

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2

3263 HJUD HB 34 - HB 35



Alaska State Legislature

House

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

February 14, 1985

TO: Rep. Mike Miller

FROM: Denise Zachary, A.A.

RE: staff analysis/ HB 34: Limitation Liquor Licenses

CS for HB 34 (State Affairs)

Section 1. AS 04.11.100: Adds new language to restaurant section;
"50% of gross receipts must be from sale of food"
(prior to 1981 statute changes, above language was included as well as
"no alcohol consumption on premises unless served with sale of food")

Section 2. AS 04.11.340: Amended adding relocation [TRANSFER OF LOCATION]
to make language consistent throughout bill

Section 3 and 4. AS 04.11.400(a) and (b): Adds language from HB 150 (Gov's)
but ups population limits to 3000 [1500]. Adds areas outside of a city,
municipality, or village, but inside an organized borough -- provides that such
areas will be governed by same quota formula as inside established villages,
incorporated cities, and unified municipalities.

** SHORT TERM EFFECT: no package store or beverage dispensary licenses will be
available in immediate future or until areas have sufficient population growth.
The Board may, in their discretion, continue to issue special licenses for
public convenience or to promote tourism.

Section 5. AS 04.11.400(e): Changes date for determining population where
"5 Mile Rule" is used. Current law = use population statistics from Dec. 31,
preceding the year of date of application. CSHB 34 = population will be
determined as of the date application is filed with A.B.C. Board, or another
date not more than 60 days earlier.

Section 6. AS 04.11.400(f): Technical changes adding HB 150 amendments.

Section 7. AS 04.11.400(g): Issue or transfer of beverage dispensary or restaurant license may be approved by Board if it appears to encourage tourist trade by construction or improvement of hotel, motel, or resort.

Sets up population standards for Board determination of hotel-motel licenses. (A.B.C. Board draft regulations increased by 5 rooms each population unit.)

Section 8. AS 04.11.400(h): Technical changes.

Section 9. AS 04.11.400(i): Ups population limits to 3000 [1500].

Relocation allowed if less than one mile from original location.
No ground for Board denial if relocation necessary due to termination of lease agreement, condemnation, or destruction of premises by any cause.

Section 10. AS 04.11.400(j): Pertains to issuance or transfer of restaurant or eating place licenses. Board has public convenience discretion.

Section 11. AS 04.11.504 (in original HB 34): Regards issuance or relocation of liquor licenses by majority vote at local elections.

If local governing body requests fewer licenses than population limit, Board may only issue that amount. If city is "dry" and local vote changes to allow alcohol, priority shall be given to liquor licenses previously issued although applicants have no legal right to license and Board is not required to approve application.

Section 12. Adds Immediate Effective Date.



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y. State Capitol
Juneau, Alaska 99811
(907) 465-3991

March 13, 1985

MEMORANDUM

TO: Representative Randy Phillips
ATTN: Janet Seitz
FROM: Rob Waldman, Legislative Analyst *RW*
RE: Alcoholic Beverage Licensing in Other States
Research Request 85-195

You requested this agency to provide you with information on the methods by which other states limit the number of retail alcohol beverage licenses issued. This memorandum presents a summary table of licensing methods for fourteen states and Alaska. A discussion of the use of population quota controls and other methods of regulation follows the table.

Methods of Regulating Alcoholic Beverages

<u>State</u>	<u>Full Service</u>		<u>Beer/Wine</u>	
	<u>Method of Regulation</u>	<u>Population to License</u>	<u>Method of Regulation</u>	<u>Population to License</u>
Alaska	pop. quota	1,500:1	pop. quota	1,500:1
California	pop. quota	2,000:1	no limiting system application fee municipal ordinance	
Florida	pop. quota	2,500:1	pop. quota	2,500:1
Kansas	private clubs		private clubs	
Idaho	pop. quota	1,500:1	no limiting system application fee	
Massachusetts	pop. quota	1,000:1	pop. quota	5,000:1
Montana	pop. quota	variable	pop. quota	variable

Methods of Regulating Alcoholic Beverages (continued)

<u>State</u>	<u>Full Service</u>		<u>Beer/Wine</u>	
	<u>Method of Regulation</u>	<u>Population to License</u>	<u>Method of Regulation</u>	<u>Population to License</u>
Nevada	municipal ordinance		municipal ordinance	
Nebraska	no limiting system application fee municipal ordinance		no limiting system application fee	
New Jersey	pop. quota	3,000:1	pop. quota	3,000:1
New Mexico	pop. quota	2,000:1	pop. quota	2,000:1
Oregon	pop. quota	2,000:1	no limiting system application fee	
Pennsylvania	pop. quota	2,000:1	pop. quota	15,000:1
Texas	no limiting system application fee		no limiting system application fee	
Washington	pop. quota	1,500:1	no limiting system application fee	

Source: Telephone survey of states' alcohol beverage licensing offices.

ALCOHOLIC BEVERAGE LICENSE REGULATION

Full Service Retail Sales

Of the fifteen states included in the preceding table, eleven states utilize a population to license ratio to determine the number of licenses issued for full service retail sales (by municipality or county).

- Massachusetts utilizes a 1,000:1 ratio;
- Idaho, Washington, and Alaska use a 1,500:1 ratio;
- California, New Mexico, Oregon and Pennsylvania use a 2,000:1 ratio;
- Florida utilizes a 2,500:1 ratio;

- New Jersey utilizes a 3,000:1 ratio; and
- Montana instituted a variable ratio as shown below.

Montana's Variable Ratio Regulating Number of Licenses Issued

<u>City Population</u>	<u>Number of Licenses</u>	<u>Ratio</u>
500 or less	2 retail	250:1
500 to 3,000	3 retail for first 1,000 population 1 for each additional 1,000 population	333:1 400:1 - 600:1
more the 3,000	5 retail for first 3,000 population 1 retail for each additional 1,500 population	600:1 750:1 +
Outside cities (beyond 5 miles)	1 retail for every 750 population	750:1

These states have implemented population quota controls in an attempt to: 1) limit consumption of alcoholic beverages and thereby effectively reduce alcoholism rates; and 2) control the alcoholic beverage market, reduce competition, and insure improved business. The population to license ratio adopted by states was selected for its success in an adjacent state, or it was arrived at by trial and error or compromise.¹

Washington was the first state in the Northwest to enact a population to license ratio. According to Chuck Dalrymple, Assistant Supervisor of Licensing-Liquor Control Board, Washington's initial concept for this limiting system was patterned after similar controls instituted by the heavily populated eastern states and the western Canadian provincial governments.

All of the eastern states surveyed utilize population quota systems. They feel that there is too much consumption of alcoholic beverages as a result of too many retail establishments. Their intent is to reduce

¹Oregon originally adopted a 1,500:1 ratio patterned after ratios in Idaho and Washington. It was amended to 2,000:1 as a result of internal state pressures to limit consumption (church and temperance groups) and insure stability in the retail market. California originally enacted a 1000:1 ratio, and later amended it to 2,000:1.

the actual population to license ratio. There are more businesses in operation, due to grandfather clauses, than these states would like to see.²

In addition to quota-controlled full service licenses, each state issues "public convenience" class full service licenses. These are not dependent upon a population to license ratio. The following table presents the public convenience class licenses issued by states.

Full Service Public Convenience Classes

	States*										
	AK	CA	FL	ID	MA	MT	NJ	NM	OR	PA	WA
Hotel	X		X		X		X			X	
Fraturnity Club		X		X	X		X	X	X	X	X
Municipal Golf			X	X	X	X	X			X	
Rodeo				X							
Ski Resort	X			X							
Lake Resort	X			X		X					
Casino							X				
Private Club										X	
Convention Center	X		X	X	X						
Bowling Alley			X								
Resturant			X					X	X		
Airlines	X		X			X					

*AK--Alaska; CA--California; FL--Florida; ID--Idaho; MA--Massachusetts; MT--Montana; NJ--New Jersey; NM--New Mexico; OR--Oregon; PA--Pennsylvania and WA--Washington.

Source: Telephone survey of all alcohol beverage licensing offices.

²All businesses operating prior to enactment of limiting legislation were issued retail licenses. At the present time, the number of licenses exceed the number allowed by population.

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Kansas, Nebraska, Nevada and Texas do not attempt to regulate the number of retail licenses issued. The following section discusses the intent behind this lack of state regulation.

Kansas

The intent of alcoholic beverage legislation in Kansas is to restrict the sale and consumption of alcoholic beverages. Prior to 1947, Kansas was a dry state influenced by a very strong bible-belt temperance movement. Today, alcoholic beverages can be sold by the glass only at private clubs for consumption by members, or consumed at home (retail off-premises sale). State law prohibits the sale of liquor for on-premises consumption at public establishments such as bars, restaurants, hotels, etc. In addition, the state cannot restrict the number of private club licenses issued. However, the Alcoholic Beverage Commission (ABC) does have some regulatory authority. The ABC has the right of review on all new private club license applications. They may deny a license if it can be shown that an applicant has been involved in criminal activities.

The ABC also issues regulations on club membership. Members must pay annual dues; and clubs must wait 10 days following submittal of an application prior to acceptance of that person in the club. The last regulation is very significant in that it restricts access to alcoholic beverages for large numbers of persons and successfully reduces consumption of alcoholic beverages. Individuals from out of town cannot drink because they cannot enter private clubs. There is one exception, and that is if a member takes a person to the club as a guest. Guests are admitted for only one evening.

The impact of this type of access is that drinking must be planned well in advance and cannot be spontaneous. Kansas feels that this system dramatically reduces alcoholism. However, the governor has recently attempted to change this legislation and introduce a quota system. He believes that the present system is restrictive to industries such as tourism.

Nebraska

Nebraska's law does not restrict the number of alcoholic beverage licenses issued. However, the state Liquor Control Commission (LCC) and the local municipal alcoholic beverage board have review and approval power over all licenses. Normally, all persons or corporations applying for a license are investigated by the LCC. Approval is based upon the commission's finding that the applicant has no involvement in criminal activities.

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Page Six

Some municipalities attempt to regulate the number of retail establishments within specific districts by redrafting zoning ordinances, but none have the power to totally prohibit sales. In recent years, attempts have been made to draft legislation that could institute a population quota system based upon a 1500:1 ratio. However, Nebraskans have not supported this concept. George Kublef, Director of Administration-LCC, stated that "the people of Nebraska still feel that the state is a part of the wild west, and that full uninhibited access to liquor is a right and a necessity."

Nevada

Under Nevada state law, consumption and sale of alcoholic beverages is totally unrestricted. This is due to its close association with gaming and other industries such as tourism. In fact, the issuance of licenses for sale of alcoholic beverages is not a function of state government, but is strictly under the jurisdiction of local city or county governments.

I contacted the alcoholic beverage licensing offices in Reno (Washo county) and Las Vegas (Clarke County). Neither community has implemented regulations that could restrict the number of retail licenses (full service and beer/wine for on-off premises consumption). However, they do attempt some regulatory control through the board of county commissioners. The board is required to review all applications for new licenses and sale of businesses. If the board finds that the applicant or any party within the transaction is, or has been, involved in criminal activities, then the license may be denied.

Texas

Texas state law loosely regulates the sale and consumption of alcoholic beverages. According to the Alcoholic Beverage Commission (ABC), most Texans view drinking as a right of the old west, and believe that government regulations should have as little to do with liquor as possible. As a direct result, the ABC does not attempt to restrict the number of retail alcoholic beverage licenses issued. However, the commission does set specific requirements which must be met by all liquor license applicants. All persons submitting applications (possessing at least a 10 percent share of the business) must be at least 19 years of age, a Texas resident for at least 3 years, and have no felony convictions.

BEER AND WINE RETAIL SALES

Of the 15 states surveyed, only seven states attempt to regulate the number of beer and wine licenses issued through population to license ratios: Alaska (1500:1), Florida (2,500:1), Massachusetts (5,000:1), New Jersey (2,500:1), New Mexico (2,000:1), Pennsylvania (15,000:1), and Montana (see variable table below).

Montana's Variable Ratio Regulating Number of Licenses Issued

<u>City Population</u>	<u>Number</u>
500 or less	1 retail
500 to 2,000	1 retail for each 500 population
more than 2,000	4 retail for first 2,000 population 2 retail for next 2,000 population 1 retail for each additional 2,000 population
outside city	1 retail for each 750 population

All five states have implemented these control methods in an attempt to reduce the public's access to and consumption of alcoholic beverages, and thereby reduce alcoholism rates. As with full service licenses, there are more beer and wine licenses than are allowed by municipal and county population statistics. The boards feel that it will be many years before new licenses will be issued based on population quotas.

No Controls

The other eight states do not regulate the number of beer and wine licenses issued. In most cases, the alcoholic beverage boards view the consumption and sale of beer and wine as a public convenience. Through this policy, establishments such as small restaurants, bowling alleys, public carriers, etc, can obtain licenses at reasonable costs. California, Idaho, Oregon, and Washington are in favor of small businesses having these licenses. They believe through these licenses businesses will show improved income.

Texas and Nebraska view consumption of beer to be an unquestionable right, and regulation is not to be discussed. Kansas law does not regulate the number of licenses issued; however, beer and wine by the glass can be purchased only in private clubs. This system strictly

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controls and limits access and consumption levels. Nevada state law does not address licensing, it is a municipal matter and most cities do not regulate issuance.

I hope you find this information useful. If you need additional information please call.

RW



Alaska State Legislature

House of Representatives

Committee on State Affairs

Official Business

Pouch V
State Capitol
Juneau, Alaska 99811

(807) 465-4663

Representative Mike M. Miller
Chair Judiciary Committee
House of Representatives
Room 124 Capitol
Juneau, Alaska

February 25, 1985

Dear Representative Miller:

The House State Affairs Committee had for consideration HB 34 "An Act relating to the limitation of certain types of liquor licenses." The Committee passed out a committee substitute for HB 34 incorporating the intention of HB 150 "An Act relating to alcoholic beverage licenses; and providing for an effective date."

CSHB 34 (sa) "An Act relating to the administration of liquor licenses; and providing for an effective date" is legislation limiting liquor licenses in the state of Alaska. However, the committee has some concerns with CSHB 34 (sa) that it would like the Judiciary committee to look into.

- 1) Should the population ratio used to determine the amount of beer and wine license in an area be the same population figures for all other types of liquor licenses?
- 2) Should there be language included to set up a system to verify that at least 50% of the earnings from a restaurant with a beer and wine license, are from the sale of food?

The House State Affairs Committee appreciates the House Judiciary Committee looking into these concerns.

Sincerely,

A handwritten signature in cursive script that reads "Katie Hurley".

Katie Hurley, Chair
House State Affairs Committee

((STATE OF ALASKA 1985 LEGISLATIVE SESSION))
FISCAL NOTE

No. 1

Revision Date: _____

REQUEST CSHB34
 Bill/Resolution No.: (St. Affrs)
 Title: "An Act relating to the
 administration of liquor licenses"
 Sponsor: Rep M.M. Miller/St Affrs.
 Requestor: State Affrs Committee
 Date of Request: 2/21/85

FISCAL DETAIL
 Agency Affected: Community & Regional Affairs
 Program Category Affected: _____
 Community Development
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-		

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-		

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

The Department remains only remotely affected by this committee substitute bill. The bill does potentially have an affect on local governments and continues to base administration of liquor licenses on population figures issued by C&RA.

