

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990

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SENATE STATE AFFAIRS

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Pat
→ Susie



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

JANALEE R. STRANDBERG
Staff Counsel

March 13, 1990

303 K Street
Anchorage, AK 99501
(907) 264-8228

Senator Pat Pourchot
Chair, Senate State Affairs
P.O. Box V
Juneau, Alaska 99811

Re: CSSB 222--An Act relating to smoking in certain vehicles and indoor places

Dear Senator Pourchot:

The Alaska Supreme Court prohibited smoking in court system offices, facilities and courtrooms on September 1, 1987 with one exception. The court permits smoking in jury deliberation rooms. Because smokers who are called for jury service have no choice but to appear, the supreme court was uncomfortable about forcing people into a situation in which they could not smoke.

The court was also concerned that judges might have to excuse prospective jurors who smoke if these citizens asserted that they could not concentrate on the evidence or otherwise participate in the proceedings because they were not allowed to smoke. The jury pool might then be decreased.

For these reasons the court system requests that the phrase "jury deliberation room" be deleted from (4) of Section 1 of CSSB 222.

Thank you for your consideration of these comments. I would be happy to answer any questions you may have on the court system's smoking prohibition.

Sincerely,

Janalee R. Strandberg
Staff Counsel

cc: Senator Jan Faiks
Senator Al Adams
Senator Tim Kelly
Senator Rick Uehling

Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman

Sen. Al Adams

Sen. Tim Kelly

Sen. Rick Uehling



P.O. Box V
State Capitol
Juneau, Alaska 99811

907-465-3712

Senate State Affairs Committee

MEMORANDUM

TO: Senate State Affairs Committee Members

FROM: Senator Pat Pourchot

RE: Friday, March 16 Committee Hearing

DATE: March 15, 1990

On Friday, March 16 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:
TELECONFERENCE; Public testimony.

CSSB 310. An Act relating to the Alaska Marine Highway System Commission. Originally, SB 310 established an authority to operate and manage the Alaska Marine Highway System (AMHS), with a legal existence independent of and separate from state government. The proposed CS would establish a seven member commission, within DOT/PF, to hire the director, to set policy and to make recommendations regarding operation of AMHS. The commission will be charged with developing and updating a long-range plan. The proposed CS combines elements of SB 310 and SB 473, Senator Duncan's bill which proposed a 5 member commission.

CSSB 485. An Act relating to the Telecommunications Information Council and the provisions of information services by the Department of Administration. The proposed CS adds a public member to the Telecommunications Information Council (TIC) and adds two non-voting legislators. The major provisions are to establish an improved tracking system of information services revenues and expenditures; to allow for a review and approval process of fees and surcharges by the TIC and to define requests for services and expenditures in annual budget requests. This is the second hearing for SB 485, the Department of Administration has clarified that it is in support of this bill.

CSSB 222. An Act relating to smoking in certain vehicles and indoor places. Current smoking law specifies certain public places and vehicles in which smoking must be regulated by designating smoking and non-smoking areas and prohibits all smoking in certain areas i.e. elevators. This bill adds the following to the "designated" areas list: interstate flights, post-secondary educational institutions and adult day care facilities, correctional facilities and a Pioneers Home. This bill would add to the "prohibited areas" list: elementary schools, pre-schools, daycare facilities (during hours of operation in private residences), state meeting rooms, health care related areas i.e. doctor's waiting rooms, hospital lobbies. CSSB 222 also requires consideration of non-smokers needs when designating a smoking area and repeals the statute that gives the Rules Committees the authority to designate smoking and non-smoking areas.

Original sponsor(s): SEN. FAIKS

indicates SA changes.

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 222 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to smoking in certain vehicles and
7 indoor places."

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

9 * Section 1. AS 18.35.300 is amended to read:

10 Sec. 18.35.300. PLACES WHERE SMOKING IS REGULATED [SMOKING IN
11 CERTAIN VEHICLES AND INDOOR PLACES PROHIBITED]. Smoking in any form
12 is a nuisance and a public health hazard and is prohibited in the
13 following vehicles and indoor places, except as allowed under AS 18.-
14 35.310 [OTHERWISE PROVIDED BY THIS CHAPTER]:

15 (1) a vehicle of public transportation and a waiting or
16 boarding area for a vehicle of public transportation, including a bus,
17 ferry vessel, train, limousine for hire, taxicab, or scheduled inter-
18 state or intrastate aircraft flight when consistent with federal law;

19 (2) [AN ELEVATOR;

20 (3)] a place of employment, a building or other structure,
21 or a portion of them, owned, leased, or operated by the state or a
22 political subdivision of the state, including an office, library,
23 museum, theater, concert hall, convention hall, gymnasium, swimming
24 pool, or other place of entertainment or recreation;

25 (3) [(4)] a public or private post-secondary educational
26 institution [SCHOOL, PRE-SCHOOL,] or adult day care facility;

27 (4) [(5)] a courtroom or jury deliberation room;

28 (5) [(6)] a room, chamber, or other place under the con-
29 trol of the state senate or state house of representatives [A

