to the Citizens Participation Conference, March 19, 1981, in Juneau, Alaska.



 Gordon Jackson, President
 Rural CAP Board of Directors



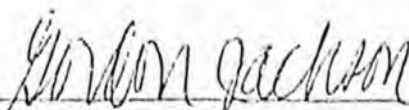
 Philip J. Smith, Executive Director
 Rural CAP

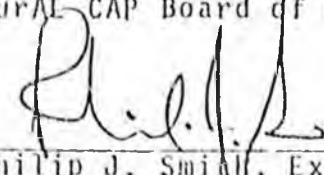
Rural Alaska Community Action Program, Inc.

CPC RESOLUTION #81-7

- ENTITLED: "In support of Senate Bill No. 117 and House Bill No. 117, acts to shorten hours bars may be open"
- WHEREAS, Bills have been introduced in the Senate and the House to limit the hours of the day during which patrons may be present or alcohol sold or consumed on licensed premises, and,
- WHEREAS, The Citizens Participation Conference delegates recognize that limiting of such sale and presence will result in decreased OMVI violations, liquor law violations, minors consuming, disorderly conduct and assault (as occurred in Juneau after earlier closing hours became effective) and,
- WHEREAS, Limitation on hours of sale will result (as in Juneau) in some lowering of per capita consumption, alcohol related human and social costs, and some modification of attitude concerning the wide open acceptability of drinking in Alaska; now, therefore be it
- RESOLVED: That the delegates of the Citizens Participation Conference strongly urges the Alaska State Legislature to pass S.B. No. 117 and H. B. 117..

Adopted by the Delegates to the Citizens Participation Conference, March 19, 1981, in Juneau, Alaska.


Gordon Jackson, President
RURAL CAP Board of Directors


Philip J. Smith, Executive Director
RURAL CAP

Rural Alaska Community Action Program, Inc.

CPC RESOLUTION #81-8

ENTITLED: "In support of adequate notification of suppliers and transporters of alcohol as to who are "dry" communities.

WHEREAS, It is in the interest of established villages and second class cities to have their wishes concerning regulation of alcohol use in their communities respected by those who sell and transport alcoholic beverages, and,

WHEREAS, At least 30 villages and cities in rural Alaska have inquired about using the local option law to regulate or prohibit sale and/or importation of alcohol in their communities, and,

WHEREAS, Several cities in the state have already chosen to ban sale and/or importation of alcohol in their communities, and,

WHEREAS, Alcoholism workers representing 16 villages at Rural CAP's Community Action Education Workshop expressed a desire to have the names of "dry" villages and cities supplied to every supplier of liquor and every carrier of passengers and/or freight in the State of Alaska, and

WHEREAS, The Alcoholic Beverage Control Board is presently soliciting public comment on proposed new regulations, and,

WHEREAS, Article VI Section 635 of these proposed regulations provides that the Board maintain a roster of communities which have voted "dry" and make this roster available to the public, and, now therefore be it

RESOLVED: That the Citizens Participation Conference recommend to the Alcoholic Beverage Control Board that a) Article VI Section 635 be amended to require the ABC Board to supply current lists of "dry" communities to all liquor outlets and carriers of freight and passengers in the state and that b) this list contain the text of the laws concerning bootlegging and the penalties for that offense, and that a copy of this resolution be forwarded to the ABC Board.

WHEREAS, many small rural communities, have expressed their feeling of being under seige from the devastating effects of alcohol abuse; and,

WHEREAS, the Title IV alcohol option law was passed in 1980 by the Alaska legislature to enable communities throughout Alaska, both villages and urban areas, to control the sale and importation of alcohol as determined by the vote of the community and giving the force of state law enforcement to such a decision; and,

WHEREAS, several elections that have been held under this law have already been declared invalid because of existing confusion about the law; and,

WHEREAS, the evaluation and practical experience gained since this law was passed show that procedural problems in the law prevent any local community from holding a valid election to exercise their rights under the Title IV local option law. Communities have expressed a desire to have an existing liquor license lifted within a short time after a valid election that decides that the license should not be maintained; and to have the possibility of setting up such a local option election at anytime during the year, rather than only at the general election time in October; and,

WHEREAS, there is a need to give full expression to the will of the voters by providing for prompt lifting of an existing liquor license if a community has had a valid local option election in which that option has been approved; and,

WHEREAS, there is a need to recognize the need to give a holder of an existing liquor license adequate notice prior to lifting of the license following a valid local option election deciding that the license should be lifted; and,

WHEREAS, amendments to the local option law are necessary to address these concerns,

NOW, THEREFORE, BE IT RESOLVED by the Review Board on Alcoholism that it:

1. Supports the availability of the Title IV local option law for all communities in Alaska, including urban areas, regional hub communities and smaller villages.
2. Supports a provision to allow villages and larger communities to have local option elections at any time of the year rather than only at the time of the October general election.
3. Supports a provision lifting a liquor license sixty (60) days after certification of a valid local option election in which a community has voted to lift an existing liquor license in that community.

**ALASKA NATIVE COMMISSION
ON ALCOHOLISM AND DRUG ABUSE**

274-5531 • 274-7435

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

P.O. Box 4-2463
Anchorage, Alaska 99509

April 22, 1981

To Whom It May Concern:

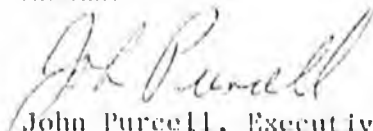
The Alaska Native Commission on Alcoholism and Drug Abuse (ANCADA) wishes to make the following comments on the "CS For Senate Bill" No. 65 (C & RA) offered March 27, 1981. A copy of the pertinent section is attached.

- A) Concerning Section 4(a), it is the opinion of ANCADA that the local option voting question should not be limited to municipalities with a population of less than 2,500. Many municipalities, with a preponderant Alaskan Native population, which have more than 2,500 residents, also should have the opportunity to vote on the local option question.
- B) Regarding Section 5(a), it is the opinion of ANCADA that where the local option issue is of critical importance to a municipality, that community should have the power to conduct a special election as soon as possible, rather than waiting to vote on the issue at the next scheduled October election.
- C) The local governing Body of the Municipality or established Village should have the power both to conduct and certify the local option vote of a community, rather than having this accomplished by the Lieutenant Governor's Office.

It would appear to ANCADA, that unless the above three provisions are approved as part of Senate Bill No. 65, unwarranted restrictions would be placed on the entire local option process, which restrictions would tend to be prejorative to the exercise of local community control on what should be a primarily "local" option question.

Sincerely,

ANCADA



John Purcell, Executive Director

STATE OF ALASKA

OFFICE OF THE LT. GOVERNOR

DIVISION OF ELECTIONS

REC'D 2/10/81
JAY S. HAMMOND, GOVERNOR

TERRY MILLER, LT. GOV.

POUCH AF—JUNEAU 99811

February 10, 1981

The Honorable Don Gilman
Chairman
Community and Regional Affairs Committee
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Dear Senator Gilman:

Senate Bill 65 relating to alcoholic beverages has been referred to the Community and Regional Affairs Committee. I urge your early consideration of Section 4 relating to the conduct of local liquor option elections.

The language that is currently in AS 14.11.502(a) is confusing in that it requires both a municipality and the lieutenant governor to be involved in the local liquor option election. Alaska Statutes generally require a municipality to conduct its own elections, but allow the lieutenant governor to conduct required elections in the unorganized borough area. This procedure has worked through the years and I see no point in requiring the lieutenant governor's involvement in an election that can be conducted by the municipality.

The new language proposed in Section 4 of Senate Bill 65 clearly allows the local liquor option elections to be conducted by the municipality. In addition, the section allows the municipality to call a special election to conduct the election.

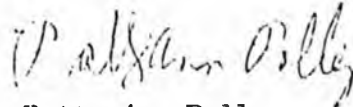
Several cities such as Erimak and Manokotak have petitioned to have the lieutenant governor conduct local option elections, but because of the confused assignment of responsibilities, no election has been conducted. I urge you at your earliest convenience to consider Section 4 of Senate Bill 65 so that the responsibility can be clarified

February 10, 1981
Page Two

and the election process may proceed. Particularly in bush areas, this bill will have a big impact on efforts to cope with alcohol related problems.