Prepared By: Doug Griffin, Deputy Director *Griffin* Phone: 465-4750
 Division: Municipal & Regional Assistance Date: 2-22-85

Approved by Commissioner: _____ Date: 2-22-85
 Agency: Community & Regional Affairs

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

7/1/84

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 2/22/85

REQUEST
 No. 2
 Bill/Resolution No.: CSHB 34 (SA)
 Title: AN ACT RELATING TO THE
ADMINISTRATION OF LIQUOR LICENSES
 Sponsor: REP. M. M. MILLER
 Requestor: HOUSE STATE AFFAIRS COM.
 Date of Request: 2/21/85

FISCAL DETAIL
 Agency Affected: DEPARTMENT OF REVENUE
 Program Category Affected: PUBLIC PROTECTION
 BRU, Program or Subprogram(s) Affected: ALCOHOLIC BEVERAGE CONTROL BOARD

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Patrick L. Sharrock Phone: 277-8638
 Division: Alcoholic Beverage Control Board Date: 2/22/85
 Approved by Commissioner: Marv A. Nordale Date: 2/22/85
 Agency: Department Of Revenue

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 34
 Title: "An act relating to the limitation of certain type of liquor license".
 Sponsor: M.M. Miller
 Requestor: _____
 Date of Request: 1/28/85

FISCAL DETAIL

Agency Affected: Health & Social Services
 Program Category Affected: Alcohol and Drug Abuse Services
 BRU, Program or Subprogram(s) Affected: Alcohol and Drug Abuse Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -
CAPITAL	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -
REVENUE	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Matthew C. Felix *Matthew C. Felix* Phone: 586-6201
 Division: Alcoholism and Drug Abuse Date: 1/21/85

Approved by Commissioner: John R. Pung Date: 2/5/85 *JCC*
 Agency: HEALTH + SOCIAL SERVICES

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Affected Agency(ies)

POSITION PAPER

HOUSE BILL 34

"An act relating to the limitation of certain types of liquor licenses."

Section 4

This section of the bill will change the population requirement for beverage dispensary or package store licenses from one for 1500 persons to one for 3000 persons.

Analysis

The Alaska State Plan (84-86) indicates that on a per capita basis Alaska has over twice the number of licensed liquor outlets as other states. In 1981 the national average for the ratio of licenses to each 1000 population was 1.23 while the Alaska ratio was 2.93. Passage of this bill would tend to move Alaska more towards the norm of the national experience with respect to the ratio of licenses to population. Furthermore, this action should assist in stabilizing Alaska's near nation leading per capita consumption rate of beverage alcohol, with its attendant related problems, including driving while intoxicated.

The Alaska Chapter of Mothers Against Drunk Driving is supportive of this bill and the Anchorage Mayor's Task Force on Drunk Driving of 1984 contained the following recommendation:

"The accessibility of alcohol should be limited by reducing liquor outlets (licenses) from 1-1500 population to 1-3000 population."

Additionally, the Governor's Task Force on Drunk Driving heard testimony favoring the concept contained in HB 34, however did not take action on this idea when they were advised this bill would be introduced to the legislature this session.

Recommendation

The Department of Health and Social Services is highly supportive of Section 4 of HB 34.

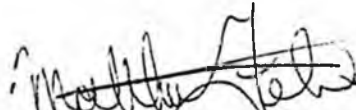
Consideration might also be given to including restaurant or eating place licenses under this provision as well. On page 5, line 7 add restaurant or eating place license. Increasing numbers of restaurants are promoting the sale of beer and wine regardless of whether patrons are eating food. In effect, some establishments have a beer and wine tavern in a section of their restaurant. This does not appear to be consistent with the intent of this category of license.

Prior to 1980 revisions the applicable section of this title was as follows; "Sec. 04.10.050. Restaurant license. The holder of a restaurant license may sell beer and wine in a restaurant with meals furnished in good faith to patrons."

The comparable section of existing law is as follows; "Sec. 04.11.100. Restaurant or eating place license. (a) A restaurant or eating place license authorizes a restaurant or eating place to sell beer and wine for consumption only on the licensed premises. (b) A license may be issued under this section only if the board determines that the premises to be licensed are a bona fide restaurant or eating place."

The Department would be pleased to provide additional information regard ing this issue.

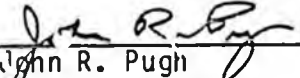
Recommended by:


Matthew C. Felix
Coordinator
Office of Alcoholism/
Drug Abuse

Date:

1/31/85

Approved by:


John R. Pugh
Commissioner
Dept. of Health &
Social Services

Date:

1/5/85

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU ALASKA 99811
907 465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 15, 1985

SUBJECT: Comparison of amendments to
AS 04.11.400 contained
in HB 34 and HB 150

TO: Representative Katie Hurley
Chair, House State Affairs Committee

FROM: George W. Edwards *GWE*
Legislative Counsel

This is in response to your request for an analysis of the differences between amendments to AS 04.11.400 proposed within HB 34 and HB 150.

The comparison between proposed amendments to AS 04.11.400 is presented according to subsections or designated paragraphs as follows:

Subsection (a): In HB 34 the first paragraph recognizes the repeal of subsection (j) and limits the application of the section to premises licensed as beverage dispensaries or package stores. It uses the term "may not be relocated" to replace the existing language prohibiting transfer of location.

In HB 150 the only change within the initial paragraph is the substitution of "nor" for "or."

Paragraph (a)(1) In HB 34 the term "relocation" is substituted for "transfer" and the population requirement for each license issued or relocated is increased from the existing 1500 to 3000.

In HB 150 this paragraph is amended by adding "organized borough" as a relevant area. It excludes from the population base used in licensing decisions the populations of established villages, incorporated cities, unified municipalities, and organized boroughs that are wholly or in

Representative Katie Hurley
February 15, 1985
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part within the five mile radius used for determining the population base.

Paragraph (a)(2) In HB 34 the term "relocation" is again substituted for "transfer" and the population requirement for each license issued or relocated is increased from the existing 1500 to 3000.

In HB 150 language has been added specifying that the population base used for licensing is the population inside the established village, incorporated city, or unified municipality in which the license may be located.

Paragraph (a)(3) This is a new paragraph unique to HB 150. It pertains to licenses that may be issued within an organized borough but outside of an established village or incorporated city within that borough. It prohibits the issuance or relocation of such a license under subsections (a)(g) or (h) if more than one of each type of license is already in effect for each 1500 people or fraction of that number inside the organized borough excluding the populations of established villages that have held local option elections and incorporated cities when the villages or cities are within the borough.

Subsection (b) This subsection is not addressed in HB 34. In HB 150 language concerning the application for a license is stricken and the political subdivisions effected are more precisely described.

Subsections (c) and (d) HB 34 does not address these. HB 150 does not change them.

Subsection (e) HB 34 does not address this subsection. HB 150 establishes guidelines for determining the population base applicable to a particular licensing situation as "persons residing inside the radius not later than the date the application is received by the board and not earlier than 60 days before the application is received" It strikes language excluding the portion of a population base in an established village, incorporated city or unified municipality and establishing the controlling date of December 31 of each year for computing the population base.

Subsection (f) This subsection is not addressed in HB 34.

Representative Katie Hurley
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In HB 150 it is amended to reflect the applicability of the proposed subsection (a)(3) and to include "organized borough" as a designated political subdivision.

Subsection (g) In HB 34 the term relocation is substituted for transfer. The minimum number of rental rooms necessary for an applicant to qualify for a liquor license under this subsection is raised from the existing 10 to 50. This subsection is not addressed in HB 150.

Subsection (h) This subsection is not addressed in HB 34. HB 150 amends subparagraph (1) by adding "an incorporated" before "city".

Subsection (i) This subsection is not addressed in HB 34. HB 150 includes a substitution of "must" for "shall".

Subsection (j) This subsection is repealed in HB 34, section 7.

HB 150 expands the applicability of the subsection from municipalities to incorporated cities, unified municipalities and organized boroughs.

The additional sections of HB 34 not found in HB 150 contain minor changes from existing law intended to clarify meaning. They do not contain substantive changes.

In essence HB 34 concerns changes in AS 04.11.400. Changes limit its applicability from all license types to beverage dispensary and package store licenses only and increase the population minimums necessary to qualify for the issuance or relocation of either of these latter two types. The sale of existing licenses of the specified types are not effected as long as relocation is not involved. Another change raises the rental room minimum from 10 to 50 in subsection (g). No further delineation of political or population areas in which licenses may be issued or relocated is attempted.

GWE:ojb
J11/099

MEMORANDUM
February 14, 1985

TO: Rep. Mike Miller
FROM: denise zachary *dc*
RE: For Your Information: LIQUOR LICENSE FEES

BEVERAGE DISPENSARY: AS 04.11.090 \$1,250.00 annual fee
. authorizes holder to serve or sell alcoholic beverages for consumption on licenses premises only
. applicant must file with application a cash bond or surety bond by a surety company approved by the Board, bond = \$2,500.00
. upon revocation of license (under AS 04.11.370(4)) the bond is forfeited and deposited into state's G.F.

RESTAURANT/ EATING PLACE: AS 04.11.100 \$300.00 annual fee
. license authorizes sale of wine or beer for consumption on premises

CLUB: AS 04.11.110 \$600.00 annual fee
. authorizes club or organization to sell alcohol for consumption on premises

BOTTLING WORKS: AS 04.11.120 \$250.00 annual fee
. authorizes holder to operate bottling works where beer and wine may be bottled and sold
. sales may be made only to a person licensed under this title and only in quantities of more than 5 wine gallons

BREWERY: AS 04.11.130 \$500.00 annual fee
. authorizes holder to operate a brewery where beer is manufactured and bottled or barrelled for sale
. holder may sell beer in quantities of more than 5 wine gallons

WINERY: AS 04.11.140 \$250.00 annual fee
. authorizes holder to operate a winery where wine is manufactured and bottled or barrelled for sale
. holder may sell wine in quantities of more than 5 wine gallons

PACKAGE STORE: AS 04.11.150 \$750.00 annual fee
. sale of alcohol beverages on premises, consumption on premises is prohibited
. package store license holder may also be holder of beverage dispensary license

WHOLESALE: AS 04.11.160 \$1,000 for first \$100,000 of business
. authorizes holder to sell alcoholic beverages in original package; wine in bulk, in quantities of not less than 5 gal.
. wholesaler must obtain general wholesale license for each distributing point
. no later than Feb. 28 of each year following year license was issued, licensee shall file an affidavit showing total business transacted; at time of filing affidavit, licensee shall pay license fees
. additional fees are outlined in AS 04.11.160: see fee schedule

DISTILLERY: AS 04.11.170 \$500.00 annual fee
. authorizes operation of a distillery where alcoholic beverages are distilled and bottled or barrelled for sale
. holder may sell in quantities of more than 5 gal.

COMMON CARRIER: AS 04.11.180 \$350.00/ each carrier annual fee
. authorizes sale for consumption aboard vehicles, boats, aircraft, or railroad licensed by state or federal agency

RETAIL STOCK: AS 04.11.200 \$400.00
. authorizes holder to sell remaining stock of package liquor store when owner terminates business
. license is issued for 90 days and is non-renewable

RECREATIONAL SITE: AS 04.11.210 \$400.00
. holder may sell beer and wine at recreational site during and one hour before and after event (not to include school event)

PUB: AS 04.11.220 \$400.00 annual fee
. sale of beer and wine for consumption only at a designated premises on campus of accredited college or university
. only 1 pub license may be issued or renewed on campus
. must have written approval from governing body of college

CATERER'S: AS 04.11.230 \$50.00
. authorizes holder of beverage dispensary license to sell or dispense alcoholic beverages at conventions, picnics, social gatherings, sporting events
. permit is issued for designated premises for special occasions, and for limited periods of time

SPECIAL EVENTS: AS 04.11.240 \$50.00/ day
. authorizes holder to sell or dispense beer or wine at designated premises for special occasions for limited periods of time
. only non-profit organizations are eligible for this permit; profits going to organization
. no more than 5 special event permits allowed in one calendar year
. no transfer or renewal

Additionally, for your information:

LICENSE RENEWALS:

. on or before Nov. 1, director will mail renewal application to each licensee

. renewal may be filed on or before Dec. 31 and shall be accompanied by annual fee

. renewal filed after Dec. 31 and on or before Feb. 28 shall have annual fee plus penalty equal to annual fee or \$100.00, whichever is less

Public Convenience licenses (AS 04.11.330 (9)) do not require renewal.

NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD

The Alcoholic Beverage Control Board, under the authority of AS 04.06.100, proposes to amend regulations in Title 15 of the Alaska Administrative Code, dealing with (1) competing applications for alcoholic beverage licenses, (2) seating capacity requirements for restaurant and eating place licenses, and (3) room requirements for licenses issued to hotels and motels under AS 04.11.400(g), to implement and interpret AS 04.06.100, 04.11.100, 04.11.320(a), 04.11.400(a), 04.11.400(g), and 04.11.510.

15 AAC 104.112 is proposed to be amended by allowing the Board additional and alternative methods of choosing among competing applications for alcoholic beverage licenses. The methods may include random selection, comparing applications to determine which are more in the public interest, other methods determined by the Board, and any combination of the above. Specific criteria which may guide the Board's discretion in determining which applications are more in the public interest may also be adopted.

15 AAC 104.305 is proposed to be amended by adopting seating capacity requirements or guidelines for new restaurant or eating place licenses issued under AS 04.06.100.


15 AAC 104.325 is proposed to be amended by adopting room requirements or guidelines in addition to those imposed by statute, for new licenses issued to hotels or motels under AS 04.11.400(g).

Any person interested may present oral or written statements or arguments relevant to the proposed action by appearing at a public hearing to be held in Anchorage, Alaska, on January 28, 1985, between the hours of 10 a.m. and 1 p.m., at 1049 West Fifth Avenue, Room 107. In addition, written statements or arguments may be sent to the Alcoholic Beverage Control Board, 201 East Ninth Avenue, Anchorage, Alaska, to be received no later than February 4, 1985.

This action is not expected to require an increased appropriation.

The Alcoholic Beverage Control Board, upon its own motion or at the instance of any interested person, may, on or after February 19, 1985, adopt proposals within the scope of the notice without further notice or may decide to take no action on them.

DATE: 1-16-85


Patrick L. Sharrock, Director
Alcoholic Beverage Control Board

15 AAC 104.325 is amended as follows:

15 AAC 104.325. LICENSE ISSUED TO ENCOURAGE TOURISM.

(a) The board will, in its discretion, approve the issuance or transfer of ownership of a beverage dispensary or restaurant or eating place license under AS 04.11.400(g) only upon a showing that

(1) the approval will encourage the construction or improvement of a tourist facility which would not be financially feasible without a liquor license; and

(2) construction or improvement of the tourist facility will encourage tourism, and tourist business will constitute a substantial portion of the business of the tourist facility.

(b) In determining whether the tourist facility will encourage tourism, the board will, in its discretion, consider the size of the facility and the population of the established village, incorporated city, unified municipality, or five-mile radius in which the facility will be located. Except for good cause shown, the board will generally deny the license unless the facility will have at least

(1) 10 guest rooms, if the population is less than 1501;

(2) 15 guest rooms, if the population is between 1501 and 2500;

(3) 20 guest rooms, if the population is between 2501 and 5000;

(4) 25 guest rooms, if the population is between 5001 and 15,000;

(5) 30 guest rooms, if the population is between 15,001 and 25,000;

(7) 50 guest rooms, if the population is greater than 55,000;

(c)[b] The licensee must show upon application for renewal that issuance of the license encouraged tourism, that the facility was constructed or improved in accordance with the application, and that it continues to be operated by the licensee. If the licensee does not make the showings required by this subsection, renewal will be denied.

(d)[c] A license issued or transferred under AS 04.-11.400(g) may be transferred only to a person to whom the transferred tourist facility is also being transferred. The license will not be renewed and may be revoked if the tourist facility is transferred to a new owner without transfer of the license to the new owner.

(e)[d] A license issued under AS 04.11.400(g) may not be transferred to a new location.

(f)[e] In this section, "improvement" means expenditure of labor and capital which increases the value of the premises, and can be depreciated for federal income tax purposes.

(Eff. / / , Register)

Authority: AS 04.05.100

AS 04.11.400

15 AAC 104.112 is amended to read as follows:

15 AAC 104.112. SELECTION AMONG COMPETING APPLICATIONS WITHIN INCORPORATED CITIES AND UNIFIED MUNICIPALITIES.

(a) Within an incorporated city or unified municipality, all competing applications, as defined in 15 AAC 104.110(c), will be considered together by the board in accordance with this section.

(b) If affiliates, or persons who are related by birth or marriage, have filed competing applications for premises at a single location, the board will, in its discretion, deny all but one of those applications.