1 POLITICAL SUBDIVISION OF THE STATE] while a public meeting or public
2 assembly is not in progress;

3 (6) [(7)] a [PATIENTS' OR VISITORS' WAITING ROOM OR REST-
4 ROOM OF A PUBLIC OR PRIVATE LABORATORY OR OFFICE ASSOCIATED WITH
5 DENTAL CARE, HEALTH CARE, OR THE HEALING ARTS, AND A WAITING ROOM,
6 RESTROOM, LOBBY, OR HALLWAY OF A PUBLIC OR PRIVATE HOSPITAL,] nursing
7 home, rest home, or other residential health care institution or
8 facility, or a public or private office or facility that is engaged
9 primarily in providing mental health services;

10 (7) [(8)] a food service establishment that has a seating
11 capacity of at least 50 persons;

12 (8) [(9)] a grocery store or other store maintained primar-
13 ily for the retail sale of food products; [AND]

14 (9) [(10)] a place of employment in which the owner, manag-
15 er, proprietor, or other person who has control of the premises posts
16 a sign stating that smoking is prohibited by law;

17 (10) a correctional facility; and

18 (11) a Pioneers' Home.

19 * Sec. 2. AS 18.35 is amended by adding a new section to read:

20 Sec. 18.35.305. PLACES WHERE SMOKING IS PROHIBITED. Smoking in
21 any form is prohibited in the following indoor places:

22 (1) a public or private elementary or secondary school,
23 preschool, or children's day care facility; if the school, preschool,
24 or day care facility is in a building that is also a private resi-
25 dence, this paragraph applies only during the hours when the residence
26 is being used as an elementary or secondary school, preschool, or
27 children's day care facility; if the school, preschool, or day care
28 facility is in a building that includes more than one private resi-
29 dence or units that are not private residences, this paragraph applies

1 only to the private residence in which the elementary or secondary
2 school, preschool, or children's day care facility is located; the
3 prohibition in this paragraph does not apply to a public or private
4 elementary or secondary school to the extent that a collective bar-
5 gaining agreement covering employees who work in the school contains
6 terms that conflict with this prohibition;

7 (2) a room, chamber, or other place under the control of
8 the state or a political subdivision of the state while a public
9 meeting or public assembly is in progress;

10 (3) a public or private laboratory or office associated
11 with dental care, health care, or the healing arts, and a public or
12 private hospital, or other nonresidential health care institution or
13 facility; this paragraph does not apply to a public or private office
14 or facility that is engaged primarily in providing mental health
15 services;

16 (4) an elevator.

17 * Sec. 3. AS 18.35.310 is amended to read:

18 Sec. 18.35.310. EXEMPTIONS. The prohibition set out in AS 18.-
19 35.300 does not apply to

20 (1) a portion of a place or vehicle that is designated as a
21 smoking section under AS 18.35.320;

22 (2) a limousine for hire or taxicab, if the driver consents
23 and the driver ascertains that all passengers consent to smoking in
24 the vehicle [;

25 (3) SMOKING BY PERFORMERS ON THE STAGE AS PART OF A THEAT-
26 RICAL OR ENTERTAINMENT PRODUCTION].

27 * Sec. 4. AS 18.35.310 is amended by adding a new subsection to read:

28 (b) The prohibitions set out in AS 18.35.300 - 18.35.305 do not
29 apply to smoking by performers on the stage as part of a theatrical

1 entertainment production.

2 * Sec. 5. AS 18.35.320(c) is amended to read:

3 (c) A person who designates a smoking section under this section
4 shall make reasonable accommodations to protect the health of the [FOR
5 THE NEEDS OF THE SMOKERS AND] nonsmokers who use the place or vehicle
6 by separation, partition, or ventilation that ensures that nonsmokers
7 in the place or vehicle are not subject to the active by-products of
8 smoke from smokers in the place or vehicle.

9 * Sec. 6. AS 18.35.330(a) is amended to read:

10 (a) A person in charge of a place or vehicle described in
11 AS 18.35.300 or 18.35.305, except a limousine for hire or taxicab,
12 shall conspicuously display in the place or vehicle a sign that reads
13 "Smoking Prohibited by Law - Maximum Fine \$50" and that includes the
14 international symbol for no smoking.

15 * Sec. 7. AS 18.35.340(a) is amended to read:

16 (a) The commissioner shall develop and maintain a procedure for
17 processing reports of violations of AS 18.35.300, 18.35.305, and
18 18.35.330.

19 * Sec. 8. AS 18.35.340(c) is amended to read:

20 (c) A person who violates AS 18.35.300 or 18.35.305 and against
21 whom the commissioner has filed a civil complaint under this section
22 is punishable by a civil fine of not less than \$10 nor more than \$50.
23 A person who violates AS 18.35.330 and against whom the commissioner
24 has filed a civil complaint under this section is punishable by a
25 civil fine of not less than \$20 nor more than \$300. Each day a viola-
26 tion of AS 18.35.330 continues after a civil complaint for the viola-
27 tion has been filed and served on the defendant constitutes a separate
28 violation.