If I may be of any assistance, please call on me.

Sincerely,



Patty Ann Polley
Director
Division of Elections

PAP:ko

cc: Senator Bill Ray
Pat Sharrock, Chairman of ABC Board
✓ Carol Baeky
All Election Supervisors

January 29, 1981

William Salmon, Jr., Chief
Chalkyitsik Village Council
Chalkyitsik, AK 99788

Dear Chief Salmon:

- This letter is in reference to Chalkyitsik's petition asking the State of Alaska to hold a special election for the purpose of voting Chalkyitsik a dry village. I wanted to let you know that I intend to request revision during this legislative session of the current Alaska Statute relating to local option elections on liquor sales.

The new law which was enacted in 1980 requires the Lieutenant Governor to conduct local option elections. This, however, is impractical in view of current state and municipal election practices and regulations. We are, therefore, seeking to correct the current statutes and ask your patience in waiting to hold this election until the inconsistencies in the new law can be addressed.

Bill, I will continue to be in touch with you on this, and I hope that fairly soon in the session we will have new guidelines by which to advise you concerning this election.

Thank you for your understanding.

Sincerely yours,

Terry Miller
Lieutenant Governor

bcc: Patty Ann Polley
Director of Elections

Robert Cole, Coordinator ✓
Office of Alcoholism and Drug Abuse

TM/JF/bm

St. Mary's to prohibit importation of alcohol

by Cheryl Keepers

4/16/81
Dembia/James

Last week St. Mary's City Council enacted a 60-day emergency ordinance prohibiting the importation of alcoholic beverages into its city limits. The ordinance is to be effective for 60 days, unless extended by the City Council: the maximum fine for violation is \$500.

According to a press release from the City Council, there were several reasons for passing the ordinance. Public disturbances, violence and vandalism have increased in recent weeks. Most of the problems were alcohol related, and often caused by residents from other villages who were in St. Mary's to receive shipments of alcohol, the release stated. With one local policeman and one jail

cell, the city is not able to control the disturbances caused by too many people drinking too much.

However, there is some question regarding the legality of the city ordinance. In an informal opinion on the ordinance issued to this reporter by Assistant Attorney General Rod Pegues, Mr. Pegues noted that the ordinance was probably not legal. He stated that there "has to be an election and vote on the question." Under the existing local option law, the election must be held at the next regular election (October), and until then nothing can be done. While sympathizing with St. Mary's

Please turn to page 30

ST. MARY'S

wish to act sooner, Mr. Pegues commented that there is "nothing they can do about it unless the law is changed."

Tim Troll, City Manager for St. Mary's, said the city has a petition pending with the Division of Elections to put the issue on the ballot at the next regular election, but that the City Council felt the situation was so pressing they "had to try to do something about it." Mr. Troll, who is also a lawyer, noted that he had cautioned the City Council that "some questions would be raised" regarding the legality of their move, but that he feels the ordinance is not necessarily in violation of the state law. Citing the leeway given local governments in controlling alcohol under federal law, and noting that they are looking for voluntary compliance on the part of the airlines, Troll stated "we do think there are arguments on our side too." The city will be enforcing the ordinance by seizing alcohol dropped off and delivered in St. Mary's.

Mr. Troll continued by saying that St. Mary's had wanted to hold the local option election before fishing season and the accompanying increase in alcohol and alcohol related problems. The City Council acting in part is intended to let the state know the severity and urgency of the problem.

The issue of when elections can be held on the local option law has been receiving some attention in the community and Regional Affairs committee of the state legislature, also. Senate Bill 65, (SB65), introduced by Bill Ray (D-Juneau), contains a provision for special elections that would allow municipalities and established villages to hold local option elections at times other than October.

This amendment retains the provision that a petition containing signatures equal to at least 35 percent of the number of votes cast at the last regular municipal election be filed, but provides that in a municipality, the election be carried out in accordance with the election ordinance of that municipality. This is a change from the existing law which has required that the Lt. Governor conduct all local option elections, a provision which has effectively prevented any local option elections from taking place.

An amendment was also introduced, but later dropped, which would have provided for revoking any existing liquor licenses in a community within 60 days after certification of a local option election to prohibit sales. According to David Dye, aide to Sen. Don Gilman, (R-Kenai) chairperson of the Community and Regional Affairs Committee, this amendment was not accepted by the committee due to potential legal problems with this process. The Committee also felt that it would be unfair to a legitimate business person to take away the license when he/she had expected it to be valid.

As SB65 now stands, a liquor license in a community that votes to prohibit sales will be allowed to expire at the end of the year, which would happen in any event, but the license would then not be renewed for at least one full year afterwards.

If the community were to choose in that year to go back to allowing the sale of alcohol, no liquor license would be

issued before the full year had run. If the community does not change its mind, no new licenses would be issued.

Should the community choose the alternative of prohibiting importation, Mr. Dyer noted, this would affect both private individuals and licensed businesses, thus effectively ending any sales business.

Another amendment not in the original legislation, but introduced at the request of the bill's prime sponsor, Bill Ray, would have placed limits on which municipalities could use the local option law, and on what questions could be put before the public. Ray's amendment would have limited the question to one of sales, and would have allowed this only in municipalities under 2,500 in population. This would have meant that hub communities such as Bethel would not have been able to prohibit either sales or importation, and communities under 2,500 would not have been able to prohibit importation. The amendment was rejected by the committee. Mr. Dyer noted that the committee felt it would be unfair to foreclose on any communities' right to control alcohol based on size, and that the local option law should have blanket application.

The bill is now in the Senate Judiciary Committee. Members of that committee include George Hohman (D-Bethel), Bill Ray (D-Juneau), Charles Parr (D-Fairbanks), Don Bennett (R-Fairbanks), and Patrick Rody (D-Anchorage).

City of St. Mary's

P.O. Box 163
ST. MARY'S, ALASKA 99658

April 8, 1981

Mayor Paul Beans
P.O. Box 204
Mtn. Village, AK 99632

Enclosed is a copy of our emergency ordinance #81-2 which was past in our April 7, 1981 general city council meeting.

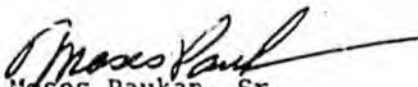
Because of the increasing number of alcohol-related problems at St. Mary's the city council found it necessary to pass and adopt this ordinance which will be in effect for 60 days and which could be extended at the end of 60 days. These alcohol-related problems are caused not only by our residents, but alot of problems are caused from other people coming in from nearby villages and causing problems at St. Mary's.

We are asking that this be posted at a public place and that your council members encourage their people to respect and abide by it when they are within the City of St. Mary's. The city council feels that this is the only way the steady flow of alcohol coming into our city can be stopped.

Thank you for your cooperation and assistance in dealing with this problem.

Sincerely,

CITY OF ST. MARY'S


Moses Paukan, Sr.
Mayor, City of St. Mary's

MD /mm k

cc Russian Mission
Fortuna Ledge
Pilot Station
Pitkas Point
Mtn. Village
Emmonak
Alakanuk
Sheltons Point
Kotlik

Encl
as

ORDINANCE 81-2
AN EMERGENCY ORDINANCE OF THE CITY OF
ST. MARY'S, ALASKA RELATING TO THE
IMPORTATION OF ALCOHOLIC BEVERAGES INTO
THE CITY LIMITS OF THE CITY OF ST. MARY'S

Declaration of Emergency

In recent weeks problems directly related to the availability of alcoholic beverages have increased. Residents from outlying villages as well as residents of the City of St. Mary's are able to obtain sizeable quantities of alcoholic beverages within three to twenty-four hours. The size and numbers of the shipments indicate that much of this alcohol is being sold in violation of local option and consumed in St. Mary's, causing problems of violence and vandalism which the City is not in a position to control. Alcoholism is becoming epidemic in St. Mary's, jeopardizing the wellbeing of families, the employment of individuals, the stability of businesses and the health of individuals. The only viable course open to the City at present is to stop the importation of alcoholic beverages into City limits. Because the need is immediate and requires quick action, an emergency is declared.