(c) The board will deny any competing applications which are required to be denied under AS 04.11.320, 04.11.340, or 04.11.480.

(d) If the denial of one or more competing applications under (b) or (c) of this section causes any other competing applications to cease to be mutually exclusive, the board will, in its discretion, approve the applications which are no longer mutually exclusive.

(e) If there continue to be competing applications after the steps in (b), (c), and (d) of this section are taken, the board will, in its discretion, grant any applications the board considers most in the public interest. The factors the board will, in its discretion, consider in determining the public interest include the safety, suitability, and proximity to other licensed premises of the location of the proposed premises; the size of the proposed premises; community amenities associated with the premises, including entertainment, dining facilities, and tourist accommodations; and preferences or priorities expressed by the local governing body.

Liquor
Licenses
(limiting
cert. types)

HOUSE BILL NO. 34, by Rep. M. M. Miller. Would repeal AS 04.11.400(j), Alcoholic Beverages. Licensing. Denial of Licenses or Permit Renewal. subsection (j) states: "The board may issue a new license in a municipality notwithstanding the provisions of (a) of this section if the board finds that issuance of the license is necessary for the public convenience." (subsection (a), referred to, limits issuance of liquor licenses by population). Makes further technical changes to statutes to reflect repeal.

The bill also changes population requirements for issuance of a new beverage dispensary or package store license or for relocation of that license. Currently a license may not be issued or transferred to a new location outside an incorporated city, a unified municipality, or an established village in a radius of five miles of the licensed premises or location of premises sought to be licensed if after issuance or transfer there would be more than one license for each 1,500 population. Rep. Miller's bill would prohibit issuance or relocation of the license outside those boundaries if there would be more than one license for each 3,000 population. The same increase in population limits would apply to licenses inside an established village, incorporated cities or unified municipalities if after the issuance or relocation, there would be more than one license for each 3,000 population inside the boundaries of the village, city or municipality (currently 1,500).

Introduced January 14 and referred to State Affairs, Judiciary, then Finance.

Fireworks
(rewriting
state law)

HOUSE BILL NO. 35, by Rep. Pourchot. Rewrites state law regulating the sale of fireworks. Would no longer allow sale of roman candles, skyrocket, helicopter type rockets, mines and shells, firecrackers with soft casings, and novelties consisting of two or more of the listed devices. The section of law defining the various types of fireworks is rewritten to more specifically describe those devices, and a new section is added to the law stating that the law does not apply to the sale and use in emergency situations of pyrotechnic devices and distress signals, the retail use of explosives, and certain types of novelty items that do not contain chemicals used in making fireworks. The law also does not apply to ammunition and blank cartridges.

Violation section is changed stating that a person who knowingly fails to comply with the law or fireworks regulations is guilty of a misdemeanor (currently a person who knowingly or wilfully fails to comply is guilty of a misdemeanor). Takes effect immediately.

Introduced January 14 and referred to State Affairs, then to Judiciary.

Appropriation
(special)
(Willow Creek
road access)

HOUSE BILL NO. 36, by Reps. Larson and Hurley. Makes a special appropriation in the amount of \$2,600,000 for payment as a grant to the Matanuska-Susitna Borough to provide road access to Willow Creek, and to provide parking, camping, and boat launch facilities. Requires appropriation to be disbursed in accordance with law governing grants to municipalities. Takes effect immediately.

Introduced January 14 and referred to Community & Regional Affairs, then Finance.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 34
 Title: Limitations of certain types of liquor licenses
 Sponsor: Rep. M. M. Miller
 Requestor: House State Affairs Comm.
 Date of Request: January 16, 1985

FISCAL DETAIL

Agency Affected: Department of Revenue
 Program Category Affected: Public protection
 BRU, Program or Subprogram(s) Affected: Alcoholic Beverage Control Board

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
----------------	------------	------------	------------	------------	------------	------------

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Patrick L. Sharrock Phone: 277-8638
 Division: Alcoholic Beverage Control Board Date: 1/18/85
 Approved by Commissioner: Mac A. Nordale Date: 1/21/85
 Agency: Department of Revenue

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: H B 34
 Title: "An Act Relating to the
 limitation...of liquor licenses."
 Sponsor: Rep. M.M. Miller
 Requestor: Rep. Hurley
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Community & Regional Affairs
 Program Category Affected: _____
Community Development
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-		

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-		

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

The Department is only remotely affected by this bill due to the impact it may have on the State's local governments and the connection with population determination made by C & RA. Therefore, the fiscal impact of the Bill on this Department is negligible.

Prepared By: Doug Griffin Deputy Director
 Division: Municipal and Regional Assistance

Phone: 465-4750
 Date: 1-21-85

Approved by Commissioner: Muri Rose
 Agency: Community & Regional Affairs

Date: 1-21-85

Distribution (by Agency preparing fiscal note):

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84



SIX HUNDRED TWENTY SEVEN
WEST THIRD AVENUE
ANCHORAGE, ALASKA 99501
TELEPHONE 276-2133 or 277-MARX

FEB 13 1985

January 31, 1985

Hon. Katherine T. Hurlley
Alaska State Representative
Pouch Z
Juneau, Ak. 99801

Re: Title 4, Alcoholic
Beverages - license
Quotas

Dear Representative Hurlley,

There has been much public debate concerning the issuance of liquor licenses in order to deal with various problems caused by alcohol abuse. One way of dealing with the problem which many are advocating is to reduce the number of available licenses. This has already been taken place to some extent due to an interpretation by the ABC Board which excluded military and prison populations from the computation of the quota of licenses.

Other proposals have been put forward in the form of new legislation that would further decrease the number of licenses per population. The problem with Sec. 04.11.400 which mandates the population quota is that it is applied uniformly to all license types, so that even though reducing the number of bars may be desirable, the number of licenses available to restaurants is also reduced. Due to the recent change in the population figures, Anchorage has reached its limit of beer-wine licenses. This means that a person who wants to open a small restaurant must purchase one from another license holder for a price that is now upwards of \$25,000. Is this really what is desired? We should be encouraging, not discouraging the service of alcohol with meals as an alternative to bars. In addition, a beer and wine license is an economic necessity to the survival of the small, independently owned restaurant. Since our state encourages and depends on tourist dollars to a great extent, it makes no sense to pass laws which would restrict the restaurant trade unnecessarily. What we will have in the urban areas of our state if we pursue the present course is nothing but chain type restaurants owned and run by large corporations.

We propose that the population limitations be separated by license type, since we certainly don't need the same number of wholesale licenses as restaurant licenses for a given population. As a starting point for debate, we encourage the legislature to adopt a quota of 1 beer-wine license for every 750 people, or no quota at all. In small places like Homer, the population limitation has been a definite discouragement to anyone opening up a new restaurant.



SIX HUNDRED TWENTY SEVEN
WEST THIRD AVENUE
ANCHORAGE, ALASKA 99501
TELEPHONE 278-2133 or 277-MARX

As an indirect effect, the population limitations have created a situation of many equally-qualified applicants applying for a few available licenses when the population increases, forcing the board to come up with criteria to select one business over another. Their current proposals to do this are vague and arbitrary. One of these proposals would limit beer and wine licenses to establishments that have a minimum of 70 seats in populous areas, and a 50 seat minimum in small towns. There is no defendable rationale for this that we can see. This regulation, if adopted will eventually eliminate the small, independently owned restaurant. There are many, many restaurants in the Anchorage area that would never have opened had this regulation been previously in effect. Small gourmet restaurants and wine bars, most pizza parlors, many Chinese, Mexican and other ethnic restaurants also would not meet the criteria.

There are alternatives to the over-simplistic and short-sighted proposals which have been made to date. Let's not ruin an important facet of our cultural life in our zeal to stop problems with drunk drivers. Please don't further restrict the restaurant trade in your effort to reduce the number of bars. Effort would be much better spent on stricter sanctions against drunk drivers, public education, and some sort of safe driving incentives. (Flat fare taxis which patrons could use to take cabs, and some means of allowing people to leave their car parked in an urban area without fear of being towed away should be considered). This is a complex and far-reaching issue, please give it the thorough consideration it deserves before reaching your conclusions.

Thank You,

Van Hale, Jack Amon, and Ken Brown
Owners, Marx Bros Cafe

627 West Third Avenue
Anchorage, Ak. 99501
278-2133, 277-6279

ESTIMATE

Alcoholic Beverage Control Board
 Grand Total Population

Local License
 B/D Figures include duplicate lic.
 All Figures include Termination Lic -

Municipal Populations For Cities

Period Ending 12-31-1984

Prepared By TC 124-85
 Approved By

City	Unadjusted Population	Revenue Dispensing	Percentage Store	Restaurant Selling Lic.	Jobs	General Dispensing	Permit/Other Licenses	Racetrack Site	Duplicate Res/Disp	Public Ordinance	Total
Apache	241,030	147	133	141	19	10	2	4	21	1	478
Co. Indian	2,520	6	6	1	2	0	0	0	0	0	15
Chandler	27,103	44	24	18	6	4	0	2	9	0	107
Flagstaff	3,079	5	3	1	2	0	0	1	0	0	12
Flagstaff	3,432	10	7	3	1	0	0	1	0	0	22
Tucson	28,741	28	16	19	2	1	3	1	0	2	77
Kittitas	6,176	11	4	4	4	0	0	1	1	0	75
Maricopa	8,414	21	15	6	6	0	2	0	11	0	51
Maricopa	6,072	12	6	3	2	0	0	0	0	1	24
Maricopa	2	2	3	0	0	0	0	0	0	0	5
Maricopa	510	3	3	3	0	0	0	0	0	0	5
Maricopa	3,732	3	4	3	1	0	0	0	1	0	14
Maricopa	2,792	7	3	2	2	0	0	0	0	0	14
Maricopa	3,137	4	5	1	2	0	1	0	0	0	12
Maricopa	2,072	10	4	2	2	0	0	1	0	0	19
Maricopa	3,597	7	3	3	2	0	0	0	0	0	15
Maricopa	3,681	10	5	3	2	0	0	5	0	0	20
Maricopa	3,548	7	5	2	1	0	0	0	0	0	12
Maricopa	2,376	5	6	0	1	0	0	0	0	0	12
Maricopa	8,221	11	8	0	3	0	2	0	0	0	30

SUMMARY

February 1985

ANALYSIS OF AVAILABILITY FACTORS
RELATED TO PER CAPITA ALCOHOL CONSUMPTION

For

THE ALASKA COUNCIL ON PREVENTION
OF ALCOHOL AND DRUG ABUSE, INC.
Anchorage, Alaska

Partially funded by

THE STATE OFFICE OF ALCOHOLISM AND DRUG ABUSE
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
STATE OF ALASKA

Prepared by

P.C.H.S. GROUP
Pouch 3-6500 - #15A
Juneau, Alaska 99802

SUMMARY

DO ALCOHOL LAWS AFFECT ALCOHOL CONSUMPTION

Synopsis

In the simplest possible terms, this report indicates that:

- States with "strict," "tight," or "conservative" liquor laws have low per capita alcohol consumption.
- And, states with "permissive," "loose," or "liberal" liquor laws have high per capita alcohol consumption rates.

The factors which apparently most affect per capita consumption are:

- The cost of alcohol.
- The hours in which alcohol is available for sale.
- The number of outlets in which alcohol may be purchased.

Background and Reason for this Research

This report is a small part of an intensive two-year study by the Alaska Council on Prevention of Alcohol and Drug Abuse, Inc., to determine if Alaska's liquor laws and policies were in any way responsible for that state's inordinately high per capita alcohol consumption rate.

Much research has been done on the relationship of individual factors in affecting per capita consumption, and/or attempting to tie in one factor or another with a specific type of health disorder or crime problem.

Only one piece of research attempted to look at the overall liquor policies of a specific state as they relate to per capita alcohol consumption. In 1975, Dr. Reginald Smart of the Addiction Research Foundation in Toronto, developed an "availability score" by assigning weights to a variety of factors. He has proved that states with a high "availability score" (e.g. Alaska) had high per capita alcohol consumption rates. States which had low scores on his "availability scale" (e.g. North Carolina) had low per capita alcohol consumption levels.

The 1975 Smart Study, which was cited as "an overwhelming preponderance of scientific evidence," indicated a direct correlation between availability factors and per capita consumption. However, any attempt to change liquor laws to moderate alcohol availability anywhere is always challenged with the statement that the specific factor under discussion cannot be proven to have any specific effect. This research attempted to find the specific effect.

Methodology

The following factors were considered in an attempt to learn how much each of these factors influences per capita alcohol consumption in each of the 50 states and the District of Columbia.

- Minimum drinking age.
- Per capita income.
- Hours per week that alcohol may be purchased.
- Number of outlets which sell alcohol per population.
- Whether alcohol is sold through licensed, independent retail outlets or a state monopoly.

Baseline data was accumulated for each state, for the year 1980. Regression analysis, a commonly-used statistical technique, was utilized with a formula designed to indicate how much each of these factors influenced per capita consumption.

In the final analysis:

- Minimum drinking age does not seem to affect the per capita consumption rate.
- Having individual licensees rather than a state monopoly does not seem to affect the per capita consumption rate.
- Per capita income does affect per capita consumption. Every \$1,000 of per capita income indicates additional consumption of approximately one quart of alcohol.
- The cost of alcohol does directly affect consumption. Each additional dollar of cost reduces consumption by more than a quart.
- The number of outlets does affect consumption. One point of logarithmic difference will decrease per capita consumption by .39 gallons.

Conclusions

There are many demographic variables which influence per capita consumption, that cannot be changed by legislation. For example, per capita income is a variable that would be of little help to decision makers in attempts to reduce per capita consumption.

Should any political jurisdiction wish to lower its per capita consumption level, the three most influential factors to be considered are:

- Cost of alcohol
- Number of outlets
- Hours of availability

Total Number of Licenses by Type,¹ by Year, Alaska
1978 - 1982.*

	1978	1979	1980	1981	1982	Number on 2/26/85
Beverage Dispensary Club	483	583	592	624	629	625
Commercial Carrier	51	61	62	66	66	73
Restaurant	64	78	79	83	84	129
Retail	181	218	222	234	236	272
Pub	351	424	431	454	458	487
Total	1,131	1,365	1,387	1,462	1,474	1,587
On-Premise	780	941	956	1,008	1,016	1,100
Off-Premise	351	424	431	454	458	487

1. Department of Revenue: Alcohol Beverage Control Board

* The total number of Liquor License's was made available by the ABC Board. The distribution of license's by type was based on the percentage breakout for 1981 a year for which data on number of each type of license was available. Data on the exact type breakout for previous years was unavailable.