29 * Sec. 9. AS 18.35.341(a) is amended to read:

1 (a) A peace officer may issue a citation for a violation of
2 AS 18.35.300 or 18.35.305 committed in the officer's presence or for a
3 violation of AS 18.35.330. The provisions of AS 12.25.180(b) and
4 12.25.190 - 12.25.230 apply to the issuance of a citation under this
5 subsection.

6 * Sec. 10. AS 18.35.341(b) is amended to read:

7 (b) An employee of the department designated by the commissioner
8 to enforce the provisions of AS 18.35.300 - 18.35.365 may issue a
9 citation for a violation of AS 18.35.300, 18.35.305, or 18.35.330
10 regardless of whether the violation was committed in the employee's
11 presence. A citation issued under this subsection shall be in the
12 same form and shall be processed in the same manner as a citation
13 issued by a peace officer under (a) of this section. An employee of
14 the department may not arrest a person for a violation of AS 18.35.-
15 300, 18.35.305, or 18.35.330.

16 * Sec. 11. AS 18.35.341(c) is amended to read:

17 (c) A person who violates AS 18.35.300, 18.35.305, or 18.35.330
18 is guilty of a violation as defined in AS 11.81.900(b) and upon con-
19 viction is punishable by a fine of not less than \$10 nor more than \$50
20 for a violation of AS 18.35.300 or 18.35.305 and by a fine of not less
21 than \$20 nor more than \$300 for a violation of AS 18.35.330. Each day
22 a violation of AS 18.35.330 continues after a citation for the viola-
23 tion has been issued constitutes a separate violation.

24 * Sec. 12. AS 18.35.341(d) is amended to read:

25 (d) The supreme court shall establish a schedule of bail amounts
26 for violations of AS 18.35.300, 18.35.305, and 18.35.330, but in no
27 event may the bail amount exceed the maximum fine that may be imposed
28 for the violation under (c) of this section. The bail amount for a
29 violation shall appear on the citation.

1 * Sec. 13. AS 18.35.342 is amended to read:

2 Sec. 18.35.342. MULTIPLE FINES PROHIBITED. A person may not be
3 fined more than once for each violation of AS 18.35.300, 18.35.305, or
4 18.35.330.

5 * Sec. 14. AS 18.35.343 is amended to read:

6 Sec. 18.35.343. INJUNCTIONS. The commissioner or any affected
7 party may institute an action in the superior court to enjoin repeated
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*Adopted -
incorporated into
3-19-90 CS*

A M E N D M E N T # 2

by Adams

OFFERED IN THE SENATE

TO: CSSB 222(HESS)

Page 2, line 6, after "facility":

Insert ", or a public or private office or facility that is engaged primarily in providing mental health services"

Page 3, line 6, after "facility;":

Insert "this paragraph does not apply to a public or private office or facility that is engaged primarily in providing mental health services;"

CONCEPTUALLY
Approved —
Incorporated into
3-19-90 CS

amendment #1

by Adams

to CSSB 222 (HESS)

Page 2, at the end of line 28 add:

provisions of collective bargaining agreements supercede the
prohibition in this paragraph;

6-0448M ✓
Lauterbach
3/16/90

Original sponsor(s): SEN. FAIKS

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16 boarding area for a vehicle of public transportation, including a bus,
17 ferry vessel, train, limousine for hire, taxicab, or scheduled inter-
18 state or intrastate aircraft flight when consistent with federal law;

19 (2) [AN ELEVATOR;

20 (3)] a place of employment, a building or other structure,
21 or a portion of them, owned, leased, or operated by the state or a
22 political subdivision of the state, including an office, library,
23 museum, theater, concert hall, convention hall, gymnasium, swimming
24 pool, or other place of entertainment or recreation;

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26 institution [SCHOOL, PRE-SCHOOL,] or adult day care facility;

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(7) [(8)] a food service establishment that has a seating capacity of at least 50 persons;

(8) [(9)] a grocery store or other store maintained primarily for the retail sale of food products; [AND]

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**POSITION PAPER
CS SB 222**

"An Act relating to smoking..."

CS SB 222 amends current law by defining certain locations in which smoking is prohibited rather than regulated. As amended, this section would prohibit smoking in the following locations: primary and secondary schools, preschools or day care facilities, with the added proviso that the smoking prohibition applies to private residences only during the hours when the residence is being used as a school, preschool or daycare facility; public or private laboratories, offices dealing with dental and health care or the healing arts and public or private hospitals or other nonresidential health care institutions or facilities; state controlled buildings during public assembly or public meetings; and in elevators.

Section AS 18.35.320(c), which pertains to designated smoking areas, is amended to enhance the protection of nonsmokers rather than to "accommodate the needs of the smokers and nonsmokers", and generally requires more protection from involuntary exposure to tobacco smoke by mandating the use of physical barriers or ventilation. This subsection does not apply to a store that sells only tobacco products and related articles.

The remaining sections covering civil complaints, citations, penalties, multiple fines, and injunctions are amended to include reference to Section 18.35.305.