THEREFORE, BE IT ENACTED BY THE COUNCIL FOR THE CITY OF ST. MARY'S:

Section 1. Importation of Alcoholic Beverages Prohibited.

No alcoholic beverages may be imported into the city limits of St. Mary's except for the following:

- A. Alcoholic beverages used in religious services.
- B. Alcoholic beverages ordered prior to the passage of this ordinance upon proof of the date of order.

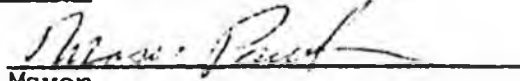
Section 2. Penalty.

Any person or carrier importing alcoholic beverages into the city limits of St. Mary's in violation of this ordinance will be fined not more than five-hundred dollars (\$500) for each occurrence.

Section 3. Effective Date.

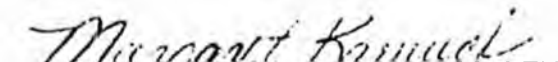
This ordinance becomes effective April 8, 1981 and remains effective for sixty days unless extended or removed by the City Council.

SUBMITTED, PASSED AND APPROVED this 7th day of April, 1981



Mayor

ATTEST:



City Clerk

Resolution No. 81-2

A RESOLUTION OF THE CITY COUNCIL OF ALAKANUK, ALASKA, SUPPORTING SENATE BILL NO. 65 INTRODUCED BY SENATOR RAY AS FOLLOWS:

WHEREAS; The City Council has received a petition containing over 80 signatures equal to over 50% of Alakanuk's Registered voters to have a question put to the vote of the people concerning the Banning of Importation of Alcoholic Beverages as per Alaska Statutes Title 04; and

WHEREAS; The voters wish to vote on the issue as soon as possible; and

WHEREAS; The City Council would like to hold a Special Election, but must wait 9 months to have the question put on the ballot at the Regular Election as per AS 04.11.502 (a); and

WHEREAS; We should be allowed to have a special election on the issue as with other procedures as set out in Title 29;

NOW THEREFORE BE IT RESOLVED THAT, the City Council of Alakanuk supports Amendments to Title 04 as provided by Senate Bill No. 65, Twelfth Legislature - First Session as introduced by Senator Ray allowing municipalities to hold a special election as provided in Title 29; AND

FURTHER BE IT RESOLVED THAT, A.V.C.P., other affected Villages, and other organizations pass concurrent Resolutions supporting this Resolution and SB-65. PASSED AND APPROVED THIS 3rd DAY OF FEBRUARY 1981, BY THE CITY COUNCIL OF ALAKANUK, ALASKA.

ATTEST: Elizabeth A. Chikigak
City Clerk

Mayor Patrick Phillips
Vice Mayor Paul R. Aumak H.
Sec./Treas W. L. ...
Member Wain Hill
Member Joe Joseph
Member Master Shelton
Member Kenneth L. Joseph

RESOLUTION 81-7

A RESOLUTION OF THE CITY COUNCIL OF ALAKANUK, ALASKA, CONCERNING A PETITION PERTAINING TO SALE AND IMPORTATION OF ALCOHOLIC BEVERAGES AS FOLLOWS:

WHEREAS; the City Council of Alakanuk, Alaska, through the Alakanuk City Clerk, has received a Petition containing 72 valid and Certified signatures of Registered Voters of the City of Alakanuk to place upon the separate ballot at the next Regular or Special Election the question "SHALL THE SALE AND IMPORTATION OF ALCOHOLIC BEVERAGES BE PROHIBITED IN ALAKANUK?(YES OR NO)";and

WHEREAS; the City Council finds that 72 signatures were gathered in a proper and timely manner according to Alaska Statutes Title 04 and Title 29 and comcides with the provisions of the Code of Ordinances of the City of Alakanuk;and

WHEREAS; the City Council finds that there represents 107 per cent(%) of the number of Registered voters who cast ballots at the last Regular Election and therefore more than exceeds the required 35 per cent(%) as required by Title 04 to place the question on the ballot at the next Regular election;and

WHEREAS; the City of Alakanuk has been having alcohol related violations of the Alakanuk Code of Ordinances and Alaska's Laws being made in the recent past including "bootlegging";and

WHEREAS; the City Council wishes to respond to the wishes of the community for which we serve; NOW

THEREFORE BE IT RESOLVED THAT in accordance with present laws, the Lieutenant Governor proceed as prescribed by present or future law in the placing of the above mentioned Petitioners' question upon a separate ballot as may be prescibed by law;AND

FURTHER THAT the Lieutenant Governor notify the City Council of his determination and schedule of events concerning the subject of this Resolution at his earliest convenience responding to the following address: Alakanuk City Council
City of Alakanuk
P.O.Box 51
Alakanuk, Alaska 99554.

ADOPTED, PASSED AND APPROVED BY THE CITY COUNCIL OF ALAKANUK, ALASKA, THIS 13th DAY OF March 1981.

Mayor Patrick Phillips

ATTEST: Elyabuk Chikigak
City Clerk

SEAL

CONRAD EARL ALBRECHT, M.D.
PUBLIC HEALTH PHYSICIAN
AFFILIATE PROFESSOR OF MEDICAL SCIENCE
UNIVERSITY OF ALASKA

Box 38, Wirtz, Virginia 24184

26 March 1981

Wilson L. Condon, Attorney General
Pouch "K"
Department of Law
Juneau, Alaska 99811

Dear Sir:

The State Department of Health and Social Services requested that I conduct a review of a major health problem in the Bush Areas of the State concerning alcohol abuse. You may obtain a copy of the report from Mr. Robert L. Cole, Coordinator of the Office of Alcoholism. You will note in my recommendations that some pertain to the activities of your Department. I might say in passing that all personnel of your Department with whom I came into contact were most cooperative and expressive that alcohol abuse was a major, contributing factor to crime in the Bush.

A major deterrent to the misuse of alcohol in these areas of the State, where as you know the highest percentage of crime exists, is going to be the use of the Local Option Laws which were adopted by the legislature in the 1980 session. There is a strong trend apparent that many villages wish to utilize this procedure. Most of them wish to "Forbid both the sale and importation of liquors". However, you and I know that such an ordinance must be enforced. Bootlegging has become a big operation and is usually the source of liquor in the villages.

The purpose of my writing you is to have some guidance on the matter of law enforcement which is being amended under Senate Bill No. 65 that deals with Title 4. My concern is that if a "Local Governing Body of a Municipality Conducts an Election" on Local Option to forbid the sale and importation of liquor under the code and authority, will it be enforced? My concern is that the State Troopers and the Village Public Safety Officers technically will not enforce such a municipally conducted election.

Senate Bill No. 65 has an amendment which will delete "THE LIEUTENANT GOVERNOR SHALL CONDUCT THE ELECTION IN THE GENERAL MANNER PRESCRIBED BY THE ALASKA ELECTION CODE (AS 15.05-15.60)". The Division of Elections in the Lieutenant Governor's office has indicated to me that this is their amendment because there should not be two methods of conducting an election; one by the Lieutenant Governor or one by the governing body of a municipality.

My concern needs your guidance whether or not this amendment should be adopted. I fear that unless the Lieutenant Governor conducts the election, in the general manner prescribed by the Alaska Election Code, the State Troopers will not have the authority to enforce breach of the election decision. Again, if the election conducted by the governing body of a municipality is just as valid and can be enforced by the State, it matters not.

*Copy to Cole
Baerly*

continued

Wilson L. Condon, Attorney General

28 March 1981

Page Two

Please look into this matter and discuss it with the Division of Elections for it would be most unfortunate if the native population is again misled on this matter. After having worked in three communities, I can assure you this is a very serious matter with them. I am writing to the Lieutenant Governor's office to follow-up on a conference I had with Lieutenant Governor Miller personally.