Number of persons per license, Alaska, 1978-1982

	1978	1979	1980	1981	1982	Number on 2/26/85
ON PREMISE LICENSE'S	780	941	956	1,008	1,016	1,100
19+ Population	345	288	277	271	291	299
State Population	525	431	418	426	452	465
OFF PREMISE LICENSE'S	351	424	431	454	458	487
19+ Population	766	639	614	603	646	676
State Population	1,168	957	926	947	1,004	1,049
TOTAL LICENSE'S	1,131	1,365	1,387	1,462	1,474	1,587
19+ Population	237	198	191	187	200	207
State Population	363	297	288	294	312	322
STATE POP. (000) ¹						
19+ years 2	269	271	265	274	296	329
State Pop. 3	410	406	400	430	460	511

1. Department of Labor: Annual Population Statistics.

2. The number of state population aged 19 and over.

3. The entire state population.

Annual Statistical Review 1981

DISTILLED SPIRITS INDUSTRY

The Distilled Spirits Market

Spirits Entering Trade Channels

GIN 9.5%

CORDIALS 8.5%

RUM 7.0%

BRANDY 4.6%

COCKTAILS 1.8%

TEQUILA 1.7%



DISTILLED SPIRITS
COUNCIL OF THE
UNITED STATES

Table 47. Number of Retail Outlets or Licenses Issued for the Sale of Distilled Spirits, Number of Outlets/Licenses per 1,000 Population, and Number of Persons per Outlet/License, 1981

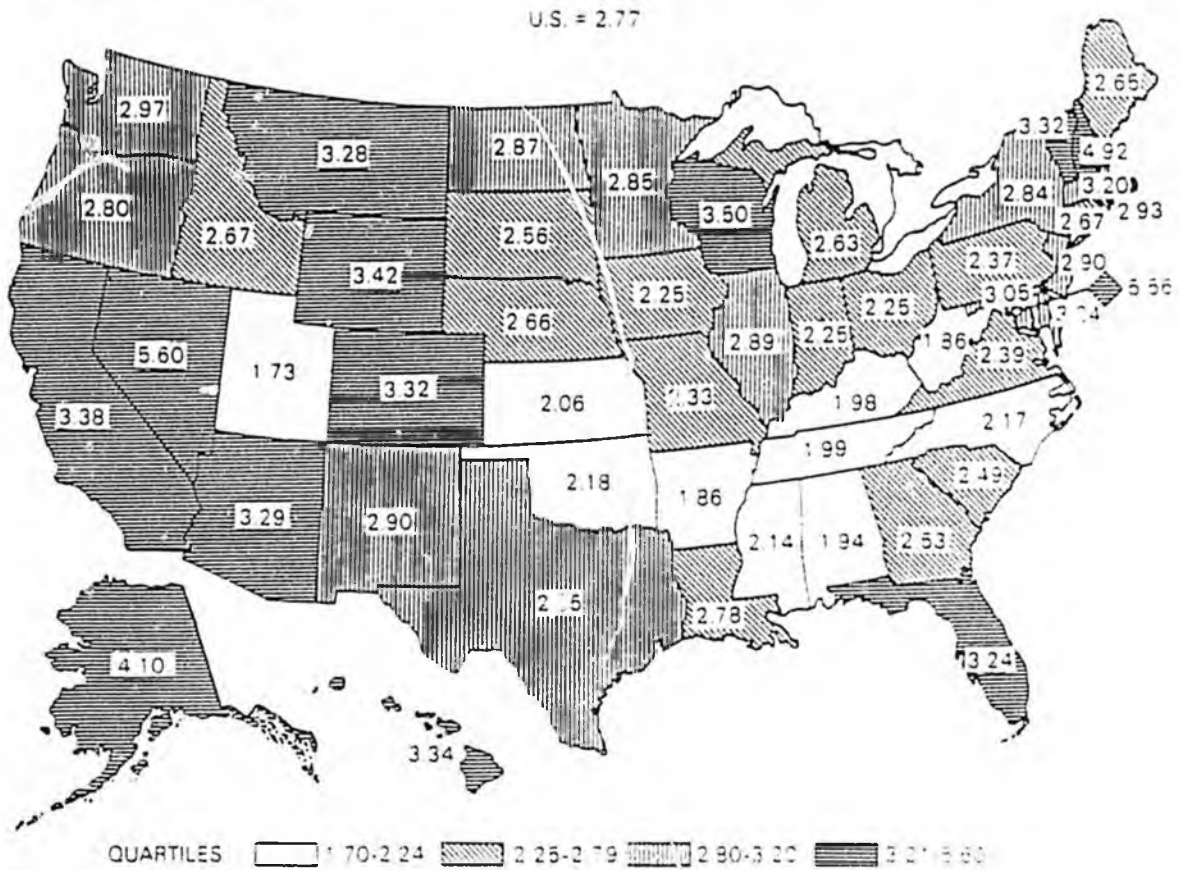
State	Number of Outlets/Licenses				Total Population July 1, 1981 (000)	Number of Outlets/Licenses per 1,000 Population				Number of Persons per Outlet/License			
	On Premises	Off Premise	On and Off Premise	Total Licenses		On Premise	Off Premise	On and Off Premise	Total Licenses	On Premise	Off Premise	On and Off Premise	Total Licenses
LICENSE STATES													
Alaska	765	443	—	1,209	412	1.86	1.07	—	2.93	538	930	—	341
Arizona	2,593	1,262	—	3,860	2,794	0.93	0.45	—	1.38	1,075	2,214	—	724
Arkansas	516	682	—	1,198	2,296	0.22	0.30	—	0.52	4,450	3,367	—	1,917
California	14,053	11,248	—	25,301	24,196	0.58	0.46	—	1.05	1,722	2,151	—	956
Colorado	3,435	1,294	—	4,730	2,965	1.16	0.44	—	1.60	863	2,291	—	627
Connecticut	3,373	1,922	—	5,300	3,134	1.08	0.61	—	1.05	928	1,631	—	950
Delaware	435	293	180	908	598	0.73	0.49	0.30	1.52	1,375	2,041	3,322	659
Dist. of Columbia	363	357	—	1,226	631	1.38	0.57	—	1.94	726	1,768	—	515
Florida	1,203	544	5,830	7,582	10,183	0.13	0.05	0.57	0.74	7,955	18,719	1,747	1,343
Georgia*	1,674	1,420	—	3,094	5,574	0.30	0.25	—	0.56	3,330	3,925	—	1,802
Hawaii	1,051	754	—	1,805	981	1.07	0.77	—	1.84	933	1,301	—	543
Illinois	—	—	29,020	29,020	11,462	—	—	2.53	2.53	—	—	395	395
Indiana	1,150	1,677	3,399	6,226	5,468	0.21	0.31	0.62	1.14	4,755	3,261	1,609	878
Kansas	1,135	1,140	—	2,275	2,383	0.48	0.48	—	0.95	2,100	2,090	—	1,047
Kentucky	1,127	872	89	2,088	3,662	0.31	0.24	0.02	0.57	3,249	4,200	41,146	1,754
Louisiana	6,783	2,746	—	9,529	4,308	1.57	0.64	—	2.21	635	1,559	—	452
Maryland	559	964	3,229	4,752	4,263	0.13	0.23	0.76	1.11	7,626	4,422	1,320	897
Massachusetts	6,561	1,508	—	8,069	5,773	1.14	0.26	—	1.40	880	3,828	—	715
Minnesota	2,331	701	1,103	4,135	4,094	0.57	0.17	0.27	1.01	1,756	5,840	3,712	990
Missouri	—	3,981	4,132	8,113	4,941	—	0.81	0.84	1.64	—	1,241	1,196	609
Nebraska	430	527	1,985	2,942	1,577	0.27	0.33	1.26	1.87	3,667	2,992	794	536
Nevada	793	571	795	2,159	845	0.94	0.68	0.94	2.56	1,066	1,480	1,063	391
New Jersey	1,555	1,973	8,259	11,787	7,404	0.21	0.27	1.12	1.59	4,761	3,753	896	628
New Mexico**	169	67	1,243	1,479	1,328	0.13	0.05	0.94	1.11	7,858	19,821	1,068	898
New York*	23,766	4,395	—	28,161	17,602	1.35	0.25	—	1.60	741	4,005	—	625
North Dakota	115	86	1,020	1,221	658	0.17	0.13	1.55	1.86	5,722	7,651	645	539
Oklahoma	—	809	—	809	3,100	—	0.26	—	0.26	—	3,832	—	3,832
Rhode Island	1,441	309	—	1,750	953	1.51	0.32	—	1.84	661	3,084	—	545
South Carolina	1,463	1,220	—	2,688	3,167	0.46	0.39	—	0.85	2,157	2,596	—	1,178
South Dakota	325	572	—	1,397	686	1.20	0.83	—	2.04	832	1,199	—	491
Tennessee	902	567	—	1,469	4,612	0.20	0.12	—	0.32	5,113	8,134	—	3,140
Texas	7,738	3,663	—	11,401	14,766	0.52	0.25	—	0.77	1,908	4,031	—	1,295
Wisconsin	12,638	1,702	—	14,340	4,742	2.67	0.36	—	3.02	375	2,786	—	331
Subtotal License States	101,479	50,269	60,284	212,023	161,558	0.63	0.31	0.37	1.31	1,592	3,214	2,680	762
CONTROL STATES													
Alabama	2,139	130	—	2,269	3,917	0.55	0.03	—	0.58	1,831	30,131	—	1,726
Idaho	885	131	—	1,016	959	0.92	0.14	—	1.06	1,084	7,321	—	944
Iowa	4,491	213	—	4,704	2,899	1.55	0.07	—	1.62	646	13,610	—	616
Maine	1,116	127	—	1,243	1,133	0.98	0.11	—	1.10	1,015	8,921	—	912
Michigan	9,060	3,790	—	12,850	9,204	0.98	0.41	—	1.40	1,016	2,428	—	716
Mississippi	564	653	—	1,217	2,531	0.22	0.26	—	0.48	4,488	3,876	—	2,080
Montana	—	146	1,504	1,650	793	—	0.18	1.90	2.08	—	5,432	527	481
New Hampshire	989	69	—	1,058	936	1.06	0.07	—	1.13	946	13,565	—	885
North Carolina	1,034	377	—	1,411	5,953	0.17	0.06	—	0.24	5,757	15,790	—	4,219
Ohio	11,788	431	—	12,219	10,701	1.09	0.04	—	1.13	915	25,014	—	982
Oregon	1,475	226	—	1,701	2,651	0.56	0.09	—	0.64	1,797	11,730	—	1,558
Pennsylvania	19,289	729	—	20,018	11,871	1.62	0.06	—	1.69	615	16,284	—	593
Utah	155	108	156	419	1,518	0.10	0.07	0.10	0.28	9,794	14,056	9,731	3,623
Vermont	1,022	63	—	1,085	516	1.98	0.12	—	2.10	505	8,190	—	476
Virginia	1,978	250	—	2,228	5,430	0.36	0.05	—	0.41	2,745	21,720	—	2,437
Washington	2,395	368	—	2,763	4,217	0.57	0.05	—	0.66	1,761	11,459	—	1,526
West Virginia	1,245	167	—	1,412	1,952	0.64	0.09	—	0.72	1,568	11,689	—	1,382
Wyoming	684	107	176	967	492	1.39	0.22	0.36	1.97	719	4,598	2,795	509
Subtotal Control States	60,309	8,085	1,836	70,230	67,753	0.89	0.12	0.02	1.04	1,123	8,380	36,903	965
TOTAL UNITED STATES	161,779	58,354	62,120	282,253	229,307	0.71	0.25	0.27	1.23	1,417	3,930	3,651	812

NOTE: Because of rounding, detail may not add to total.

*Georgia and New York outlet data are for 1979.

**New Mexico outlet data are for 1980.

Figure 2. Apparent Consumption of Ethanol from All Alcoholic Beverages in U.S. Gallons Per Capita of the Population Age 14 and Older, 1981



SOURCE: NIAAA 1982a, b, c.

NUMBER OF PERSONS PER ON PREMISE OUTLET/LICENSE
 TEN STATES WITH LOWEST POPULATION TO OUTLET/LICENSE RATIO
 Calendar Year 1983

	<u>Persons Per on Premise Outlet</u>		<u>Persons Per on Premise License</u>
Wisconsin	375	Louisiana	641
Vermont	473	Rhode Island	658
Alaska	599	South Dakota	730
Pennsylvania	625	New York	746
Iowa	633	Wyoming	787
National Average 1428			

NUMBER OF PERSONS PER TOTAL ON AND OFF PREMISE OUTLETS/LICENSES
 TEN STATES WITH LOWEST POPULATION TO OUTLET/LICENSE RATIO
 Calendar Year 1983

	<u>Persons Per Total Outlets</u>		<u>Persons Per Total Outlets</u>
Wisconsin	328	Louisiana	450
Nevada	377	Montana	481
Alaska	379	Nebraska	495
South Dakota	444	North Dakota	532
Vermont	448	Rhode Island	543
National Average 847			

*
* DELIVER TO: JFOM *
*
* ORIGINAL *
* SENT: 04/08/85 TIME: 11:50 *
* FROM: LANA TRUJILLO *
* SUBJECT: POM *
* PRINT DATE: 04/08/85 TIME: 11:50 *

TO: HOUSE JUDICIARY 9

REP. M.M. MILLER, SUND, GRUENBERG, TAYLOR, CLOCKSIN,
PETTYJOHN, PHILLIPS

FROM: MR. WHITEKEYS, 3300 SPENARD RD., ANCHORAGE, 99503,
248-1049(HM), 279-7726(WK)

RE: HB 34, LIQUOR LICENSE

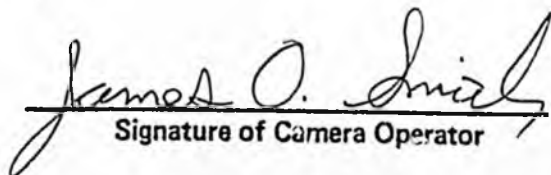
PLEASE STUDY HB 34 CAREFULLY. ITS INTENT COULD BACKFIRE.
HUNTING LICENSES WILL RAISE VALUES. VERY EXPENSIVE LICENSES
COULD DRIVE OUT SMALL LOUNGES IN FAVOR OF LARGE OPERATIONS.
THESE WILL BE FORCED TO SELL MORE ALCOHOL TO PAY FOR EXPENSIVE
LICENSES AND ESCALATING INSURANCE. WILL THIS ADVANCE PUBLIC
SAFETY? VERY LIKELY NOT.



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator

7/25/89
Date

H

B

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5

STATE OF ALASKA THE LEGISLATURE

POUCHY - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

LEGISLATIVE REFERENCE LIBRARY

May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Judiciary	1/21/86	1:30 pm
" "	1/22/86	1:30 pm
" "	1/29/86	1:30 pm
" "	1/30/86	1:30 pm

COMMITTEE REPORT
HOUSE

2/3

Revised

(7)

FURTHER:

3/20/85

Date: _____

The Committee on JUDICIARY has had HE 35

"An Act relating to state regulation of fireworks; and providing for an effective date."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HE 35 (JUDICIARY) same title
 new title

and recommends _____

- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached

referred to the _____ Committee

MEMBERS SIGNING
DO PASS

W. K. Hill

MEMBERS HAVING
OTHER RECOMMENDATIONS:

John ...

...

...

...

CHAIRMAN

FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. CSHB 35 (SA)
 Title: State Regulation of Fireworks

 Sponsor: House State Affairs
 Requestor: House Judiciary
 Date of Request: 1/30/86

FISCAL DETAIL

Agency Affected: Public Safety
 BRU: Fire Prevention

 Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-
CAPITAL		-0-	-0-	-0-	-0-	-0-
REVENUE		-0-	-0-	-0-	-0-	-0-

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by: Gordon E. Brunton
 Division: Fire Prevention

Phone: 465-4331
 Date: 1/30/86

Approved by Commissioner: [Signature]
 Agency: Public Safety

Date: 1/30/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

WAYNE C. GRIEME
6230 Grieme Rd.
Salcha, AK 99714

24 Jan 86

Rep. M. Mike Miller
Judiciary Chairman
Pouch V
Juneau, AK 99811

Dear Rep. Miller:

I was one of many who testified before your committee via the tele-conference network on Jan 21st. I feel it important to also follow up with written testimony for your committee to consider, and also forward documents that I have since received from the CPSC in Seattle.

I am opposed to House Bill 35 because I feel it is too restrictive. As I stated on the 21st., I feel that a ban on firecrackers, small bottle rockets and missiles would be much more effective and productive. These three items cause the majority of injuries, are the cheapest to produce, and are the source of the greatest number of complaints. Firecrackers can be purchased for about .01 cent each, bottle rockets on the average are \$5.00 a gross and missiles can travel up to 400 feet. I am also in favor of an age limit of 18 years old in order to purchase. I feel that this still leaves a good selection of aerial and ground displays for people to choose from. I personally enjoy the aerial displays and would hate to see them eliminated.

I have enclosed a copy of the NEISS data for the year 1984 which shows the information that I discussed on the tele-conference, it also will allow a comparison with other products. Also included are news releases from CPSC dealing with legal and illegal fireworks. I believe that the fire marshal from Anchorage briefly discussed the use of illegal fireworks (M-80's, cherry bombs) and the making of illegal fireworks. The June 6, 1984, CPSC news release deals with this. It is items like these, since they are considered

fireworks, that has given the legal Class C fireworks a bad name.