BACKGROUND

Information for this analysis was obtained from the Division of Public Health, Alaska Department of Health and Social Services; the Surgeon General's 1986 report, "The health consequences of involuntary smoking"; and a report by the Office of Smoking and Health of the Centers for Disease Control, U.S. Public Health Service entitled "Smoking and Health: a national status report", 1990. The 1986 Surgeon General's report, "The Health Consequences of Involuntary Smoking," focused exclusively on the subject of environmental tobacco smoke (ETS) exposure. Findings from this report include:

1. Children of parents who smoke have an increased frequency of respiratory infections and symptoms, and slightly lower rates of increase in lung function as the lung matures than do children of parents who do not smoke.
2. Pollution from tobacco smoke in homes, offices, other worksites and in certain public places can reach levels which exceed contaminant

levels permitted under environmental and occupational health regulations.

3. Maternal smoking has a harmful effect on the fetus and on pregnancy itself, including an increased risk of miscarriage, stillbirth, death soon after birth, low birth weight, and fetal death.
4. 4. As a result of the antismoking campaign from 1964 through 1985, 789,000 deaths were postponed, 112,000 in 1985 alone. The average life expectancy gain per postponed death was 21 years. Campaign-induced quitting and noninitiation through 1985 will result in the postponement or avoidance of an estimated 2.1 million smoking-related deaths between 1986 and the year 2000.
5. The report concluded that nonsmokers should avoid exposure to cigarette smoke whenever possible, and in particular should protect infants and young children from this smoke.

Alaska Statistics

Cancer was the second leading cause of death in Alaska in 1987, accounting for 21% or 447 deaths. Heart disease was listed as the leading cause of death accounting for 23% or 480 deaths. Alaska has the highest age-adjusted lung cancer mortality rate in the nation. Lung cancer killed 714 Alaskans from 1980-1986. Cigarette smoking is responsible for an estimated 90% of all lung cancer deaths and 30% of all cancer deaths.

One of the fundamental responsibilities of government is to protect the health and safety of its citizens. Laws restricting smoking in public places are a very effective way to accomplish this. These restrictions protect individuals from the consequences of involuntary tobacco smoke exposure. They also contribute to reductions in smoking prevalence by creating environments that foster change in the attitudes and behavior of current and potential smokers.

Restrictions on smoking in public places and at work are growing in number and scope as a result of government actions and private initiatives. Courts in many states are now taking judicial notice of the toxins in cigarette smoke and the association between breathing those toxins and such diseases as asthma, emphysema, lung cancer, heart disease and bronchitis. Forty-two states and more than 320 communities have passed laws restricting smoking in public, and an estimated one-half of large businesses have a policy regulating smoking by their employees.

The intent of these laws and policies is not to keep smokers from smoking, but rather to shift the burden of maintaining non-toxic air quality from nonsmokers to smokers. Collectively, they change the system from one

in which nonsmokers must search for a safe place to breathe, to one in which smokers are required to take responsibility for the toxic by-products of their activity by seeking an appropriate place to smoke.

Nonsmokers' versus Smokers' Rights

Surveys regarding public attitudes about exposure to ETS have shown an increase from 1964 to 1975 in the proportion of adults who were annoyed by being near a person who is smoking: from 20 to 35 percent among smokers and from 64 to 77 percent among nonsmokers. By 1986, 42 percent of smokers and 80 percent of nonsmokers reported that they were annoyed by the smoke from another person's cigarette.

In a 1987 survey conducted for the American Medical Association (AMA), 76% of the respondents thought that nonsmokers had the right to a smoke-free environment (49% of smokers and 86% of nonsmokers) as compared to 10 percent who thought that smokers had the right to smoke anywhere (25% of smokers and 5% of nonsmokers). In summary, approximately half of all smokers and at least three quarters of all nonsmokers surveyed believe that smokers should refrain from smoking in the presence of others. About the same proportions of both groups believe that it is annoying to be near a person who is smoking.

Enforcement

Most cities and states that have enacted comprehensive smoking restrictions have experienced virtually no problems in compliance and enforcement, and have found that such restrictions are overwhelmingly popular.

Studies have shown that it is preferable to stress the health issue of compliance rather than the legal and that the less involvement by law enforcement agencies the better.

POSITION

The Department of Health and Social Services is in strong support of Senate Bill 222.

Recommended by: *Sally Mead*
Sally Mead, Coordinator
Office of Prevention

Date: _____

Approved by: *Myra M. Munson*
Myra M. Munson, Commissioner
Department of Health and
Social Services

Date: 3/20/90

SECTIONAL ANALYSIS

CSSB 222 (HESS)

Section 1. Makes changes to AS 18.35.300, which lists vehicles and places in which smoking must be regulated by the designation of smoking and non-smoking areas. New places added to this list include the following:

- an interstate aircraft flight;
- a public or private post-secondary educational institution or adult day care facility;
- a correctional facility; and
- a Pioneers' Home.

A number of places currently on this list are deleted, and moved to new AS 18.35.305, which prohibits any smoking (see section 2).