Sincerely yours,

C. Earl Albrecht, M.D.

CEA/cc

April 23, 1981

To: whom may concern:

The way of action of St. Charles City
emergency Ordinance ~~is~~ ^{is very good} to me
in personally as I am a
native and couldnt find any
other ~~best~~ ^{best way} village or city with
Nuberg or divorce on alcohol.

I hope the other items
such as Marijuana and drugs
being taken care before it's getting
to heavy.

Paul J. Williams
Sakowak Bay 14850
City Council Member
Sakowak Bay, CT 06437

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED
AS A UNIT IN THE ORIGINAL DOCUMENT.

STATE OF ALASKA

DEPARTMENT OF REVENUE

ALCOHOLIC BEVERAGE CONTROL BOARD

JAY S. HAMMOND, GOVERNOR

201 EAST 9TH AVENUE
ANCHORAGE, ALASKA 99501

April 1, 1931

Kevin K. Bruce
Committee Aid
Senate Judiciary Committee
Pouch V, State Capitol
Juneau, Alaska 99811

Dear Kevin:

During our telephone conversation this morning you asked me to send you a copy of the Board's proposed regulations. A copy is enclosed. I believe sections 425, 435 and 445 address the subject you asked about.

If I can be of more help, please let me know.

Sincerely,



Patrick L. Sharrock
Director

PLS:vk
Enc.



Official Business

Alaska State Legislature

Senate

Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811

M E M O R A N D U M

TO: Judiciary Committee Members
FROM: Kevin K. Bruce
DATE: April 27, 1981
SUBJECT: COMMITTEE SUBSTITUTE FOR SB 65

You will find attached a rough copy of the proposed substitute for SB 65, based on the testimony heard Friday.

The draft addresses each possible special election concerning alcohol, including:

- AS 04.11.490 - Prohibition of Sale
- AS 04.11.492 - Prohibition of sale except by community license
- AS 04.11.496 - Prohibition of sale and importation
- AS.04.11.500 - Prohibition of sale except by selected licenses

I have included a definite expiration time frame for licenses rather than allowing them to lapse at the end of the calendar year. The draft also now contains an effective date clause.

Please excuse the rough form. I hope to have a regular draft prepared by the meeting.

Original sponsor: Ray

Offered: 3/27/81
Referred: Judiciary

IN THE SENATE

BY THE ~~COMMERCE AND~~
~~REGULATORY SERVICES COMMITTEE~~

CS FOR SENATE BILL NO. 65 ~~(C.R. 77)~~ (JUDICIARY)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to alcoholic beverages."

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

* Section 1. AS 04.11.330 is amended by adding a new subsection to read:

(d) Notwithstanding (a)(3) of this section, a recreational site license issued under AS 04.11.210 may be renewed if the license was exercised at least once during the immediately preceding calendar year.

* Sec. 2. AS 04.11.390(b) is amended to read:

(b) A beverage dispensary license or package store license may not be issued to either a domestic corporation which has not been issued a certificate of incorporation or a foreign corporation which has not been issued a certificate of authority to transact business in the state at least one year before the date of the application. However, a beverage dispensary or package store license may be issued to a domestic corporation if each of the stockholders of the corporation has resided in the state for at least one year IMMEDIATELY PRECEDING THE FILING OF THE APPLICATION.

* Sec. 3. AS 04.11.480(a) is amended to read:

(a) If a local governing body wishes to protest the issuance, renewal, transfer of location or transfer to another person of a license, it shall furnish the board and the applicant with a protest and the reasons for the protest within 30 days of receipt from the board of notice of filing of the application. The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (b)(4) when it considers the application, and the protest and the record of the hearing conducted under AS 04.11.510(b)(2) or (b)(4)

1 shall be retained as part of the board's permanent record of its review
2 of the application. If an application is protested, the board may not
3 approve the application unless the board finds that the protest is
4 arbitrary, capricious, and unreasonable.

* SECTION 4. AS 04.11.490 (b) IS AMENDED TO READ:

(b) If a majority of the voters vote "yes" on the question set out in (a) of this section, the board shall be notified immediately after certification of the results of the election and thereafter the board may not issue, renew, or transfer between holder or locations a license for licensed premises located within the boundaries of a municipality and in unincorporated areas within five miles of the boundaries of the municipality or within the perimeter of an established village. As of midnight of the ninetieth day on [DECEMBER 31 OF THE YEAR IN]

which the results of the election are certified, licenses which may not be renewed are void. The results of an election held under this section are not a ground for the suspension of a license during the year for which the license was issued or renewed, except to the extent a license is voided by the vote of the municipality or established village.

* SECTION 5 AS 04.11.490 IS AMENDED TO READ:

(b) If a majority of the voters vote "yes" on the question set out in (a) of this section, the board shall be notified immediately after certification of the results of the election and thereafter may not issue, renew, or transfer between holders or locations a license for licensed premises located within the boundaries of a municipality and in unincorporated areas within five miles of the boundaries of the municipality, with the exception of a beverage dispensary or package store operated under a community liquor license held by the municipality. As of midnight of the ninetieth day on [DECEMBER 31 OF THE YEAR IN]

P.

which the results of the election are certified, licenses in effect are void. The results of an election held under this section are not a ground for the suspension of a license during the year for which the license was issued or renewed, except to the extent a license is voided by the vote of the municipality or established village.

(c) If a majority of the voters vote "no" on the question set out in (a) of this section or vote "yes" on a question set out in AS 04.11.490, 14.11.496, or 04.11.500 in an election conducted in accordance with AS 04.11.502 after an election in which the voters voted "yes" on the question set out in (a) of this section, the board shall be notified immediately after a certification of the results of the election. As of midnight of the ninetieth day on

[DECEMBER 31 OF THE YEAR IN]

which the results of the election are certified, the prohibitions imposed under (b) of this section on the issuance, renewal, or transfer of licenses between holders and locations as a result of the earlier election are removed except insofar as those prohibitions are imposed in accordance with the results of the subsequent election. The results of an election held under this section are not a ground for the suspension of a license during the year for which the license was issued or renewed, except to the extent a license is voided by the vote of the municipality or established village.

Sec. 6 AS 04.11.496(a) IS AMENDED TO READ:

(a) If a majority of the voters vote "yes" on the question set out in (a) of this section, a person, beginning on the first day of the month following certification of the results of the election, may not knowingly send, transport, or bring alcoholic beverages into the municipality or established village. The board shall be notified immediately after certification of the results of the election and thereafter may not issue, renew,

or transfer between holders or locations a license for licensed premises located within the boundaries of the municipality and within unincorporated areas within five miles of the boundaries of the municipality or within the perimeter of the established village. As of midnight of the ninetieth day on [DECEMBER

31 OF THE YEAR IN]

which the results of the election are certified, licenses which may not be renewed are void. The results of an election held under this section are not a ground for the suspension of a license during the year for which the license was issued or renewed, except to the extent a license is voided by the vote of the municipality or established village.

* Sec. 7 AS 04.11.500 IS AMENDED TO READ:

(b) If a majority of the voters vote "yes" on the question set out in (a) of this section, the board shall be notified immediately after certification of the results of the election and thereafter may not issue, renew, or transfer between holders or locations a license for licensed premises located within the boundaries of the municipality and in unincorporated areas within five miles of the boundaries of the municipality or within the perimeter of the established village, except those types of licenses listed on the ballot. As of midnight of the

ninetieth day on [DECEMBER 31 OF THE YEAR IN]

which the results of the election are certified, licenses in effect within the boundaries of the municipality or perimeter of the established village, and in an unincorporated area outside of but within five miles of the boundaries of the municipality, except those types of licenses listed on the ballot, are void.