The other area I discussed was the state BLM report. Since this information was not available yet in hard copy Mr. McGowan gave it to me over the phone and said I could use his name and that he stands behind his data.

The years covered were 1981 through 1985, 55% of the fires responded to were man caused, 15% were natural causes and 30% were false alarms. By category:

Debris burning	- 22%
Lighting	- 15%
Structures	- 7%
Camping	- 5%
Children	- 4%
Railroad	- 3%
Fireworks	- 2%
Misc.	- 12%

This information was obtained from Mr. Mike McGowan of the State Division of Forestry, Fairbanks Office and covers the Interior part of the state. As far as he was concerned fireworks are not a problem. They also present programs to elementary grades K-3, and include fireworks in there briefing because he feels education, not regulation is the key to success.

I also informed you that an ordinance was being introduced in the Fairbanks North Star Borough Assembly on January 30th, to allow the limited sale of Class C fireworks. This ordinance allows the sale of all Class C fireworks as presently allowed by state law, except firecrackers, small bottle rockets and missiles inside the borough. We can presently use fireworks inside the Borough but not purchase them.

I feel that because Anchorage has a problem with legal as well as illegal fireworks the rest of the state should not be penalized and denied the opportunity to purchase and use Class C fireworks. Just as some people have a need to go camping and hiking others have a need to use fireworks. Both can be enjoyable and entertaining to the person involved. The fourteen states that have a total ban on fireworks also

lead the nation in fireworks related injuries. This could be because of the non-availability of the safe and sane Class C variety, the people, one way or another will have some fireworks.

I was born and raised in Cincinnati, Ohio where fireworks are banned. The most offensive experience I remember was the shooting off of guns on the 4th of July and New Years eve. I would hate to see that happen here.

I would urge you not to not allow HB 35 out of committee in its present form. I would recommend only firecrackers, small bottle rockets and missiles be eliminated from the present state law and insert an age limit of 18 years old to purchase.

Thank you for your consideration.

Sincerely,



WAYNE C. GRIEME, dba
Budget Fireworks

4 attachments:
News-Miner story.
NEISS Data, 1984
CPSC News Release, June 6, 1984
CPSC News Release June 19, 1985

14 Feb 1984

ALASKA

Fireworks limitation bill draws opposition

By DAN JOLING
News-Miner Bureau

JUNEAU—A bill to restrict sale of aerial fireworks and firecrackers sputtered in committee Tuesday after testimony that the law might prompt even more injuries along with enforcement problems.

House Bill 35 is sponsored by Rep. Pat Pourchot, D-Anchorage, a freshman and former aide to Sen. Bettye Fahrenkamp, who said he wants to help enforce restrictions imposed by most Alaska municipalities.

The bill is not a fireworks ban, according to Pourchot, but a prohibition on sale of the most dangerous and objectionable fireworks. The bill would allow sale of "cone fountains, cylindrical fountains, dipped sticks, luminating torches and wheels."

It leaves out Roman candles, bottle rockets, firecrackers, "groundspinners" and other fireworks now commonly sold at roadsides stands just outside municipalities.

The City of Fairbanks prohibits sale, use, manufacture and transportation of fireworks except through special permit, an ordinance enacted last year after a truck containing fireworks exploded.

The Fairbanks North Star Borough prohibits sale but not use of fireworks.

Pourchot said Anchorage, Ketchikan, Seward, Cordova, Soldotna and Valdez, plus the Matanuska-Susitna and Ketchikan boroughs, prohibit sale and use.

"Every municipality I have contacted supports this bill," he said.

But Jerald Farley, a representative of Red Devil Fireworks and R&S Marketing, which distributes fireworks in Washington and Alaska, told the House State Affairs Committee Tuesday that the bill would not meet Pourchot's goals.

Regularly referring to the bill as a "total ban," Farley said 99.996 percent of Class C fireworks are used safely.

"HB 35 would penalize most individuals because of the irresponsibility of a few," he said.

Farley said the 14 states which have a total ban on fireworks have the highest rates of injury and serious injury.

He said the popularity of fireworks despite bans in municipalities proves that people will continue to seek them even if they're prohibited. He said the bill would encourage unsafe, illegal, and dangerous homemade fireworks.

Juneau Fire Chief Al Judson, president of the Alaska Fire Chiefs Association, gave the bill only lukewarm support. He said the chiefs favor a ban on bottle rockets and firecrackers, but fear other parts of the bill would be unenforceable.

He said banning use of fireworks could prompt people to use them in forested areas to avoid arrest but where fire danger is highest.

"We want to reduce the fires but we're not convinced this is the answer as it's written," Judson said.

The bill was held over for possible amendments.

Pourchot said he'd be willing have the effective date for the bill set later in the year to allow fireworks retailers to reduce inventories. He said he'd also take suggestions for other safe fireworks to be included on the list.

The committee may also consider amendments to limit sales to winter months, ban sales to Alaskans under 16 years old, limit mail sales or limit use to special areas designated by a municipality.



NEISS DATA HIGHLIGHTS

National Electronic Injury Surveillance System

Vol. 8

Directorate for Epidemiology

Jan.-Dec. 1984

INTRODUCTION

The data presented in the accompanying table have been gathered through the National Electronic Injury Surveillance System (NEISS). This system comprises a sample of hospitals that are statistically representative of hospitals with emergency departments in the United States and its territories. The system serves the Consumer Product Safety Commission primarily in two ways. First, the NEISS provides national estimates of the number and severity of injuries associated with but not necessarily caused by consumer products and treated in hospital emergency departments. Second, the system serves as a means of locating injury victims so that further information can be gathered concerning the nature and probable cause of the accident.

NEISS has been in continuous operation since 1972. However, a sample redesign and major coding changes occurred in 1978. See the back page for more detailed definitions of the data presented here. Additional information about NEISS may be obtained by writing to the National Injury Information Clearinghouse, Directorate for Epidemiology, Consumer Product Safety Commission, Room 625, 5401 Westbard Avenue, Washington, D.C. 20207. Or phone (301) 492-6424.

SURVEILLANCE

NEISS collects two levels of injury data—surveillance and investigations. The surveillance data are comprised of the following data elements from the record of each product-related injury treated in hospital emergency departments:

1. Date of Treatment
2. Age of Patient
3. Sex of Patient
4. Injury Diagnosis/Body Part
5. Disposition
6. Two Product Codes
7. Third Product or Child-Resistant Closure Involvement
8. Accident Locale
9. Fire or Motor Vehicle Involvement
10. Remarks/Comments

The data are extracted from the emergency department records, coded, and transmitted daily to CPSC through a network of telecommunications terminals located in the participating hospitals. These data are then used to generate the type of information presented in the data tables of this publication. NEISS data indicate that a product was associated with an injury, but not necessarily that the product caused the injury.

INVESTIGATIONS

The second level of NEISS is comprised of accident investigations which provide detailed information derived by contacting the victims and witnesses. Injuries of special interest, such as cases involving products that pertain to selected Commission priority projects, as well as some deaths are assigned for investigation. Although most investigations conducted by the Commission are not necessarily statistically representative of all reported injuries in a particular product category, they do provide details concerning the accident sequence and the cause of injury—information which is not usually available from surveillance data. In addition, special studies are conducted in which the cases to be investigated are statistically selected from particular product categories.

Investigations are not limited to injuries collected through the surveillance system. Other sources include consumer complaints, newspaper accounts, reports from a selected group of medical examiners and coroners, and referrals from governmental agencies outside the Commission. The Commission has investigations dating back to 1965 on file at the Commission's National Injury Information Clearinghouse.

INJURIES ASSOCIATED WITH SELECTED CONSUMER PRODUCTS
TREATED IN HOSPITAL EMERGENCY DEPTS. 12 MONTHS ENDING 12/31/64
SOURCE: NATIONAL ELECTRONIC INJURY SURVEILLANCE SYSTEM
U.S. CONSUMER PRODUCT SAFETY COMMISSION/DIRECTORATE FOR EPIDEMIOLOGY
NATIONAL INJURY INFORMATION CLEARINGHOUSE

REPORT PERIOD JAN-DEC 1964

PRODUCT DESCRIPTIONS	ESTIMATED NUMBER OF CASES	CV	NUMBER OF CASES	ESTIMATED NUMBER OF PRODUCT-RELATED INJURIES PER 100,000 POPULATION IN THE UNITED STATES AND TERRITORIES WHICH WERE TREATED IN HOSPITAL EMERGENCY ROOMS DURING THE LAST 12 MONTHS										ESTIMATED MEAN SEVERITY
				A G E						S E X		D I S P O S I T I O N		
				12 MOS TO DATE	12 MOS TO DATE	ALL AGES	00-04	05-14	15-24	25-64	65+	MALE	FEMALE	
CHILD NURSERY EQUIP & SUPPLIES ALL NURSERY EQUIPMENT	69,706	.14	1,091	38.3	440.1	10.3	6.5	4.0	1.9	40.9	35.7	34.7	1.5	54
TOYS ALL TOYS	125,865	.09	2,369	53.8	373.3	105.4	27.6	10.3	2.4	72.5	36.0	52.5	1.3	39
SPORTS & RECREATIONAL EQUIP														
BARBECUE GRILLS, STOVES, EQUIPMENT	13,374	.11	260	5.7	27.5	5.8	5.7	3.6	.2	7.1	4.4	5.5	.2	73
BASEBALL	423,126	.09	7,800	180.8	36.0	377.5	341.1	130.7	1.9	275.0	91.2	177.4	3.4	21
BASKETBALL	440,293	.07	8,189	103.2	3.4	289.3	618.4	77.9	1.1	326.9	56.5	186.2	2.0	16
BEACH, PICNIC, CAMPING EQUIPMENT	16,171	.12	273	6.9	19.2	14.2	4.0	4.3	4.9	7.9	5.9	6.7	.2	39
BICYCLES & ACCESSORIES	556,602	.05	10,933	237.9	232.9	1011.6	243.9	60.6	15.9	337.9	142.8	226.6	11.3	43
BOILING	17,653	.15	343	7.5	1.8	6.5	10.0	9.1	2.3	7.2	7.9	7.4	.1	15
DANCING	44,069	.13	889	18.0	7.7	37.6	40.9	10.8	3.4	16.6	21.0	18.4	.4	19
EXERCISE EQUIPMENT	50,427	.10	1,162	25.0	29.4	39.1	52.8	15.9	1.9	34.2	16.2	24.7	.3	26
FISHING	64,993	.11	924	2.9	15.2	70.3	22.8	22.2	14.3	44.0	11.6	27.5	.3	28
FOOTBALL	390,267	.00	6,582	168.8	3.2	437.1	517.2	26.8	.1	327.5	14.6	162.1	4.7	22
GOLF	24,716	.13	422	10.6	8.4	17.7	7.4	10.7	7.5	15.8	5.5	10.2	.3	26
GYMNASIUMS & EQUIPMENT	54,087	.16	951	23.1	6.0	108.3	35.2	1.8	.1	16.6	29.3	22.6	.6	19
HOCKEY, ALL KINDS	47,325	.21	765	28.2	.6	42.5	66.7	4.9	-	33.2	7.9	20.0	.2	22
ICE & ROLLER SKATING	112,210	.10	2,041	48.0	10.6	185.8	58.7	20.1	2.0	36.4	50.7	46.7	1.2	21
LACROSSE, RUGBY, MISC. BALL GAMES	92,324	.11	1,772	39.5	10.3	133.2	72.1	14.0	.4	55.7	24.1	38.9	.6	19
MARTIAL ARTS	19,826	.10	367	8.5	.7	10.0	21.3	6.7	-	13.2	4.0	8.4	.1	20
MOPEDS, MINI-BIKES, OTHER SUCH VEH.	142,610	.13	2,296	68.9	15.1	135.8	151.5	26.8	5.3	98.4	25.1	54.7	6.3	54
POWDER GUNS, ED'S AND PELLETS	27,746	.10	408	11.9	8.2	53.1	13.5	2.4	.3	19.5	4.7	11.1	.8	37
PLAYGROUND EQUIPMENT	209,760	.09	3,934	89.6	343.7	400.1	17.1	4.9	3.0	97.9	81.7	85.8	3.9	28
SKATEBOARDS	19,345	.15	456	8.3	5.8	37.0	11.0	.8	.3	13.4	3.4	8.1	.2	21
SNOWSKIING	44,015	.21	734	18.8	1.6	26.7	44.6	14.4	.4	22.8	15.0	18.0	.9	19
SOCCER	107,509	.16	2,154	45.9	1.3	140.3	107.4	14.0	.2	65.9	26.8	45.4	.6	17
SWIMMING, POOLS, EQUIPMENT	114,745	.11	2,043	45.0	63.5	140.6	73.1	21.6	4.7	60.1	38.5	46.1	3.0	130
TENNIS, BADMINTON, SQUASH	57,473	.14	1,066	24.6	3.0	18.2	39.4	29.6	3.2	33.6	15.9	24.1	.4	18
TROUSERS, SKEDS, SKI DISCS, ETC.	37,168	.20	552	15.9	12.2	67.1	19.7	3.7	-	20.9	11.2	15.2	.7	36
TRACK & FIELD ACTIVITIES, EQUIPMENT	61,947	.13	1,286	26.5	.9	42.4	60.4	19.5	1.8	33.0	20.3	26.0	.4	16
TRAMPOLINES	11,854	.17	207	5.1	6.0	18.7	6.2	1.7	.2	4.4	5.8	5.0	.1	16
VOLLEBALL	79,798	.10	1,370	34.1	-	47.7	64.3	25.6	.1	33.7	36.4	33.9	.2	14
WATER SKIING, TUBING, SURFING	29,341	.25	550	12.5	.8	6.5	32.9	11.8	.1	21.1	4.3	11.9	.6	47
WRESTLING	60,661	.13	1,057	25.9	4.8	55.2	83.8	6.0	.4	47.6	5.5	25.4	.5	20
OTHER	56,623	.09	914	24.2	19.4	46.0	53.0	13.5	2.2	31.0	17.6	23.2	1.0	34
HOME COMM. ENTERTAINMENT & HOBBY														
MISC. HOBBY EQUIPMENT	12,845	.11	237	5.5	9.9	8.7	11.0	3.1	.5	6.9	4.1	5.3	.2	31
PET SUPPLIES, EQUIPMENT	12,120	.10	223	5.2	9.2	8.7	5.2	4.4	1.5	5.0	5.2	4.9	.3	41
SOUND RECORDING & REPRODUCING EQUIP	34,700	.08	671	14.8	47.3	16.5	17.6	8.9	12.3	14.4	15.2	14.3	.6	47
TELEVISION SETS	24,962	.10	523	10.7	57.6	13.3	5.8	5.7	4.9	12.6	8.7	10.4	.2	36
OTHER	*	*	10											
PERSONAL USE ITEMS														
CIGARETTES, LIGHTERS & FUEL	19,169	.10	370	8.2	42.5	6.4	8.7	4.8	1.7	9.4	7.1	7.4	.8	211
CLOTHING, ALL	81,113	.11	1,695	35.9	44.9	55.5	39.0	29.5	28.4	34.6	37.2	34.0	1.9	52
GROOMING DEVICES	22,048	.10	450	9.4	52.4	8.6	7.5	5.4	2.0	6.9	11.8	9.2	.2	85
HOLDERS FOR PERSONAL ITEMS	13,781	.10	240	5.9	14.9	10.2	3.4	4.0	6.3	5.2	6.5	5.8	.1	22
JEWELRY	11,822	.11	682	13.6	56.2	27.8	13.8	5.6	1.4	9.0	17.9	13.4	.2	52
PAPER MONEY & COINS	10,971	.17	460	4.1	74.4	15.0	1.3	.1	-	8.6	7.6	7.2	.9	100
PENCILS, PENS, OTHER DESK SUPPLIES	46,296	.10	550	19.8	38.0	77.0	16.4	5.7	1.3	24.0	15.7	19.4	.3	20
RAZORS, SHAVERS, RAZOR BLADES	37,859	.09	705	16.2	17.6	18.6	29.5	13.8	2.3	22.2	10.5	16.1	.1	14
SEWING EQUIPMENT	37,958	.09	780	26.2	30.8	28.0	19.4	12.3	5.3	10.7	21.3	15.7	.6	26
OTHER	7,850	.14	162	3.4	3.7	4.5	-	2.7	.4	4.1	2.6	3.3	.1	51
PACKAGING & CONTAINERS, HOUSEHOLD														
CANS, OTHER CONTAINERS	148,891	.09	2,851	63.6	142.2	82.4	72.0	50.5	31.4	67.0	50.3	62.0	1.6	33
GLASS BOTTLES & JARS	101,678	.14	2,072	43.5	98.9	90.7	60.3	23.3	7.7	52.1	35.1	42.1	1.3	22
PAPER/CARD/PLASTIC PRODUCTS	48,189	.10	959	20.6	36.6	26.9	23.1	17.0	13.3	21.1	20.0	20.0	.6	20
YARD & GARDEN EQUIPMENT														
CHAIN SAWS	64,038	.16	786	27.4	2.6	7.3	32.9	37.9	16.3	54.6	1.7	26.1	1.3	34
HAND GARDEN TOOLS	37,175	.10	629	15.9	20.0	25.6	16.0	14.0	12.0	21.7	10.4	15.3	.6	31
HATCHETS & AXES	22,889	.13	303	9.7	4.3	9.2	3.1	11.0	3.5	17.6	2.2	9.5	.2	24
LAWN AND GARDEN CARE EQUIPMENT	42,774	.13	736	18.2	29.4	23.9	15.4	18.7	18.1	24.7	12.0	11.7	1.0	46