Section 2. Adds new AS 18.35.305, which lists places in which smoking is absolutely prohibited. These places include the following:

- a public or private elementary or secondary school, pre-school, or children's day care facility. If the school or day care facility is in a private residence, then the prohibition only applies during the hours when the residence is being used as a school or day care facility;
- a room, chamber, or other place under the control of the state or a political subdivision of the state while a public meeting or public assembly is in progress; and
- a public or private laboratory or office associated with dental care, health care, or the healing arts, and a public or private hospital, or other nonresidential health care institution or facility; and
- an elevator.

Sections 3 and 4. Makes a technical change to AS 18.35.310, to provide that smoking on stage as part of a theatrical production is not prohibited by new AS 18.35.305.

Section 5. Amends AS 18.35.320(c). Current law provides that in designating a smoking area, a person shall accommodate the needs of smokers and non-smokers. This section provides that in designating a smoking area, a person shall only consider the health consequences to the non-smokers using the facility.

Sections 6 - 14. These sections make technical changes to the current law to reflect the addition of new AS 18.35.305.

Section 15. Repeals AS 18.35.320(b), which gives the Rules Committees of the Legislature the authority to designate smoking and non-smoking areas in facilities used by the respective houses.

3-16-90

SB 222

Chris =

Added to regulated

post-secondary

Correctional

Pioneer Home

Prohibited

• daycare - pre-school

• meeting room

• health care

• Technical Problems

Page 3, Lines 28, 29 Page 4, Line 1

Cautious, unnecessary

Page 6, Line 2

Should not be repealed

Kelly: HSS sub — smoking be regulated

• Interstate Control?

FCC allows — DEC can cite

Betty: Opposed — raise fine 600%

Bill Potter: NEA-AK —
Opposed

? Collective Bargaining Agreements — site by
site OK

? Role Models —

S B

231

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER ^{5/} SB 231

SPONSOR Governor

BILL TITLE Election campaign financing

DATE REFERRED 3/20/89 / 3/27/89

HEARING SCHEDULED

FISCAL NOTE PREPARED ✓

SPONSOR CONTACTED Mary Halloran

INTERESTED PARTIES CONTACTED

Karla Forsythe, APOC 276-4176

~~Dick Monkman, AG pro~~

Mary Halloran, OMB 3568

John Shively, AKPIRG

Don Mitchell

Al Gross

Brian Aker; AP news - 586-1575

Finkelstein, Bruce Sponholtz

OTHER

campag = 10/31 agenda
campmemo = to participants/
members

a.txt = other states
campaign finance laws

campsum.txt = summary
of issues 11/89

campCS.txt = request for CS

campCS2.txt = redraft 12/22/89

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER ~~SB~~ 231

SPONSOR GOVERNOR

BILL TITLE Election Campaign Financing

DATE REFERRED: 1.16.90

HEARING SCHEDULED 1.17.90 (Wednesday) (Monday - 1.29.90)

FISCAL NOTE PREPARED Sioux Plummer - 2200

SPONSOR CONTACTED Bob Ewins - 3500

INTERESTED PARTIES CONTACTED

- ✓ Finkelstein - 2435 (will attend)
- ✓ Brown - 3784
- ✓ John Pugh - 789-4417 L.M. Will Testify
- ✓ Jim Crawford - 563-0700 - (at low sec comments)
- ✓ Au Gross - 586-2777 (to out of town - left info for Susan Burke) ^{Susan won't} be testifying
- ✓ Don Mitchell 276-1681 (may be w JNO)
- ✓ John Shively - NANA 248-3030 L.M.
- ✓ AKPIRG - L.M. 278-3661 Hei Ji - will listen in
- ✓ Ashley Reed - 279-5350 - won't testify
- ~~Pat Smutz (A.L. sec 3818)~~
- ✓ Mary Halloran - 3568 L.M. - will be testifying
- ✓ Pat Smutz - 463-5422 -

Karla Forsythe - APOC - J.L. will notify

Gov's Office

3568 - Jack Kincheader

OTHER

Doug Bailey 3600

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

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

Mary Van Nimwegen

SB 231

Senate State Affairs

10/31/89

10/31/89 Hearings
campaigns

10:00am - 12 noon

Contacts

SB 231

APOC: Karla Forsythe

276-4176

assess problems: many if not most of complaints
handled deal w/ specifics of race

→ ACLU

OMB:

Mary Halloran (Jetta)

3568

call
Thurs

Mano Tye ^{back Thurs}
Pat Smutz

AFL-CIO of Laborers 341
258-6284

} 2501 Commercial
Dr Anch 99501
Resa PALS

Ashley Reed

279-5350

Heidi Bohi, POB 10-1093, 99510 (Anch)

H 274-6472

John Shively, AKPIRG

278-3661

+ Don Mitchell

1335 F St, 276-1681

Av Gross

w 586-2777

~~John Pugh (Demo)~~

John Pugh (Demo)

1011 D St 99801

w 789-4417

+ Jim Crawford (Repub)

276-4467

563-0700

+ Winkelstein

561-7626

+ Sponholtz (Ch Anch Gov's Office)

758/3601 C Street 99503

561-4228

Brown

561-7627

Abood

277-3102

Bob Mammis, WSEA

Teleconference

Anch

Jim

Bob

Mat So

Soldobner

Back-Up

AKPIRG initiative

SAC
~~Research report~~

SSSB 231

~~fed outline~~

agenda

Jetta's history

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 28, 1989

The Honorable Tim Kelly
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a sponsor substitute for SB 231, amending the Alaska Campaign Disclosure Act, AS 15.13. This sponsor substitute makes two changes from the original version of SB 231.