(c) If a majority of the voters vote "no" on the question set out in (a) of this section or vote "yes" on the questions set out in AS 04.11.490, 04.11.492, 04.11.496, or 04.11.500 if different types of licenses are listed on the ballot in an election conducted in accordance with AS 04.11.502 after an election in which the voters voted "yes" on the question set out in (a) of this section, the board shall be notified immediately after certification of the results of the election. As of the ninetieth day of ~~the~~

[DECEMBER 31 OF THE YEAR IN] which

the results of the election are certified, licenses in effect in the municipality, in the unincorporated area outside of, but within five miles of the boundaries of the municipality or established village which were excepted from the prohibition on sale in accordance with the results of the earlier election are void. Thereafter the board may not issue, renew, or transfer between holders or locations a license for licensed premises located within the boundaries of the municipality or within the perimeter of an established village, or in an unincorporated area within five miles of the boundaries of the municipality, except a license which may be issued to a municipality or to one of the types of licenses listed on the ballot as a result of a majority of the voters voting "yes" on the question set out in AS 04.11.492 or this section, respectively.

* SEC. 8

AS 04.11.502(a) is amended to read:

(a) The local governing body of a municipality, whenever a number of registered voters equal to at least 35 percent of the number of votes cast at the last regular municipal election petition the local governing body to do so, shall place upon a separate ballot at the next regular election or at a special election whichever question or combination of questions set out in AS 04.11.490 - 04.11.500 constitutes the subject of the petition. The local governing body [THE LIEUTENANT GOVERNOR] shall conduct the election in accordance with the election ordinance of the municipality [THE GENERAL MANNER PRESCRIBED BY THE ALASKA ELECTION CODE (AS 15.05 - 15.60)].

* **Sec. 9** AS 04.11.504 is amended by adding a new subsection to read:
 (b) Reinstatement of a license under (a) of this section may not occur within 12 months after the license was prohibited under AS 04.11.490 - 04.11.500.

* **Sec. 10** AS 04.11.510 is amended by adding a new subsection to read:
 (d) The board may not accept an application for the issuance, renewal, or transfer of a license within one year after a local option election.

* **Sec. 11** AS 04.11.680(c) is amended to read:

AS 04.11.680 (a) Upon application and payment of one-half of the annual fee, the board may issue a license under this title which will be effective for a continuous six-month period. Otherwise, all licenses issued under this title other than a retail stock sale license are effective for the calendar year ending December 31, unless a shorter period is prescribed by the board or by law.

* **Sec. 12** AS 04.16.010(c) is amended to read:

(c) A licensee, his agent, or employee may not permit a person to enter and a person may not enter premises licensed under this title between the hours of 5:00 a.m. and 8:00 a.m. each day. This subsection does not apply to common carriers, as defined in AS 42.10.420(2), or to an employee of the licensee who is on the premises to prepare for the next day's business. A person may enter or remain [OR TO PERSONS REMAINING] on the premises of a bona fide restaurant or eating place licensed under this title to consume food or nonalcoholic beverages.

* **Sec. 13** AS 04.16.020(a) is amended to read:

(a) A person may not pay or receive from another a salary, percentage or commission to solicit or encourage a patron of licensed premises to purchase alcoholic or other beverages for [CONSUMPTION BY] a person other than the patron.

Sec. 14 AS 04.16.049(a)(2) is amended to read:

(2) accompanied by a person over the age of 19 years and with the consent of the person's parent or guardian if the premises are designated by the board [LICENSED] as a restaurant for the purposes of this section [OR EATING PLACE] and the persons enter and remain only for dining.

* Sec. 15

A 04.16.210 is amended to read:

Sec. 04.16.210. PENALTY FOR MAKING FALSE STATEMENT. If a false statement is made in an application under AS 04.11.260 - 04.11.290 [AS 04.11.260], the applicant is guilty of perjury and, upon conviction is subject to the penalty provided by law for the crime of perjury under AS 11.56.200.

* Sec. 16

THIS ACT TAKES EFFECT IMMEDIATELY IN ACCORDANCE WITH AS 01.10.070(C).



Alaska State Legislature

Senate

Judiciary Committee

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811

May 11, 1981

Bear 'n Seal Restaurant
Travelers Inn
813 Noble Street
Fairbanks, Alaska 99707

Reference: Senate Bill 65, "An Act relating to alcoholic beverages."

Dear Sir or Madam:

On April 29, 1981, the Senate Judiciary Committee conducted hearings on the above-referenced legislation and voted at that time to move the bill from committee. This past week, the bill was passed by a full vote of the Senate, and I am optimistic of its further passage by the House.

In summary, this legislation amends Title 4 of the Alaska State Statutes (AS 04.16.049) in an attempt to clarify the law. If enacted by the Legislature, it will again permit those restaurants having bar licenses to employ youths, and should alleviate some of the problems resulting from Title 4 as presently written.

I would encourage your support of this important legislation, and would welcome any comments you wish to direct through my office.

Sincerely,

A handwritten signature in cursive script that reads "Pat".

Senator Patrick M. Rodey
Chairman

PMR/ods



Official Business

Alaska State Legislature

Senate

Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811

May 7, 1981

Commissioner William R. Nix
Department of Public Safety
State of Alaska
Pouch N
Juneau, Alaska 99811

Dear Commissicner Nix: *BILL*

Thank you for your letter regarding SB 65.

The committee passed a substitute bill out on April 29, 1981, and is calendered for Senate action on Thursday, May 7.

Again, I appreciate your support.

Sincerely,

Pat

Senator Patrick M. Rodey
Chairman

PMR/ods

Bill,

We passed it!

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONER

POUCH N - JUNEAU 99811

May 5, 1981

465-4322

The Honorable Patrick M. Rodey
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Rodey:

You have in Committee SB 65 which would amend legislation enacted last year (Sec 04.11.490) that enables local governments to vote on whether or not they wish to control the sale and importation of alcoholic beverages into their communities.

The Department of Public Safety is in complete agreement with the local option elections since alcohol can be traced to practically every public safety problem in outlying villages including interpersonal violence, child abuse and neglect, family disturbances, drownings, exposures, injuries, and accidental fires. To be able to strike at the cause of these problems rather than always reacting to them after they have occurred, has been a long-term goal of mine.

SB 65 seems to clear up procedural questions pertaining to the election process, among its many provisions. However, a major problem remains in that as it is now written, a community which votes to prohibit the sale of liquor would not be able to have the affected liquor license removed until December 31 following certification of the election results. Thus, if a community holds an election and has its results certified in January or February, the prohibition of sale would not be effective until almost a year later. This problem could be easily resolved by providing that the liquor license be removed in 60 to 90 days after certification of the election results.

A problem less easily resolved is how an unincorporated village, and there are approximately 50 of them in Alaska, would enforce the results of such an election. Currently, they have no power to confer authority for enforcement if they have a local policeman or Village Public Safety Officer, and many do not. Thus, as it now stands the State Troopers will have to enforce the election results, which is more difficult than if a locally empowered officer was in place to assist.

Senator

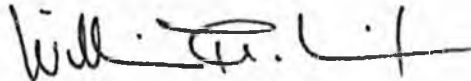
-2-

May 5, 1981

Notwithstanding that problem, I urge that the Committee consider the 60 or 90 day concept, rather than the December 31 date as now exists and report an amended bill out of Committee. There is perhaps no single item of legislation that will contribute more to the well-being of rural Alaska than a workable and unrestrictive local option election for control of alcoholic beverages.

I would be pleased to offer personal testimony on behalf of this important legislation.

Sincerely,

A handwritten signature in dark ink, appearing to read "William R. Nix". The signature is written in a cursive style with a long horizontal stroke at the end.

William R. Nix
Commissioner

cc: Ron Lehr, Budget & Management
Keith Specking, Legislative Assistant
Carole Burger, Special Assistant
Walter V. Lawson, Administrative Services, DPS



Alaska State Legislature

Senate

Official Business

Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811

May 18, 1981

Ms. Carole A. Baekey
Statewide Alcohol Coordinator
Alaska Legal Services Corporation
615 H Street, Suite 100
Anchorage, Alaska 99501

Dear Carole:

Thanks for your kind letter of May 14. However, any "miracles" must be attributed to you and your persistence, not to my efforts.