HOME WORKSHOP EQUIPMENT															
BATTERIES, ALL TYPES	17,796	.10	304	7.6	6.7	5.2	12.9	8.0	1.2	14.3	1.2	7.3	.3	186	
HOISTS, LIFTS, JACKS, ETC.	18,315	.12	294	7.7	4.0	2.5	13.6	9.0	2.6	14.4	1.4	7.3	.4	51	
MISCELLANEOUS WORKSHOP EQUIP	30,316	.10	474	13.0	8.7	24.1	12.7	12.6	3.9	21.8	4.6	12.5	.5	46	
POWER HOME TOOLS, ETC. SNIPS	28,136	.13	433	12.0	1.6	4.9	17.4	14.7	8.4	23.5	1.1	11.9	.1	28	
POWER HOME WORKSHOP SAWS, ALL	73,543	.09	1,137	31.4	3.1	14.6	32.0	40.6	31.2	60.7	3.7	29.8	1.6	64	
WELDING, SOLDERING, CUTTING TOOLS	19,457	.12	292	8.5	2.2	.6	17.3	10.5	1.2	17.0	.5	8.4	.1	101	
WIRES, CORDS, NOT SPECIFIED	12,505	.15	191	5.3	6.1	9.6	5.8	4.3	3.2	7.5	3.3	5.2	.2	21	
WORKSHOP MANUAL TOOLS	110,853	.07	1,837	47.0	17.6	29.7	65.8	56.6	18.1	84.7	11.2	46.3	.7	19	
OTHER	21,904	.13	350	9.4	17.7	10.1	13.3	8.0	2.8	14.0	4.9	8.9	.5	68	
HOME MAINTENANCE															
CLEANING EQUIP. NON-CAUSTIC/DETERG	16,471	.09	321	7.0	10.9	7.5	7.8	6.1	6.6	7.7	6.4	6.8	.2	29	
CLEANING AGENTS (EXC. SOAP)	37,460	.09	830	16.9	99.1	7.8	14.6	10.6	3.9	17.3	16.3	16.0	.8	96	
DRAIN, OVEN CLEANERS, CAUSTICS	12,649	.11	248	5.4	24.4	3.1	5.7	4.9	1.4	6.8	4.0	4.9	.5	154	
MISCELLANEOUS HOUSEHOLD CHEMICALS	14,074	.09	312	6.9	27.3	7.8	8.3	4.1	.9	7.9	5.9	6.7	.1	71	
PAINTS, SOLVENTS, LUBRICANTS	20,971	.10	320	9.3	24.9	7.7	9.7	7.7	4.5	12.4	5.7	8.6	.4	64	
OTHER	11,324	.11	236	4.8	26.4	3.3	3.7	3.2	1.0	5.1	4.6	4.5	.4	59	
GENERAL HOUSEHOLD APPLIANCES															
COOKING RANGES, OVENS, ETC.	49,026	.08	852	20.5	71.8	16.2	20.0	15.5	14.4	19.4	21.4	19.4	1.1	120	
IRONS, CLOTHES STEAMERS (NOT TOYS)	15,861	.12	370	6.8	57.0	3.7	4.1	1.9	2.1	6.2	7.2	6.5	.2	82	
MISC. HOUSEHOLD APPLIANCES	22,345	.11	399	9.6	27.0	8.7	7.8	8.5	6.2	7.4	11.6	9.3	.2	31	
REFRIGERATORS, FREEZERS	27,230	.08	595	11.6	17.5	8.1	13.8	10.9	11.9	13.5	9.9	11.3	.3	31	
WASHERS & DRYERS	21,629	.09	351	9.2	20.3	10.6	8.5	7.2	9.2	9.2	9.0	8.7	.5	85	
HEATING, COOLING, VENTILATING EQUIP.															
CHIMNEYS, FIREPLACES	14,035	.16	234	6.0	43.4	5.0	2.6	2.7	1.6	8.1	4.0	5.8	.2	47	
FANS (EXC. STOVE EXHAUST FANS)	14,079	.11	281	6.0	19.9	4.9	5.6	4.5	5.4	6.7	5.1	5.9	.2	25	
HEATING STOVES & SPACE HEATERS	36,460	.14	531	15.6	101.0	17.8	7.4	6.9	5.5	16.9	16.1	15.0	.6	89	
PIPES, HEATING & PLUMBING	25,566	.09	494	10.7	16.8	29.5	10.4	8.8	4.9	16.4	5.8	19.6	.3	63	
RADIATORS, ALL	10,637	.20	414	4.0	48.2	13.1	5.5	2.0	3.7	11.0	5.1	7.7	.2	45	
OTHER	20,396	.10	386	8.7	14.4	3.8	8.0	9.8	7.3	12.5	5.1	8.4	.3	84	
HOUSEWARE															
COOKWARE, POTS & PANS	28,420	.11	585	12.1	26.0	9.7	12.5	12.2	5.3	9.3	14.7	11.5	.6	84	
CUTLERY, KNIVES, UNWORKED	350,075	.07	6,157	149.6	64.8	152.6	234.7	154.7	82.0	101.8	118.7	148.1	1.5	14	
DRINKING GLASSES	133,462	.07	2,511	57.0	52.4	48.6	102.1	55.2	10.9	41.9	71.3	56.6	.5	15	
MISCELLANEOUS HOUSEWARE	46,725	.08	900	20.0	39.9	28.8	19.9	16.6	11.0	20.9	19.1	19.6	.4	26	
SCISSORS	18,980	.10	336	8.1	10.7	14.6	8.7	6.7	3.4	6.2	9.9	8.1	-	16	
SMALL KITCHEN APPLIANCES	37,881	.08	673	13.2	25.5	13.1	20.0	16.1	8.7	14.6	17.7	15.7	.4	66	
TABLEWARE AND ACCESSORIES	72,352	.10	1,376	39.9	49.0	20.2	50.2	29.0	11.0	20.4	40.7	30.3	.6	26	
OTHER	8,654	.10	171	3.7	3.9	7.5	3.8	2.7	2.9	3.8	3.6	3.7	-	23	
HOME FURNISHINGS, FIXTURES & ACCESS.															
BATHUB & SHOWER STRUCTURES	109,618	.08	1,907	43.0	139.1	38.3	29.2	31.7	53.8	41.6	44.3	39.9	3.1	62	
BEDS, MATTRESSES, PILLOWS	249,972	.05	5,017	106.8	582.2	149.4	54.5	35.1	121.3	112.4	101.3	100.1	6.7	42	
CARPETS & RUGS	64,845	.11	1,127	27.7	66.9	17.9	17.7	18.2	69.0	20.5	34.5	24.6	3.1	46	
CHAIRS, SOFAS & SOFA BEDS	262,897	.08	4,835	112.4	519.8	116.2	64.3	59.9	132.3	104.1	119.9	107.1	5.3	35	
DESKS, CABINETS, SHELVES, PACKS	143,700	.09	2,778	61.4	228.7	97.3	47.1	35.0	39.5	63.1	59.7	60.1	1.4	28	
ELECTRIC FIXTURES, LAMPS & EQUIP	40,656	.07	777	17.4	41.4	21.0	21.0	12.5	10.9	21.1	13.0	16.7	.7	75	
LADDERS, STOODS	119,833	.09	2,058	51.2	49.1	20.7	31.3	62.3	73.6	72.0	31.3	45.7	5.6	40	
MIRRORS & PICTURE GLASS	16,756	.09	344	7.2	10.5	8.1	14.0	5.4	.9	8.6	5.8	7.1	.1	30	
MISC. HOUSEHOLD COVERS AND FABRICS	12,274	.10	244	5.2	6.9	4.6	4.8	4.9	7.3	3.5	6.9	4.8	.4	49	
OTHER MISC. FURNITURE & ACCESSORIES	36,251	.10	712	15.5	41.4	11.6	10.1	16.9	5.7	15.8	15.1	15.2	.3	22	
STAIRS & TOILETS	34,188	.08	679	14.6	48.5	14.7	10.2	8.0	26.4	15.0	14.1	13.5	1.2	39	
TABLES, ALL TYPES	256,519	.08	5,904	109.6	741.3	120.8	52.2	40.0	60.5	129.3	90.4	106.8	2.8	33	
OTHER	19,802	.09	362	8.5	36.7	9.0	5.8	5.7	4.9	8.5	8.1	8.1	.4	77	
HOME STRUCTURES & CONST'N MAT'LS															
CABINETS OR DOOR HARDWARE	17,497	.10	358	8.3	26.4	13.8	6.1	4.0	7.8	9.1	7.5	8.2	.2	30	
CEILINGS, WALLS, PANELS (INSIDE)	183,567	.08	3,870	78.5	166.2	143.0	122.9	41.5	28.9	97.6	60.0	77.0	1.5	26	
COUNTERTOPS & COUNTER TOPS	19,019	.12	390	8.5	38.8	12.1	5.8	4.4	5.3	8.4	8.5	8.1	.4	37	
FENCES	106,073	.08	2,077	45.3	56.1	131.3	57.6	21.5	13.1	66.6	25.1	44.3	1.0	28	
GLASS DOORS, WINDOWS & PARTS	205,537	.07	3,841	87.8	112.9	115.7	166.3	63.3	21.9	108.6	67.8	84.5	3.3	23	
HANGINGS, RAILINGS & BANISTERS	34,959	.13	740	14.9	37.4	27.5	16.5	8.2	10.5	15.9	14.0	14.3	.6	38	
MISC. CONSTRUCTION MAT'LS	126,433	.11	2,175	54.0	69.3	87.8	57.7	44.9	35.1	79.1	30.1	50.6	3.4	40	
HAILS, CARPET TACKS, ETC.	228,810	.08	4,234	97.8	89.9	196.8	127.6	76.4	25.5	132.9	64.3	96.9	.9	15	
NON-GLASS DOORS & PANELS	281,892	.07	5,593	121.3	378.0	179.0	134.0	73.6	61.6	125.1	117.1	119.4	2.0	33	
OUTSIDE ATTACHED STRUCT. & MAT'LS	12,007	.10	191	5.1	7.8	4.2	5.0	5.3	4.2	8.2	2.3	4.6	.5	53	
PORCHES, OPEN SIDE FLOORS, ETC.	83,099	.12	1,478	35.5	99.8	40.7	67.7	69.4	30.0	37.1	33.8	32.9	2.6	37	
STAIRS, RAMP, LAMININGS, FLOORS	1,308,263	.09	25,229	559.7	1331.5	504.6	468.9	404.4	897.4	463.6	646.5	507.0	51.9	42	
WINDOWS, DOOR SELLS, FRAMES	36,874	.12	608	15.8	44.0	19.3	19.6	9.3	14.3	16.8	14.8	15.3	.5	27	
OTHER	16,882	.13	284	7.2	14.0	8.5	5.4	6.9	5.3	10.2	4.4	7.0	.3	60	
MISCELLANEOUS PRODUCTS															
BOLLIES, CARTS	27,755	.10	504	11.9	76.6	15.6	4.4	4.1	8.4	13.0	10.7	11.4	.4	36	
ELEVATORS, OTHER LIFTS	11,865	.15	237	5.1	9.0	3.3	3.4	3.7	12.8	4.3	5.7	4.7	.4	83	
FIREWORKS & FLARES	10,108	.13	203	4.3	6.1	13.6	5.9	1.7	.4	6.1	2.6	3.9	.4	119	
GASOLINE AND DIESEL FUELS	20,020	.10	336	8.6	20.0	7.0	9.9	7.6	2.9	14.3	3.1	6.8	1.8	279	
MISCELLANEOUS	95,117	.09	1,816	40.7	67.9	115.9	59.2	14.4	11.5	52.1	29.6	31.8	.8	29	
OTHER	13,925	.11	274	5.9	23.7	5.0	8.1	3.6	1.6	7.9	4.0	5.4	.5	100	

Definitions and Qualification of NEISS Data

Product Related Injuries

The statistics presented in the accompanying table are national estimates of products associated with injuries treated in hospital rooms. The product involvement may or may not be the cause of the accident. The products included in the tabulation are those which are within the jurisdiction of the Consumer Product Safety Commission.

Multiple Product Involvement

The NEISS collection procedures allow for reporting the involvement of up to two products for each injury. Since the statistics for a particular product are based on the number of times that product is reported through the NEISS, individual product categories in the accompanying table should not be added up to obtain a total injury measure as they may include some duplication.

Estimated Number of Cases

Since NEISS is based on a probability sample, the number of cases reported is projected in order to represent national estimates of injuries associated with consumer products treated in hospital emergency departments. The basic factor by which a case is inflated to derive national estimates is the inverse of the probability of selection of the hospital which treats that case. A non-response factor is also incorporated to adjust for hospitals not reporting cases for any given month.

CV

The CV (coefficient of variation) listed in the third column of the accompanying table represents the value of the standard error for the estimated number of cases divided by that estimated number.

The standard error is primarily a measure of sampling variability—that is, the variations that occur because observations are made only on a sample, not on the entire population. The chances are about 68 out of 100 times that an estimate from the sample would differ from the average result of all possible samples of the same size by less than the standard error. The chances are increased to 95 out of 100 times that an estimate from the sample would differ from the average result of all possible samples of the same size by less than 1.96 times the standard error.

Number of Cases

Under the column heading, "Number of Cases", the figures are given for the actual count of products associated with injuries that are treated in NEISS hospitals. Since hospitals included in the sample were selected with different probabilities of selection, the same number of cases may result in higher or lower national estimates depending on which hospitals those cases were reported from. Therefore, the reader should use caution in attempting to interpret differences in these raw counts between product categories.

Estimate Per 100,000 Population

Based on 12-month estimates, figures given here represent the number of injuries per 100,000 population for various groupings. They are obtained by the following formula:

$$\frac{\text{Estimated number of injuries}}{1983 \text{ Estimated Resident U.S. Population}} \times 100,000$$

Population figures are provided by the U.S. Bureau of Census. The July 1, 1983 estimated Census count of the resident population is 233,981,000 (as of May 1984 publication). Each of the age and sex groupings is derived by dividing the estimated number of injuries for each age and sex group by the population figures for the same group. Because each group rate is an individual rate and not a percentage, the combined sums will not add up to the aggregate listed under the heading, ALL AGES.

Estimated Mean Severity

Each product-related injury seen in the emergency department is assigned a severity value ranging from 10 to 2,516, based primarily on a combination of three factors: injury diagnosis, body part involved, and disposition of the case. The estimated mean severity is an average severity value for an estimated number of injuries.