First, the limits on allowable contributions by individuals are raised from \$1,000 to \$2,000. It has been well over a decade since the Campaign Disclosure Act was passed, and inflation has taken its toll. In my opinion, a \$2,000 limit is a reasonable amount to allow an individual to contribute.

Second, under this sponsor substitute, the \$2,000 limit on individual contributions applies to contributions to a political party as well as to a candidate. It is widely reported that some individuals and interest groups give large sums of money to political parties on the "understanding" that the money will be passed on to certain identified candidates. This practice is illegal under present law, but is virtually impossible to detect, to prevent, and to prosecute. The sponsor substitute will prevent the "laundering" of money through the political parties, and thus aid in preventing corruption of candidates for public office. The \$2,000 limit on contributions applies in the aggregate for all contributions by an individual to a political party or any of its subdivisions.

The sponsor substitute does not change present law allowing political parties to make unlimited contributions to candidates for public office.

I urge your prompt and favorable action on this sponsor substitute.

Sincerely,

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

Steve Cowper
Governor

FISCAL NOTE

REQUEST:

Revision Date: 3/15/89
Title: An Act Relating to Election Campaign Financing
Sponsor: Rules by request
Requestor: Governor

Agency Affected: Alaska Public Offices Commission
SRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	-0-	18.2	36.4	-0-	-0-	-0-
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	18.2	36.4	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	18.2	36.4	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	18.2	36.4	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY	-0-	1	1	-0-	-0-	-0-

ANALYSIS : (Attach a separate page if necessary)

See attached narrative

Prepared by: Karla I. Forsythe, Executive Director
Division: Alaska Public Offices Commission

Phone: 276-4176
Date: 3/15/89

Approved by Commissioner: B. E. Riley, Acting Chairman
Agency: Alaska Public Offices Commission

Date: 3/15/89

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

This measure would change AS 15.13, the Campaign Disclosure Law, in two ways:

1. By prohibiting lobbyists from serving as campaign agents and from directly or indirectly soliciting campaign funds; and
2. By permitting only political parties and individuals to contribute to candidates.

The restriction on lobbyist activity would have no fiscal impact on the commission. However, restriction on sources of contributions would lead to major changes in campaign finance disclosure reporting. APOC staff would have to respond to many requests for interpretation of the law. Implementation would take place at the busiest time of the four-year election cycle.

Commission staff already is stretched to the limit in administering Alaska's three public disclosure laws. Without additional staff to implement this major change, APOC's ability to examine reports and investigate complaints will erode even further.

Assuming an effective date of July 1, 1989, the commission would need a temporary Research Analyst (Range 16) funded at halftime for FY 90 and full-time for FY 91, in order to absorb the additional workload anticipated in FY 90 and 91. Hiring a position on a temporary basis will result in lower benefit costs, and eliminate the need to fund a merit increase.

During FY 90, the position would revise forms and manuals, work on regulatory revisions, and answer questions regarding the new provisions in the law. In FY 91, the position would handle questions and implementation problems arising during the election, would revise forms and manuals to incorporate information gained during the first election year operating under a major change in the law, would assist the investigator in complaint investigations attributable to the change, and would review reports filed under the new provisions of the law. After two years, persons subject to the laws should be familiar with the change, and a temporary position will no longer be needed.

Other costs associated with this change, including the cost of reprinting the statute, the manuals and the instructions, could be absorbed with existing resources.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 20, 1989

The Honorable Tim Keily
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill amending Alaska's campaign disclosure statutes in AS 15.13. This bill makes two changes to present law.

First, this bill prohibits groups, including corporations, unions, and political action committees, and "persons" other than individuals, from contributing to candidates for public office. Individuals will continue to be able to contribute up to \$1,000, and political parties will continue to be able to make unlimited contributions. These amendments are aimed at reducing the overall cost of campaigns, without weakening the party system in Alaska.

Second, this bill prohibits registered lobbyists from acting as campaign treasurers or deputy campaign treasurers for candidates for governor, lieutenant governor, or the legislature. It also prohibits them from soliciting, receiving, collecting, handling, disbursing, or accounting for contributions for candidates for those offices. This latter prohibition tracks language in the federal regulations (see 5 C.F.R. 733.121(b)(3)) adopted under a provision in the Hatch Act, 5 U.S.C. 7324, which was upheld by the United States Supreme Court in United States Civil Service Commission v. National Association of Letter Carriers, 413 U.S. 548, 93 S.Ct. 2880 (1973).