I enjoyed working with you, and am pleased to see the progress of this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin K. Bruce", with a long horizontal flourish extending to the right.

Kevin K. Bruce
Committee Aide

KKB/ods

LAW OFFICES OF
ALASKA LEGAL SERVICES CORPORATION
615 "H" STREET, SUITE 100
ANCHORAGE, ALASKA 99501
TELEPHONE (907) 272-9431

May 14, 1981

Kevin Bruce, Legislative Aide
Office of The Honorable Patrick Rodey
Alaska State Senate
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Kevin:

Too often the people who do work and make miracles in the offices of the legislators are forgotten. This is a brief note so you will know your efforts were both recognized and appreciated.

Any frustration or rage you saw in me was related to the seemingly long battle, commencing January 13, 1981, to make Senate Bill 65 viable for "bush" communities under siege from alcohol abuse. At some points, it seemed there would be no bill or, if there was, it would represent liquor industry interests rather than the "bush."

Consequently, your help in drafting and willingness to work with me on the dates of testimony and the bill itself were deeply appreciated. Knowingly or not, you - with your efforts - gave "bush" communities a bit more hope that someone would listen and respond.

If I was rude at any time, my apologies. As importantly, thank you.

Sincerely,

ALASKA LEGAL SERVICES CORPORATION


Carole A. Baekey
Statewide Alcohol Coordinator

CAB/csn



Official Business

Alaska State Legislature

Senate

Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811

May 18, 1981

Ms. Carole A. Baekey and
Ms. Barbara Thorn
Alaska Legal Services Corporation
615 H Street, Suite 100
Anchorage, Alaska 99501

Dear Carole and Barbara:

Thank you for your letter regarding the passage of SB 65.

I was pleased to assist in this legislation and am thankful for your efforts in the area.

I appreciate your kind words.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pat".

Senator Patrick M. Rodey
Chairman

PMR/ods

LAW OFFICES OF
ALASKA LEGAL SERVICES CORPORATION
615 "H" STREET, SUITE 100
ANCHORAGE, ALASKA 99501
TELEPHONE (907) 272-9431

May 14, 1981

RECEIVED

MAY 18 1981

The Honorable Patrick Rodey
Chairman, Senate Judiciary Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Pat:

We appreciated the Senate Judiciary Committee on April 24, 1981, taking testimony on Senate Bill 65 and the courtesy of you and your committee to each of the persons testifying. Further, we, along with Diane Bergstrom, enjoyed meeting with you on April 27, 1981.

We were delighted to hear Senate Bill 65 was passed out of the Judiciary Committee on April 25, 1981, and were even more pleased about last week's 18-0 vote passing the bill. Now, of course, there is still work to be done on the House side.

In the greater scheme of legislative considerations, Senate Bill 65 addresses a small issue. However, for "bush" communities Senate Bill 65 permitting alcohol local option elections is a life and death issue as communities seek viable ways to cope with alcohol use and abuse. Your recognition of those issue was more than helpful.

On the lighter side, while fishing and otherwise enjoying the summer we will give the Anchorage "car problem" consideration. Are wobbly pedestrians entitled to due process on the same level accorded automobiles?

Again, thank you for your tangible and meaningful efforts.

Sincerely,

ALASKA LEGAL SERVICES CORPORATION

Carole
Carole A. Baekey
Statewide Alcohol Coordinator

Barbara Thorn
Barbara Thorn
Alcohol Project Legal Assistant

Bering Sea
Women's
Services

Box 1592
Nome AK 99762
443-5259

April 23, 1981

TO: Members of the Senate Judiciary Committee
Patrick Rodey, Chairman

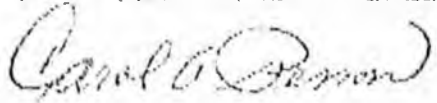
RE: Senate Bill 65 - Amending the Local Options Law

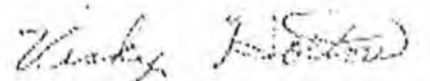
Ninety-eight (98%) percent of the 202 women and children served at the Bering Sea Women's Shelter in 1980 were abused by drunk husbands/fathers. Fifty (50%) percent of the women themselves have alcohol problems.

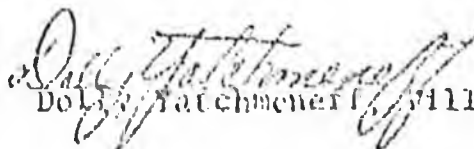
Women have repeatedly expressed their vulnerability in the village setting when there is drinking going on. Village residents who don't drink are afraid of those who do drink because of the well documented tendency of alcohol abusers to become violent.

We have observed village leaders becoming increasingly frustrated when their attempts to limit the availability of alcohol is futile because of bureaucratic blockages. This is resulting in a deepening sense of powerlessness over their own village affairs.

We strongly urge this committee and the Legislature as a whole to allow villages to hold local options elections quickly and to allow local officials to conduct them. Under no circumstances should the privilege to hold such an election be limited to communities under 2,500. The law could be most effectively enforced if regional distribution centers could also elect to go dry locally.


Carol Perron, Director


Vicky Borton, Alcohol
Counselor


Dolores Patchmeyer, Village Coordinator

SENATOR RUSSELL
SENATE JUDICIARY COMMITTEE HEARING

MR. GRACE E. LINCOLN, R.N.

WITH THE LONG HISTORY OF ALCOHOL-RELATED
UNRESOLVED DEATHS OF EIGHT YOUNG WOMEN
FROM KOTZEBUE IT IS CRUCIAL THAT THE ISSUE
OF THE LIMIT OF THE POPULATION OF 2500 OR
LESS FOR A LOCAL OPTION ON THE WET OR DRY
STATUS OF THAT POPULACE BE LIFTED. IT
IS INCREASINGLY DANGEROUS TO GO ABOUT
NORMAL BUSINESS EVEN DURING THE BROAD
DAYLIGHT HERE IN KOTZEBUE. IT ADDS
TO THE FEELING OF HELPLESSNESS OR
FUTILITY WE ARE STRIVING TO ERADICATE.

C.C.

STATE OF ALASKA

DEPARTMENT OF JUSTICE

ASSISTANT ATTORNEY GENERAL - SECOND JUDICIAL DISTRICT

JAY S. HAMMOND, Governor

582 110 - HOME 5970

April 23, 1981

Senator Pat Rodey, Chairman
Senate Judiciary Committee
Juneau, AK. 99811

Re: Hearings on local options provisions.

Dear Chairman Rodey and
Members of the Senate Judiciary Committee,

I would like to briefly comment on the proposed amendments to the local option provisions. Prior to doing so I must point out the serious problems created in rural Alaska villages due to excessive alcohol consumption. On a daily basis I deal with the victims of violent crime in bush Alaska. These crimes are virtually all committed by an offender who is under the influence of alcohol. An example of this devastation can be seen by the high rate of homicides in the Second Judicial District which is primarily rural. In one village alone there have been two alcohol related killings by firearms in the last year. On a per capita basis, taking into account the small number of residents of the village this would equate to 42 people a week being victims of homicides in a city the size of Anchorage.

Something must be done, and it must be done quickly. Of course, violent acts committed by those under the influence of alcohol are merely the symptoms of the alcohol problem. My office is only able to handle the symptoms by protecting communities from those who have already caused destruction. Local option provisions can start the process of treating the causes of violent crime in bush Alaska.

The current local option statutes have been uniformly heralded by rural Alaska residents. My office has been heavily involved in communications with village spokesmen in trying to assist villages in preparing local option provisions. The particular provisions passed in the last legislative session were extremely good in that they allowed villages to close the loop holes in prior law by keeping alcohol from being imported as well as being sold. Virtually every village I have communicated with wants to enact this provision. To date they have been unable to do so due

to the procedures which require that the vote take place in a state-wide, or state run election handled by the Lt. Governor. I am confident that if the villages had been able to pass the local option provision prohibiting sale and importation when it became effective in 1950, that there would be people alive today that have been killed by intoxicated people in the interim.