Based on the nature of the injury and the body part affected, all non-fatal injuries are classified to a 6-point scale with injuries ranging from minor to most severe. This ranking is based on medical judgment in terms of expected physical impact, as well as life threat and potential for permanent impairment. This scale value is then increased by one if the patient is admitted for inpatient hospital care. Therefore, a seventh point on the scale is established for those injuries with the most severe injury classification which require hospitalization. Poisonings are an exception to the procedure. A poisoning which is treated and released is classified as a "2" on this scale, while a poisoning requiring hospitalization is classified as a "6". Deaths are classified as "8" on this scale, but are grouped with Category 7 in the weighting procedure to be discussed below.

A geometric inflation factor is used to reflect differences in degree of severity between the seven scale categories. Category 1, the least severe category, has been assigned a value of "10". This value is increased by 20 percent to arrive at a value of "12" for Category 2. Thereafter, each succeeding scale category value is increased by a geometric proportion of the preceding value, i.e., 40 percent, 80 percent, up to a 640 percent increase for Category 6 to arrive at a value of 2,516 for Category 7.

Because the mean severity is based on subjective value judgments, the reader should use caution in interpreting small differences in these measures between product groups.

Policy on Active Dissemination of NEISS Data

The Commission recognizes that estimates based on small samples—if carefully interpreted—are useful. However, the Commission policy is to disseminate only national estimates that meet all three of the following criteria: Coefficients of variation that are smaller than 33 percent, national estimates that are greater than 1200, and national estimates that are based on a sample count greater than 10.

For this publication, categories with estimates of less than 10,000 drop from the individual listing and are included in "Other".

Further Information

"NEISS Data Highlights" is available free of charge. To be added to the mailing list or to obtain additional product-related injury data, contact the National Injury Information Clearinghouse, Directorate for Epidemiology, U.S. Consumer Product Safety Commission, Room 825, 5401 Westbard Avenue, Washington, D.C. 20207 Telephone No. (301) 492-6424.

U.S. CONSUMER PRODUCT SAFETY COMMISSION

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NEWS from CPSC

U.S. Consumer Product Safety Commission

FOR RELEASE: JUNE 6, 1984

CPSC WARNS OF FIREWORKS DANGERS

Following a recent critical injury to a 14 year old male as a result of an explosion in his home while he was mixing explosive chemicals purchased by mail order, the Consumer Product Safety Commission today issued an alert warning consumers of the dangers of using mail order chemicals and other dangerous fireworks.

The victim had ordered certain chemicals from a company which sells them by mail for the purpose of making fireworks in addition to other explosive-type products. While mixing two of the chemicals in a ceramic mortar (bowl) a violent explosion erupted, and the victim was impaled in the lower abdomen by a 2-inch by 3/4 inch fragment of the ceramic mortar (bowl) and received burns to his upper body and arms. There was also extensive damage to the room in which he was working and three other rooms of the house. While the victim survived, in addition to other injuries which he suffered, he may also have lost partial hearing in his right ear.

During 1983, approximately 8,300 persons were treated in hospital emergency rooms for fireworks-related injuries. Over half of these injuries were burns. Seventy-three percent of the injuries were to people under 25 years of age and the majority were male. The most frequently reported body parts involved were eyes, face, hands and fingers.

- more -

The Commission has had a regulation since 1976 which limits the maximum powder charge in firecrackers for consumer use to 50 milligrams (.772 grains, or less than one-eighth teaspoon). The Commission also has performance and labeling requirements for the permitted Class C fireworks. These include requirements that fireworks fuses must burn for at least three seconds, but not longer than six seconds, that they resist side ignition (fuse should only ignite when heat source applied to tip) and be securely attached. To prevent tipover, fireworks designed to be operated in a standing upright position must have a base that is no less than one-third the height of the device. All fireworks must be properly sealed to prevent leakage of powder during shipping and handling, and must be constructed in a manner to prevent burnout through the sides or blowout through the bottom of the device after ignition.

The Commission is especially concerned about the mail order kits and components for making fireworks since consumers are capable of making fireworks devices containing very large amounts of chemicals which can be extremely powerful and dangerous to the user. These kits can be used to produce fireworks devices which are even more dangerous than illegally sold fireworks such as M-80's and Silver Salutes which have been banned by the Commission.

The Commission believes that fireworks devices continue to be associated with a large number of preventable injuries each year. Even if Class C fireworks meet the government's minimum standards and labeling requirements, consumers should still exercise caution when using them and in supervising their use by children.

The Commission urges consumers to take the following precautions when using fireworks:

- * Parents should supervise the ordering and use of mail-order "make your own" fireworks kits or components. Some kit contents can produce dangerous explosive devices.

- * Make sure there is a manufacturer's label on all fireworks--and instructions for proper use. Illegally manufactured fireworks rarely have either. Report any sales of illegal fireworks to state or local police departments.
- * Store fireworks in a dry, cool place and avoid rough handling which might damage the fuses.
- * Provide adult supervision for children and do not allow very young children to handle fireworks.
- * Light fireworks only outdoors in a clear area away from houses, dry brush, or anything that might ignite. Keep water available.
- * Light only one fireworks device at a time.
- * Soak malfunctioning fireworks devices with water to prevent their possible future use.

Additional information may be obtained by calling the Commission's Toll Free Hotline at 800-638-CPSC. A teletypewriter number for the hearing impaired is 800-638-8270.

#

NEWS from CPSC

U.S. Consumer Product Safety Commission

BACKGROUND INFORMATION
FIREWORKS NEWS CONFERENCE
JUNE 19, 1985

I. BACKGROUND

Every year thousands of Americans are treated in hospital emergency rooms throughout the country for injuries caused by fireworks. In 1984 alone, over 9,800 persons suffered fireworks related injuries. Over half of the injuries were burns and lacerations. Also included are several amputations along with incidents of both eye and hearing damage. More than half of these were children under 15 years of age. In addition, seven persons are known to have died in fireworks related incidents in 1984.

In 1976, the Consumer Product Safety Commission published regulations banning the use by consumers of the larger, more dangerous Class "B" exploding fireworks and establishing safety performance requirements for the smaller, more common Class "C" fireworks.

II. LEGAL FIREWORKS

Each year the CPSC conducts an investigational efforts (to enforce regulations) to ensure that manufacturers sell to consumers only those fireworks which comply with CPSC regulations.

Fireworks devices such as mortar shells, firecrackers containing not more than 50 mg. of powder, sparklers, bottle rockets, cone fountains, roman candles, mines, wheels, helicopters and multiple tube devices,

- more -

are commonly known as "Class C" or "Safe and Sane fireworks." These may be sold to consumers according to federal regulations so long as they comply with the labeling and performance requirements specified in the regulations.

For example:

(1) Common firecrackers must contain not more than 50 mg of explosive powder. They must have a safety fuse that burns at least three seconds but not more than six seconds. They must also be labeled with an appropriate statement of hazard, and instructions for handling, storage and use. Regulations specify labeling for other types of fireworks. For example, sparklers must bear the following cautionary information: "WARNING: Flammable. Use only under adult supervision. For outdoor use only. Do not touch glowing wire. Hold in hand with arms extended away from body. Keep burning end of sparks away from wearing apparel or other flammable materials."

Although these Class C fireworks must meet federal regulations, most states have their own laws governing the sale and use of fireworks. Fourteen states have banned the use of all fireworks devices regardless of whether they comply with federal regulations and nine states allow sparklers and snakes only.

Before buying and using any fireworks check with local police or fire officials to find out what is legal in your state.

III. ILLEGAL FIREWORKS

In spite of federal laws which have prohibited their sale for nearly twenty years, Class B fireworks are sold and used in virtually every state in the country. These devices which include Cherry bombs, M 80's, Silver salutes, M 100's and other large firecrackers are among the most common of the banned Class B fireworks and are commonly available to consumers through bootleg sale at road side stands and other retail establishments.

They are dangerous and have been known to produce lethal explosions. Recently there was an explosion at a fireworks factory in Ohio where it is believed M-100's and other illegal fireworks apparently were being made. Nine factory workers were killed and the factory was reduced to a huge crater.

In most cases anyone who is not familiar with the different types of fireworks devices cannot recognize the difference in illegal fireworks and legal Class C fireworks.

These tips may be useful in identifying banned fireworks:

- (1) Do they have the name and address of the manufacturer or importer?
Most banned fireworks do not.
- (2) Do they have appropriate instructions for using the devices?
Most banned fireworks do not.
- (3) Firecrackers larger than $1\frac{1}{2}$ " X $\frac{1}{4}$ " may contain more than 50 of powder and therefore would be banned.

When in doubt, check with local fire or police officials or, better still, look for other devices which do have proper labeling and use instructions.

IV. FIREWORKS MAIL ORDER KITS AND COMPONENTS

Another area of concern is the fireworks mail order business. Either through regular U.S. postal service mail or parcel deliver services, consumers may order and receive complete packaged kits or components from which extremely dangerous fireworks devices can be made in the home.

Typically, these kits will include:

- (1) An active oxidizer such as potassium chlorate;
- (2) Sulfur, a fuel which is inexpensive;
- (3) A metal fuel such as fine aluminum powder to produce a bright flash.
- (4) Casings which are filled with the explosive mixture of chemicals and end plugs.
- (5) Fuse for detonating the fireworks device.
- (6) "How to" instructions for mixing various combinations of chemicals contained in the kits and instructions for putting the devices together.

With kits consumers have at their fingertips the equipment for making highly explosive, potentially lethal fireworks devices such as M 80's, M 100's, Cherry Bombs and even much larger and more dangerous devices is possible.

These kits are especially dangerous because the consumer is required to handle and mix large quantities, often one, two, or five pounds of the explosive chemicals in the home, many times without a clear understanding of the explosive potential of the mixture. A consumer who is mixing the explosive chemicals from a kit often has at his disposal enough explosive powder to make about 100 or more M-100 devices.

These chemicals are easily ignited by careless cigarette smoking, sparks or friction from mixing the chemicals. Even if the devices are successfully assembled without incident they are still extremely dangerous. Many of these devices contain enough powder to approximate a quarter or half stick of dynamite.

The CPSC investigated one incident where a 14 year-old boy was mixing a small portion of chemicals which he had received in the mail to make explosives. Triggered by an unidentified source, or perhaps the mere action of mixing them, the chemicals exploded with a tremendous force. A chunk of the ceramic bowl in which he was mixing the chemicals was impaled in his lower abdomen and he was propelled through a nearby glass door. The explosion completely destroyed the kitchen he was working in and three other rooms in the house. Miraculously, the boy lived to recover with damage to one eye and some hearing loss.

V. SAFETY TIPS

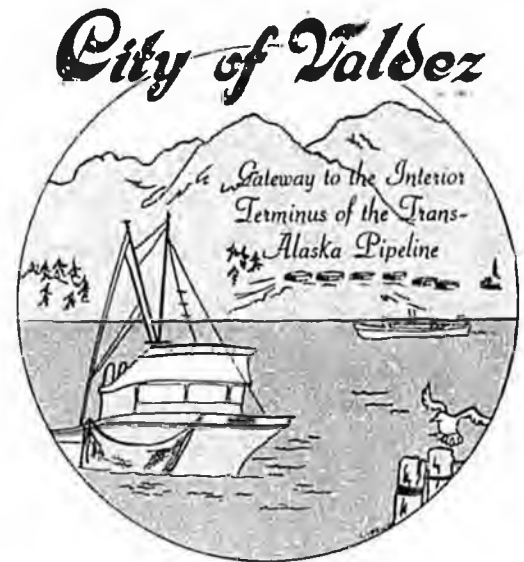
To make your holiday safer, be careful in using all fireworks devices. Do not allow younger children to ignite or play with fireworks under any circumstances. Remember that fireworks are not toys for children to play with.

To help reduce the risk of injury while using fireworks, the following safety precaution should be observed:

- If you permit older children to use fireworks, make sure they do so only under close adult supervision. Do not allow any running or horseplay while fireworks are being used.
- Before using any fireworks, read and follow all warning instructions printed on the label.
- Light all fireworks outdoors in a clear area away from houses and flammable materials (gasoline cans, etc.).
- Keep a bucket of water nearby for emergencies and for dousing fireworks that don't go off.
- Do not try to relight or handle malfunctioning fireworks. Soak them with water and throw them away.
- Be sure other people are out of range before lighting fireworks.
- Never ignite fireworks in a container, especially in a glass or metal container.
- Store fireworks in a cool dry place. Check instructions for special storage directions.

#

VALDEZ FIRE DEPARTMENT
OFFICE OF THE CHIEF
January 22, 1986



The Honorable M. Mike Miller
Alaska State Legislature
House of Representatives
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Mr. Miller:

I am writing in support of HB 35. The City of Valdez has banned the use and possession of fireworks within its corporate boundaries for many years by adopting and enforcing the Uniform Fire Code.

Enforcement in the past three years has become very difficult as several fireworks stands set up just outside the city limits and sell to whomever passes by.

In August of 1983 the Valdez city council considered the repeal of the section pertaining to fireworks at the request of citizens wishing to use them. The council determined at that time that many more people were against fireworks, and, due to the serious injuries caused by them let the ordinance stand.

I highly support any legislation that will ban or severely restrict the use of fireworks in the State of Alaska. The damage done to the peace of mind of our citizens, their animals, injuries suffered and the fires that are started by fireworks are not justified by the so-called enjoyment of a few.

Sincerely,

A handwritten signature in cursive script that reads "Thomas W. McAlister".

Thomas W. McAlister
Fire Chief

Injury Control

A Guide to the
Causes and Prevention of Trauma

Julian A. Waller, M.D. M.P.H.

but to most research involving recreational injury. The need, they note, is not for more research but rather for better data on which to base such research.

Unlike guns, fireworks and firecrackers almost invariably are used for recreation. In China and other Asian nations this occurs to a far greater degree than in the United States and has religious overtones. While U.S. data are available, they may not be comparable to those from elsewhere because the size of powder charges and types of fireworks vary from one nation to another.

In the United States, for example, beginning in 1966 explosive charges larger than 2 grains (130 mg) were prohibited.¹⁸⁹ (This is equivalent to a device 1½ inches long and ¼ inch diameter and removes cherry bombs from the marketplace.) As of late 1976, the permissible amount decreased to 0.77 grains (50 mg).¹⁹⁰ Several states, however, prohibit private use of fireworks and firecrackers entirely. Other nations permit larger firecrackers or have no regulations at all.

The new U.S. regulations appear not to be very effective, both because of smuggling of illegal devices from Canada and Mexico and some degree of illegal manufacture.¹⁹⁰ In addition, the 2-grain firecrackers still are capable of producing injury, and it appears the smaller ones may be also.¹⁸⁹ As of 1980 there were about 9,000 treated injuries, although the rate per exposure is not known.¹⁹⁰ A report from New Zealand suggests that the injury rate is about one per 10,000 persons exposed during the week or two before Guy Fawke's Day.¹⁹¹

A CPSC study in 1973 indicated that 30 percent of injuries occur among boys between age 10 to 14 and after age 25 the number of injuries was negligible.¹⁸⁹ About half of injuries were burns, usually of an arm or hand, but one in every five involved the eye, sometimes with blindness resulting. In that study, only 5 percent of injuries resulted in hospitalization, but a 1979 report had a much higher proportion (16 percent).¹⁹² Homemade explosive devices almost invariably resulted in hospitalization and accounted for most of the very rare fatalities. Some types of banned explosives—in particular, bottle rockets—had high injury rates, usually from improper use. These devices seem especially likely to cause eye injury.¹⁹³

The vast majority of injuries involving oversize fireworks resulted from improper use, while half of the injuries from permissible displays resulted from apparent malfunction.¹⁸⁹ In 1978, however, illegal fireworks distributed in two states resulted in more than 150 injuries within a matter of days.¹⁹⁴ These defective devices exploded immediately when lighted, instead of providing the usual delay from the fuse, and at one hospital alone, twelve young users were seen, seven of whom each lost one or more fingers.