The tremendous increase in the cost of campaigns in Alaska has proportionately increased the influence of those individuals who are able to raise large amounts of money. In many cases, those who raise money and those who lobby elected officials are one and the same. It has been said in other states that the influence of lobbyists is so great that they constitute a "third house" of the legislature. Fritz v. Gordon, 517 P.2d 911 (Wash. 1974) (en banc). This must not happen in Alaska. The lure of lobbyist money is too much for some elected officials to resist, and the

resulting opportunities for corruption of the political process are too great to be ignored. If "money is the mother's milk of politics," the people of Alaska will not tolerate lobbyists owning the dairy. The State of Alaska must be governed by the people through their elected representatives, not by a shadow government of well-heeled lobbyists and the special interests that generally employ them.

Moreover, when lobbyists raise or handle large campaign contributions to those officials whom they will likely lobby after the election, there exists at least the appearance of corruption -- the appearance of buying influence and selling votes. This undermines public confidence in the political process, and breeds cynicism and apathy among the voters. The confidence of the people in the integrity of our government must be maintained.

I fully realize that lobbyists have First Amendment rights under the federal constitution as well as rights under the corresponding language of our state constitution. These rights may be infringed only upon a showing of a compelling public interest, and only by legislation narrowly drawn to accomplish that public interest. State, APOC v. Marshall, 633 P.2d 227 (Alaska 1981). It is my view that the compelling public interest in preventing actual and apparent corruption demands that lobbyists be prevented from raising or handling campaign contributions to candidates for elected state office. This bill restricts lobbyists' activities only to the extent reasonably necessary. Lobbyists' right to express their personal political views and to make personal campaign contributions to candidates will not be infringed.

The bill also deletes language from AS 15.13.070(a) (amended in other respects in sec. 2 of this bill) that unconstitutionally restricts campaign expenditures, as distinct from campaign contributions. Restrictions on campaign expenditures contained in federal legislation have been struck down by the Supreme Court of the United States. Buckley v. Valleo, 424 U.S. 1 (1976). Alaska's similar restrictions have therefore not been enforced for many years, and sec. 45, ch. 85, SLA 1986 repealed a related unconstitutional provision.

This bill is a great step toward a clean, open government free from improper influences, and worthy of the people's respect. I urge your prompt and favorable action on this measure.

A section-by-section description of the bill follows:

Section 1: AS 15.13.050 is amended to reflect sec. 2's change that the only "groups" that may contribute to

candidates are political parties. Such contributions by other kinds of groups would be prohibited by sec. 2 of the bill. This does not affect expenditures by groups. Section 1 also includes amendments simply to make the statute easier to read.

Section 2: AS 15.13.070(a) is amended to prohibit persons other than individuals, and groups other than political parties, from contributing to candidates. The existing \$1,000 limitation on contributions by individuals, and the existing provision permitting political parties to make unlimited contributions to candidates, are retained.

Section 3: Proposed AS 15.13.075 would prohibit registered lobbyists from handling campaign contributions for candidates for governor, lieutenant governor, or the legislature. The proposed new section also prohibits them from serving as a campaign treasurer or deputy campaign treasurer for such candidates.

Section 4: AS 15.13.080 is amended to be consistent with the amendment of AS 15.13.070(a) (in sec. 2 of the bill), by deleting language suggesting that groups other than political parties may contribute to candidates. Other amendments rephrase awkward language and delete and unnecessary reference to "goods."

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Cowper', written over the typed name.

Steve Cowper
Governor

STATE OF ALASKA

STEVE COWPER, GOVERNOR

ALASKA PUBLIC OFFICES COMMISSION

REPLY TO:

- 2221 E. Northern Lights, Room 128
Anchorage, AK 99508
(907) 276-4176
- Juneau Branch Office
Box CO
Juneau, AK 99811-0222
(907) 465-4864

January 17, 1990

Senator Pat Pourchot
Pouch V
Juneau, Alaska 99811

Dear Senator Pourchot:

I am writing on behalf of the commission with regard to SSSB 231, a bill introduced at the request of the Governor which relates to election campaign financing.

This measure would change existing law in three major ways:

- It would prohibit lobbyists from serving as campaign agents and from directly or indirectly soliciting campaign funds;
- It would permit only parties and individuals to contribute to candidates; and
- It would limit individual contributions to candidates to \$2000, and limit individual and group contributions to political parties to \$2000.

The commission reviewed this measure at its September 22, 1989 commission meeting, and again at its November 30, 1989 commission meeting. A majority of members favored some provisions in the bill, but expressed concerns regarding other provisions.

Four members favor restricting the role of lobbyists in campaign fund raising, but only as to those lobbyists who are engaged in lobbying as a business or a profession. Commission members were concerned that the statutory definition of "lobbyist" under AS 24.50.040(8) includes a wide variety of Alaska citizens, and that restricting them all from participating in campaign fundraising is an overly broad approach.