I urge this committee to look favorably on the bill before it which would allow special elections in second class municipalities for the purpose of passing local option provisions. It is impossible to tell how many lives will be ended or adversely affected between now and the next state-wide election if the statute remains the way it is. The sooner that small rural communities can prohibit importation of alcohol the better. Based on my experience as the criminal prosecutor for the Sacore Judicial District at least one person will be killed in each two-month period from now until importation of alcohol is banned in this area. These deaths can be prevented by this committee doing everything possible to speed up the mechanism by which villages can ban the importation of alcohol.

Sincerely yours,



Michael R. White
District Attorney

BNW:ew



TO: Members of the Senate Judiciary Commission

Attention: Mr. Patrick Roddy

I am a Catholic priest who has been working in the Alaska bush for the past 25 years (Holy Cross, Mt. Village, Pilot Station, Marshall, St. Marys, Barrow, Little Diomed and the last 15 years in Nome).

In all of those years the only really discouraging thing I have come across is alcoholism.

What used to be a problem is now a disaster, an epidemic in village after village after village.

Everywhere we are faced with family desertion, murder, theft, suicide, beatings, rape, and they are 90% alcohol related. It's threatening an entire people.

Therefore, I would urge you with all my heart to put into the hands of the people in the villages the tool to take advantage of the Title IV Local Options Law -- the adoption of the amendment on special elections at any time and the ability of the local governing body to conduct the elections. If a village then wants to help itself, it may do so.

I remain,

Sincerely and hopefully,

Fr. James E. Poole, S.J.



Official Business

Alaska State Legislature

Senate

Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811

May 5, 1981

Mr. Paul Z. Wasserman
Alcohol & Drug Abuse Program
Association of Alaska
P. O. Box 4-1338
Anchorage, Alaska 99509

Dear Mr. Wasserman:

Thank you for your letter alerting me to an increased substance abuse problem in the Bethel/Yukon-Kuskokwim region.

The Judiciary Committee has recently passed out two bills which should assist local communities in retarding further trafficking of these substances. First, SB 65 gave communities the statutory authority to limit or prohibit the sale and importation of alcohol into their areas. Secondly, SB 190 has recodified the state's drug laws and should assist prosecuting attorneys and enforcement officers in stemming the flow of drugs.

I appreciate your concerns in this area and will continue to work on legislation that will alleviate some of these problems.

Sincerely,

A handwritten signature in cursive script that reads "Pat".

Senator Patrick M. Rodey
Chairman

PMR/ods

Alcohol & Drug Abuse Program
Association of Alaska

P.O. Box 4-1338 Anchorage, Alaska 99509

April 29, 1981

Senator Patrick M. Rodey
Pouch V
State Capitol
Juneau, AK 99811

RECEIVED

MAY 04 1981

Dear Senator Rodey:

I am writing to apprise you of an important matter which has come to my attention in recent months.

Health Corporation officials and staff in the Bethel/ Yukon-Kuskokwim region have become increasingly aware and concerned about the spreading use of marijuana, and other illicit drugs, among the young people in that area.

This problem appears to be particularly evident in the villages surrounding Bethel, where marijuana used in combination with alcohol accounts for a great deal of the crime, mortality and other impacts afflicting these communities.

It is suspected that most of these drugs arrive through the mail or other parcels aboard outbound flights from places such as Anchorage, Fairbanks and Juneau.

As I am sure you know, it is generally much more effective to prevent a problem such as alcohol or drug abuse than it is to deal with the consequences of the problem.

The abuse of illicit drugs lends itself particularly well to effective prevention efforts, especially when the avenue for their transportation and distribution is fairly narrow and illegal as such. For example, increased efforts at detecting the presence of such contraband at points of departure and arrival might prove to be effective control measures.

Any efforts you may make which are directed toward the examination and solution of this costly and destructive problem would be of real service to us all.

Your kind attention to this matter and your continuing concern for the welfare of all Alaskans is greatly appreciated.

Respectfully yours,

Paul Wasserman

Paul Z. Wasserman



Official Business

Alaska State Legislature

Senate

Judiciary Committee

SB 65
Pouch V
State Capitol
Juneau, Alaska 99811

May 5, 1981

Dr. Helen D. Beirne
Commissioner
Department of Health and
Social Services
Pouch H-01
Juneau, Alaska 99811

Dear Helen:

Thank you for your letter of May 1 and your comments with respect to SB 65, "An Act relating to alcoholic beverages."

I am pleased to report that, after extensive hearings, the Senate Judiciary Committee passed SB 65 out of committee on April 29, 1981.

I consider this important legislation, and will work to ensure its passage when it reaches the Senate floor.

Thank you again for your comments.

Sincerely,

A handwritten signature in cursive script that reads "Pat".

Senator Patrick M. Rodey
Chairman

PMR/ods

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER

May 1, 1981

JAY S. HAMMOND, GOVERNOR

POUCH H 01
JUNEAU, ALASKA 99811

PHONE:

Document# 121-81

The Honorable Patrick M. Rodey
Alaska State Senate
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

RECEIVED

Dear Senator Rodey:

MAY 05 1981

The Department was pleased to host a conference in Juneau on April 24-26, 1981 on rural violence prevention. Representatives from virtually all parts of rural Alaska attended. The purpose of the conference was to plan ways to strengthen self-image and self-reliance of Alaska's rural population.

The conference was an extremely exciting one and much information was exchanged. Alcohol and drug abuse appeared to be fairly persistent problems for rural communities, taking their toll in increased numbers of violent deaths, family problems, suicides, and accidents. Because of the seriousness of these problems, strong feelings regarding the need to strengthen local options to control the sale and transportation of alcohol into a village were expressed. The group passed a resolution in support of alcohol programs and SB 65 which permits special elections to be held to vote on opting to go "dry", rather than waiting for the general election to be held each fall. We have attached a copy of that resolution and the list of participants, as well.

We, too, join with the participants of this conference in acknowledging the seriousness of the problem of alcoholism in our state. We look forward to working with you to find solutions to Alaska's number one health problem.

Sincerely,

Helen D. Beirne

Helen D. Beirne
Commissioner

Participants to Rural Violence Prevention Conference

April 24-26 Juneau Alaska

American Legions Conference Room, 339 Franklin Street

Sadie Neakok	Barrow
Mary Edwardsen	Barrow
Della Keats	Kotzebue
Augie Hoffman	Kotzebue
Minnie Norton	Kotzebue
Max Brown	Sitka
Olof Hansen	Dillingham
Samuel Smith	Bethel
Willa Ashenfelter	White Mountain
Georgenne Anasogak	Koyuk
Katherine Kobuk	St. Michaels
Irene Aukongak	Golovin
David Salman	Chalkyitsik
Jim Sozoff	Anchorage - Facilitator
Martha Jack	Bethel
Nancy Davis	Sitka
Anna Frank	Fairbanks
Mary Mc Quillan	Port Townsend, WA
Rene Astruc	Emmonak
Dale Sarles	Juneau - Facilitator
Elizabeth Kubler-Ross	Escondido, CA
Carole Baekley	Anchorage

Representatives from Dept. of Health & Social Services

Helen D. Beirne	Commissioner
Allen Korhonen	Dep. Commissioner, Management Services
Verner Stillner, M.D.	Director, Mental Health & Dev. Dis.
Charles Campbell	Director, Adult Corrections
Bob Cole	Director, Alcoholism & Drug Abuse
Liz Muktarian	Director, Adult & Aging Services
Betsy McGuire	Coordinator, Domestic Violence
Nina Kinney	Soc. Serv. Program Coordinator
Nils Annerud	Coordinator, Prev/Holistic Health
Lois Bergerson	Chief of Nursing, Public Health
Bella Hammond	Alaska's First Lady, Juneau
Dixie Belcher	Pres. AK. Hol. Health Ass., Juneau
Jim Messick	Public Safety, Anchorage
Caren Robinson	Rep. Dom. Violence, Juneau
Maureen Conerton	Rep. Dom. Violence, Juneau
Penny Holden	SEARHC, Juneau
Bill Richards, M.D.	Alaska Area Nat. Health Services, Anchorage
Donna Lindstedt	Seattle, WA
Ellen Campbell	Juneau
Barbara Thorn	Anchorage

STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH 5
JUNEAU, ALASKA 99811

February 24, 1981

The Honorable Donald E. Gilman
Chairman
Senate Community and Regional
Affairs Committee
Room 203 - Behrends Building
Juneau, Alaska

Re: Senate Bill No. 65

Dear Senator Gilman:

Senate Bill No. 65, an Act relating to alcoholic beverages, was introduced in the Senate of January 13, 1981 and was referred to the Senate Community and Regional Affairs and Judiciary Committees.