Challenging the Great C

There are about 60,000 mountaineers in the world, 2,000 and 10,000 of whom are in the United States—records—which are known as the "Great C" records—among these was 30 deaths among these was 30 the most common cause, the next in importance.¹⁹⁵ A climbing unroped, and u

ated. The European Alps For club-sponsored (man-mountain days for p decreasing to 0.80 for the 2.31, and the mortality among the young (1.14 a lowest among the oldest and case fatality rates for climbing appear in table

Ferris warns of hazards above 12,000 feet and cold temperatures of 40 to 45° attempting casual hikes inadequate shoes, and no

Burns from portable in camping have been a

Table 24-4
Ten Most Frequent Injuries in the United States

Cause
Slip on rocks
Slip on snow or ice
Falling rock or object
Avalanche
Failure in rappel
Loss of control in gliss
Exposure or exhaustion
Miscellaneous
Lightning
Fall in crevasse

Source: Adapted from Accidents in the United States. *Journal of Medicine* 26



American Academy of Pediatrics

News Release

Contact: Jeff Molter
Michele Weber
312/981-7871
312/981-7872
800/433-9016



Embargoed for release on:
June 5, 1985

AAP URGES CAUTION WHEN USING FIREWORKS

CHICAGO -- A 10-year old boy suffered third-degree burns over 25 percent of his body when he dropped a small firecracker into a can of lantern fluid.

- In 1983, there were more than 8,000 victims of fireworks-related injuries treated in U.S. emergency rooms, half of those being children under 15.

A 7-year old girl suffered second-degree burns to her body after playing with a sparkler that ignited her nightgown.

- Every type of fireworks -- even those sold legally -- has resulted in serious injury or death.

With summer comes July 4th -- and with that holiday -- fireworks. A comprehensive look at injuries resulting from fireworks shows that not only do fireworks result in unnecessary injuries or even death, they also inflict costly hospital bills and property damage.

29/85

-more-



141 Northwest Point Road
P.O. Box 927
Elk Grove Village, IL 60007

Fireworks
2-2-2-2-2

Researchers reporting in the American Academy of Pediatrics (AAP) journal Pediatrics write that because injuries are notoriously underreported, only about 40 percent are treated in emergency rooms. Thus, they estimate that approximately 21,000 total fireworks-related injuries occurred in 1983.

The researchers, from the University of New Mexico, Albuquerque and the University of Tennessee, Memphis, contend that precautionary labeling and improved quality control has not been an adequate approach to the prevention of injuries caused by fireworks.

Present fireworks regulations, enacted by the Consumer Product Safety Commission (CPSC) in 1976, ban any firecracker containing more than 50 mg. of explosive material. Aerial devices such as skyrockets and shells may contain up to 130 mg. of charge. The 1976 provisions ban Class B devices such as cherry bombs and M-80s; however, Class C allowable devices include fountains, California candles, Roman candles, missile-type rockets, sparklers and smoke devices.

In 1981, the most common type of fireworks causing injuries were firecrackers and more than 60 percent were Class C allowable devices. A previous study of 175 fireworks-related injuries in 1973 revealed that 116 of those were caused by Class C allowable devices.

The eyes are the body part most often injured, followed by hands and fingers. According to 1983 CPSC statistics, burns account for the majority of fireworks-related injuries (59 percent). Firecrackers, bottle rockets and sparklers contribute to the most hospitalizations.

-more-

Fireworks
3-3-3-3-3

In addition, the researchers write that restrictive state laws can drastically reduce injuries. The rate of fireworks-related fires was nearly 50 times greater in states allowing some Class C fireworks than in states banning fireworks or allowing only snakes and/or sparklers. Additionally, the rate of injuries was seven times greater in the states that allowed Class C devices. (A table of U.S. states' fireworks regulations is attached.)

The economic impact of fireworks-related accidents is also distinctly negative. In 1980, there was an estimated \$250,000 in property damage in the state of New Mexico and \$60,000 in medical costs for the treatment of children with fireworks-related injuries. A 1982 survey in California reported a total dollar loss for fireworks-related fires at \$1,431,000.

TIPS FOR A SAFE FOURTH

Still, when July 4th rolls around, there will be fireworks and children using them. What can parents do to make fireworks usage safe? The American Academy of Pediatrics and the CPSC recommend:

- Do not allow your children to play with fireworks. They are not toys. The sparkler, considered by some to be the ideal, safe fireworks for children, burns at a very high temperature and can easily ignite clothing.
- Before using fireworks, read and follow label warnings.
- Light fireworks outdoors in a clear area away from houses, people and flammable material. Keep a bucket of water nearby for emergencies and for dousing fireworks that do not go off.

Fireworks
4-4-4-4-4

- Do not try to relight or handle malfunctioning fireworks. Soak with water and throw away.
- Never ignite fireworks in a container, especially a glass or metal one.

The American Academy of Pediatrics is an organization of 28,000 pediatricians dedicated to the health, safety and well-being of infants, children and adolescents in North, Central and South America.

-30-

State Fireworks Regulations*

-
- I. States that ban sale and use of all class C fireworks:
- | | |
|---------------|----------------|
| Arizona | New Jersey |
| Connecticut | New York |
| Delaware | North Carolina |
| Georgia | Ohio |
| Massachusetts | Rhode Island |
| Minnesota | Vermont |
| New Hampshire | West Virginia |
- II. States that allow only sparklers and/or snakes:
- Colorado (sparklers)
 - Florida (sparklers)
 - Illinois (sparklers)
 - Iowa (snakes and sparklers)
 - Maine (sparklers)
 - Maryland (sparklers)
 - Oregon (snakes and sparklers)
 - Pennsylvania (sparklers)
 - Utah (sparklers)
 - Wisconsin (snakes and sparklers)
- III. States that allow class C fireworks as specified by state law:
- | | |
|----------------------|----------------|
| District of Columbia | North Dakota |
| Idaho | Oklahoma |
| Indiana | South Carolina |
| Kentucky | Texas |
| Michigan | Virginia |
| Montana | Wyoming |
- IV. States that allow class C fireworks as approved by enforcing authority of the state:
- | | |
|------------|------------|
| California | Nevada |
| Kansas | New Mexico |
| Nebraska | Washington |
- V. States that allow the sale and use of all class C (ordinary) fireworks:
- | | |
|-----------|--------------|
| Alaska | Mississippi |
| Alabama | Missouri |
| Arkansas | South Dakota |
| Louisiana | Tennessee |
- VI. States having no fireworks laws (except on county level):
- Hawaii
-

* Data from National Fire Protection Association.



U.S. CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

REMARKS OF TERENCE SCANLON, CHAIRMAN
U. S. CONSUMER PRODUCT SAFETY COMMISSION
AT THE
FIREWORKS PRESS CONFERENCE
SYLVAN THEATRE
WASHINGTON, D.C.
JUNE 19, 1985

JULY 4TH IS JUST OVER TWO WEEKS AWAY AND THAT MEANS FIREWORKS -- LITERALLY. OR IF PEOPLE AREN'T CAREFUL, IT COULD MEAN SOMETHING FAR WORSE -- SERIOUS INJURY OR PERHAPS EVEN DEATH.

EACH YEAR, ROUGHLY 55 MILLION POUNDS OF FIREWORKS ARE SHOT OFF IN THIS COUNTRY. 2/3'S OF THESE ARE OF THE FAMILY FIREWORKS VARIETY WHILE THE OTHER THIRD IS USED FOR PUBLIC FIREWORKS DISPLAYS. BUT WHAT CONCERNS ME, AND WHAT I HOPE EVERYONE WILL TAKE TO HEART, ARE SOME OTHER STATISTICS. IN 1984, THERE WERE 7 DEATHS AND OVER 9800 INJURIES ASSOCIATED WITH FIREWORKS. OVER HALF THE INJURIES CONSISTED OF BURNS OR LACERATIONS AND MANY WERE SUFFERED BY CHILDREN UNDER 15. SOME OF THESE INJURIES WERE QUITE SEVERE, INVOLVING LOSS OF HEARING, LOSS OF SIGHT OR LOSS OF A LIMB.

IN ADDITION TO BEING DANGEROUS, ESPECIALLY FOR CHILDREN, MANY FIREWORKS ARE ILLEGAL AS WELL. THE CONSUMER PRODUCT SAFETY COMMISSION

BANS ALL THE LARGER, MORE DANGEROUS CLASS B FIREWORKS AND SETS SAFETY STANDARDS FOR THE SMALLER, MORE COMMON CLASS C FIREWORKS. AND SOME STATES GO EVEN FURTHER; 14 BAN FIREWORKS ALTOGETHER AND NINE MORE HAVE LIMITED LEGAL FIREWORKS TO SPARKLERS AND SNAKES. SO BEFORE YOU BUY ANY FIREWORKS MAKE SURE THEY ARE LEGAL. AND, IF IN DOUBT, CONTACT YOUR LOCAL POLICE OR FIRE OFFICIALS. THEY SHOULD BE ABLE TO ADVISE YOU.

BY THE WAY, IF YOU ARE THINKING ABOUT OBTAINING FIREWORKS BY MAIL, KEEP IN MIND THAT MAIL ORDER FIREWORKS KITS CONTAINING MATERIAL THAT COULD RESULT IN THE PRODUCTION OF FIREWORKS WITH MORE THAN 50 MILLIGRAMS OF POWDER ARE ALSO ILLEGAL. USING SUCH A KIT COULD BE VERY DANGEROUS. SOME OF THESE HAVE BEEN KNOWN TO CONTAIN ENOUGH POWDER TO CAUSE AN EXPLOSION EQUIVALENT TO THAT PRODUCED BY A QUARTER OR HALF STICK OF DYNAMITE.

AS THE 4TH OF JULY NEARS, THE CPSC WILL BE STEPPING UP ITS SURVEILLANCE OF BOTH RETAIL AND MAIL ORDER FIREWORKS SALES. THOSE CONVICTED OF FIREWORKS VIOLATIONS COULD FACE A FINE OR EVEN A JAIL SENTENCE. OUR PURPOSE IS NOT TO PUT A DAMPER ON THE 4TH OF JULY. QUITE THE CONTRARY. WE, AT THE CPSC, WANT YOU AND YOURS TO BE ABLE TO ENJOY THIS INDEPENDENCE DAY -- AND THE NEXT AND THE NEXT -- TO THE FULLEST. AND THE BEST WAY FOR THAT TO HAPPEN IS FOR ALL OF US TO TAKE CARE WHEN IT COMES TO FIREWORKS. BE AWARE OF THE RISKS, BE ABLE TO RECOGNIZE ILLEGAL FIREWORKS WHEN YOU SEE THEM AND KNOW WHAT SAFETY PRECAUTIONS TO TAKE IF YOU OR YOUR CHILDREN DECIDE TO SHOOT OFF SOME LEGAL FIREWORKS.

IF YOU WANT ADDITIONAL INFORMATION ON FIREWORKS, THE CPSC HAS PUT OUT A PRODUCT SAFETY FACTSHEET (#12). COPIES MAY BE OBTAINED BY WRITING THE CONSUMER PRODUCT SAFETY COMMISSION, OFFICE OF THE SECRETARY, 1111 18TH STREET, N.W., WASHINGTON, D.C. 20207 OR BY CALLING OUR TOLL FREE HOTLINE, 800-638-CPSC.

NEWS from CPSC

U.S. Consumer Product Safety Commission

BACKGROUND INFORMATION
FIREWORKS NEWS CONFERENCE
JUNE 19, 1985

I. BACKGROUND

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- more -

are commonly known as "Class C" or "Safe and Sane fireworks." These may be sold to consumers according to federal regulations so long as they comply with the labeling and performance requirements specified in the regulations.

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They are dangerous and have been known to produce lethal explosions. Recently there was an explosion at a fireworks factory in Ohio where it is believed M-100's and other illegal fireworks apparently were being made. Nine factory workers were killed and the factory was reduced to a huge crater.

In most cases anyone who is not familiar with the different types of fireworks devices cannot recognize the difference in illegal fireworks and legal Class C fireworks.

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Most banned fireworks do not.
- (2) Do they have appropriate instructions for using the devices?
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- (2) Sulfur, a fuel which is inexpensive;
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These chemicals are easily ignited by careless cigarette smoking, sparks or friction from mixing the chemicals. Even if the devices are successfully assembled without incident they are still extremely dangerous. Many of these devices contain enough powder to approximate a quarter or half stick of dynamite.

The CPSC investigated one incident where a 14 year-old boy was mixing a small portion of chemicals which he had received in the mail to make explosives. Triggered by an unidentified source, or perhaps the mere action of mixing them, the chemicals exploded with a tremendous force. A chunk of the ceramic bowl in which he was mixing the chemicals was impaled in his lower abdomen and he was propelled through a nearby glass door. The explosion completely destroyed the kitchen he was working in and three other rooms in the house. Miraculously, the boy lived to recover with damage to one eye and some hearing loss.

V. SAFETY TIPS

To make your holiday safer, be careful in using all fireworks devices. Do not allow younger children to ignite or play with fireworks under any circumstances. Remember that fireworks are not toys for children to play with.

To help reduce the risk of injury while using fireworks, the following safety precaution should be observed:

- If you permit older children to use fireworks, make sure they do so only under close adult supervision. Do not allow any running or horseplay while fireworks are being used.
- Before using any fireworks, read and follow all warning instructions printed on the label.
- Light all fireworks outdoors in a clear area away from houses and flammable materials (gasoline cans, etc.).
- Keep a bucket of water nearby for emergencies and for dousing fireworks that don't go off.
- Do not try to relight or handle malfunctioning fireworks. Soak them with water and throw them away.
- Be sure other people are out of range before lighting fireworks.
- Never ignite fireworks in a container, especially in a glass or metal container.
- Store fireworks in a cool dry place. Check instructions for special storage directions.

#

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF FORESTRY
Position Paper

House Bill 35 - An act relating to State regulation of fireworks and providing for an effective date.

The Division of Forestry supports the intent of this bill in that it would help reduce the number of wildland fires caused by fireworks and, subsequently, reduce the threat to human life, property, and the cost associated with suppression action for those fires.

The Division of Forestry has consolidated statistics of fires which were confirmed starts by fireworks. These statistics are derived from the Division of Forestry, the U.S. Bureau of Land Management, and the U.S. Forest Service, thus representing the primary wildland fire suppression agencies of Alaska.

During 1982, 1983, 1984, and 1985, 95 fires were started by fireworks in the above listed agencies' protection areas. They burned over 400 acres and accumulated suppression costs over \$85,800.00. These fires typically occur in and near urban areas, posing a high risk threat to life and property.

Annually, over 400 wildland fires are started by human carelessness in Alaska with suppression costs averaging over \$3 million. House Bill 35 supports the fire prevention objectives for reducing human-caused fires and suppression costs.

YEAR	NUMBER OF FIREWKS FIRES	TOTAL HUMAN CAUSED FIRES	² PERCENT FIREWORKS	ACRES BURNED BY FIREWORKS	ACRES BURNED TOTAL	FIREWORKS FIRES SUPPRESSION COST	TOTAL FIRE SUPPRESSION COST
<u>Area Protected by Alaska Division of Forestry</u>							
1982	13	149	8%	5.25	1,295	26,386	2,300,000
1983	19	366	5%	3.15	32,276	5,477	6,400,000
1984	27	436	6%	369.0	8,167	31,924	5,800,000
1985	13	278	4%	6.6	34,199	12,324	5,500,000
<u>Area Protected by the USDA Forest Service</u>							
1982	1	25	4%	.1	4	400	DNA
1983	2	26	8%	.2	37.6	800	DNA
1984	4	20	20%	7.2	13	7,600	DNA
1985	6	20	30%	4.4	225.5	DNA	DNA
<u>Area Protected by the USDI - BLM Alaska Fire Service</u>							
1982	DNA						
1983	3	117	2.5%	0.0	98,154	942	9,200,000
1984	4	99	4%	5.0	115,871	DNA	DNA
1985	3	54	5%	.3	372,230	DNA	DNA

DNA = Data Not Available