For the consideration of the Senate Community and Regional Affairs Committee, I am enclosing a copy of a Fiscal Note prepared by Mr. Patrick Sharrcock, Director, Alcoholic Beverage Control Board, Department of Revenue, Anchorage concerning the proposed legislation.

Sincerely,

R. D. Stevenson
Special Assistant

cc: The Honorable Patrick M. Rodey
Chairman
Senate Judiciary Committee

Joseph K. Donohue
Deputy Commissioner
Department of Revenue

Patrick Sharrock, Director
Alcoholic Beverage Control Board
Department of Revenue
Anchorage, Alaska

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB#65
Title An Act Relating to Alcoholic Beverages
Requested by Senator Ray Date _____

II. FISCAL DETAIL

Agency Affected Department of Revenue
Program Category Affected Consumer Protection
BRU, Program, or Subprogram(s) Affected Alcoholic Beverage Control Board
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						
	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

*Enactment of this legislation will not have fiscal impact on the
Alcoholic Beverage Control Board.*

IV. DATE February 24, 1981 PREPARED BY Patrick L. Sharrock, Director
AGENCY Alcoholic Beverage Control Board
PHONE 277-8638

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

RESOLUTION FROM RURAL VIOLENCE CONFERENCE

RECEIVED

APR 27 1981

Whereas we representative native Alaskans from across the State, many from smaller villages, gathered in Juneau April 24-26 at the invitation of the Commissioner of Health and Social Services to assess ways to help our people possess a healthier self image and more self reliance, and

Whereas all of us present acknowledged that substance abuse, especially of alcohol, is a particularly serious problem in village settings, and must be addressed from many perspectives, including individual and group responsibility to make choices on how to live well, healthy, and wholesome lives, and

Whereas we were addressed at length on the nature of SB 65 (and amendments) and believe it to be a step in the right direction for people in the villages to have State legal support whenever they may choose by local option to control the sale and bringing of alcohol into a village, and

Whereas it is believed that because of the severe nature of alcohol abuse in the villages (2nd class cities) should be allowed to hold special elections as prescribed by municipal election procedures rather than waiting for the general election in the fall, and

Whereas it is believed that liquor licenses should be invalidated 90 days after the election has been certified so that villages do not have to wait until December 31st of that year, and

Whereas it is known that a number of communities have already sent petitions to the Division of Elections concerning Title IV local option law and request prompt action from the State as soon as the amendments to SB 65 becomes law, and

Whereas we discussed our support for the alcohol programs throughout Alaska and urge continued funding for these services, and

THEREFORE BE IT RESOLVED that we urge the First Session of the 12th State Legislature to act on SB 65 and refunding of the alcohol programs as a means to support and encourage the welfare, health, and self reliance of Alaskans in small communities and villages.

Juneau April 24-26, 1981

Mary Edvardson	Box 211	Barrow Alaska
Ladie Neakok	Box 276	" "
North Jack	Box 825	Bethel, Alaska
Katherine Kobuk	Gen. Del.	St. Michael, Ak 9965
Georgianne Quasogak	Gen Del	Kayuk, Ak 99753
Willa Ashenfelter		White Mountain, Ak 99784
Irene Autongak		Galena, Ak. 99762
David Salmer		Chalkyitsik Ak 99788
Margie Hobson		
Margie Hobson	Box 256 H	Kingbone Alaska 99752
Anna Frank	1302 21st	Fairbanks 99701
Claf T. Hanson	Box 12	Dillingham aka
David Scott	1065 Cherry St.	Anchorage, Ak 99504
Rene Astruc	Emmonak.	Ak. 99581

(12) the license is sought for the sale of alcoholic beverages in an established village in which there are no licensed premises at the time of application unless a majority of the voters in a local option election conducted in accordance with AS 04.11.502 have voted "no" on the question set out in AS 04.11.490 or have voted "yes" on the question set out in AS 04.11.500.

(b) An application requesting issuance of a new permit shall be denied if

(1) the board finds, after review of all relevant information, that issuance of the permit would not be in the best interests of the public;

(2) the board finds that any of the statements made in the application are untrue;

(3) the application has not been completed in accordance with AS 04.11.260;

(4) the permit is sought for the sale of alcoholic beverages in a first or second class city or established village in which there are no licensed premises at the time of application unless a majority of the voters in a local option election conducted in accordance with AS 04.11.502 have voted "no" on the question set out in AS 04.11.490. (§ 2 ch 131 SLA 1980)

Cross reference. — As to application for new license or permit, see AS 04.11.260.

Sec. 04.11.330. Denial of license or permit renewal. (a) An application requesting renewal of a license shall be denied if

(1) the board finds, after review of all relevant information, that renewal of the license would not be in the best interests of the public;

(2) the license has been revoked for any cause;

(3) the applicant has not operated the licensed premises for at least 30 eight-hour days during the immediately preceding calendar year, unless the board determines that the licensed premises are under construction or cannot be operated through no fault of the applicant;

(4) the board finds that issuance of an existing license under AS 04.11.400(g) has not encouraged tourist trade;

(5) the requirements of AS 04.11.420 — 04.11.450 relating to zoning, ownership of the license, and financing of the licensee have not been met;

(6) renewal of the license would violate the restrictions pertaining to the particular license under this title;

(7) renewal of the license is prohibited under this title as a result of an election conducted in accordance with AS 04.11.502;

(8) the application has not been completed in accordance with AS 04.11.270;

(9) the license was issued under AS 04.11.400(j), and the board finds that the public convenience does not require renewal.

(b) An application for renewal of a license may be denied if the applicant is delinquent in the payment of taxes if the tax liability arises in whole or in part out of the licensed business.

(c) An application requesting renewal of a conditional contractor permit shall be denied if

(1) the board finds, after review of all relevant information, that issuance of the permit would not be in the best interests of the public;

(2) the application has not been completed in accordance with AS 04.11.270. (§ 2 ch 131 SLA 1980)

Cross reference. — As to application for renewal of license or permit, see AS 04.11.270.

Sec. 04.11.340. Denial of transfer of location. An application requesting approval of a transfer of location of licensed premises shall be denied if

(1) the board finds, after review of all relevant information, that transfer of location of the license would not be in the best interests of the public;

(2) the transfer of location of the license is prohibited under AS 04.11.400(a) or prohibition of transfer is found necessary under AS 04.11.400(b);

(3) the license would be transferred out of the election district within which it was originally issued, unless the election district into which the license would be transferred is within the incorporated city, organized borough or unified municipality within which the license was originally issued;

(4) transfer of ownership is to be made concurrently with the transfer of the location of the licensed premises and a ground for denial of the transfer of ownership under AS 04.11.360 is presented;

(5) the application has not been completed in accordance with AS 04.11.290;

(6) transfer of location of the license would result in violation of local zoning law;

(7) transfer of location of the license would violate the restrictions pertaining to the particular license imposed by this title;

(8) transfer of location of the license is prohibited under this title as a result of an election conducted in accordance with AS 04.11.502;

(9) the licensed premises are to be located in a municipality, the type of license sought to be transferred is a beverage dispensary or package store license, and that type of license is already in effect in that municipality under a community liquor license, unless the transfer to become effective after the community liquor license is no longer effective, whether as the result of a local option election or otherwise.