Four members favor prohibiting corporations, unions and political action committees from contributing to candidates, on the grounds that contributions by special interests give the appearance that these interests have special influence.

Four members favor retaining the current contribution limit of \$1000, in the belief that \$1000 is still a great deal of money to the average Alaskan. Finally, four members favor retaining provisions of current law which authorize unlimited contributions

Senator Pat Pourchot
January 17, 1990
Page 2

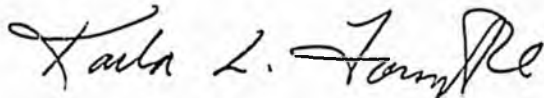
to political parties, in the belief this provision serves to strengthen the party system.

If this measure is enacted, the commission would require new resources to implement the bill's provisions. These resources are outlined in the attached fiscal note which revises fiscal information previously submitted. The revised note addresses changes in the Sponsor Substitute from the original version of the bill.

Thank you for the opportunity to submit comments. If further hearings are scheduled on this measure, or if the commission can provide further information, please let me know.

Sincerely,

ALASKA PUBLIC OFFICES COMMISSION



Karla L. Forsythe
Executive Director

cc: APOC Members
APOC Staff
Bob Evans, Office of the Governor
Mary Halloran, Director, Division of Policy, OMB
✓ Sioux Plummer, Special Assistant, Dept. of Administration

SB 231, An act relating to campaign financing. Prime Sponsor: Rules Committee, by request of the Governor.

Contact List: *=will testify
*Doug Bailey: Attorney General.
Rep Finkelstein: will attend
Rep. Brown
*John Pugh
Jim Crawford: see testimony of 10/19/90 hearing
Av Gross: out of town
Susan Burke: won't be testifying
Don Mitchell: will attend
John Shively
AKPIRG: Heidi will listen in via teleconference from Anch.
Ashley Reed: won't testify
*Mary Halloran: OMB
Pat Smutz: see comments
*Karla Forsythe: APOC

Comments:

1. Ashley Reed "require all contributions be reported for the purpose of catching organized contributions i.e. VECO."
2. Pat Smutz: feels the Governor's bill is targeted at ^{labor}~~ab-~~ unions and businesses but in reality only impacts unions. "Business sector has a multitude of wealthy executives who can and do make individual contributions. Unions don't have this core of people and unions are strictly regulated by federal government whereas businesses are not. Bill directly hurts democrats and helps republicans."
3. Generally, most people have expressed doubt that this bill will go anywhere.

Alaska State Legislature



Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman

Sen. Al Adams

Sen. Tim Kelly

Sen. Rick Uehling

P.O. Box V
State Capitol
Juneau, Alaska 99811

907-465-3712

Senate State Affairs Committee

MEMORANDUM

TO: Senate State Affairs Committee Members

FROM: Senator Pat Pourchot

RE: Wednesday, January 17 Committee Hearing

DATE: January 16, 1990

On Wednesday, January 17 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SSSB 231, An Act relating to election campaign financing.

The major provisions of SSSB 231 are to eliminate contributions by unions, PACs and corporations; restricting the role of lobbyists; increasing the contribution limit for individuals from \$1000 to \$2000; and limiting individual's contributions to political parties to \$2000.

The Senate State Affairs Committee held a hearing on SSSB 231 on October 31, 1989. The AKPIRG ballot initiative on campaign financing was discussed; concerns were stated as to constitutionality of limiting independent expenditures on behalf of a candidate; defining the terms lobbyist and political parties. SSSB 231 concerns identified were need for a definition of terms; difficulty in enforcing lobbyist restrictions; the question of whether limiting campaign contributions favors the wealthier candidates and exemption of small municipal campaigns.

SB 384, an Act relating to election campaigns.

I introduced SB 384 as a product of the discussion of SSSB 231, recent APOC draft regulations, and elements of house bills.

SB 384 restricts allowable uses of surplus campaign account funds; prohibits acceptance of contributions after Dec. 31 of the election year; requires funds be disposed of by January 1st with report showing how funds were disposed; exempts municipal candidates if activity is \$1000 or less; establishes penalty for failure to identify who paid for advertising and/or name of treasurer and closes the campaign contribution disclosure window for days 8 and 9 before the election.

FISCAL NOTE

REQUEST:

Revision Date: 1/3/90
Title: An Act Relating to Election
Campaign Financing
Sponsor: Rules
Requestor: Governor

Agency Affected: AK Pub. Offices Commission
BRU: _____

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	45.4	83.9	62.0	63.7	65.4	67.4
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	4.0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	45.4	87.9	62.0	63.7	65.4	67.4

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND	45.4	87.9	62.0	63.7	65.4	67.4
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	2	2	2	2	2
TEMPORARY	1	1	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

SEE ATTACHED NARRATIVE

Prepared by: Karla L. Forsythe, Executive Director
Division: Alaska Public Offices Commission

Phone: 276-4176
Date: 1/3/90

Approved by Commissioner: Burke Riley, Chair
Agency: Alaska Public Offices Commission

Date: 1/5/90

Distribution (by preparer) :

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

This measure would change AS 15.13, the Campaign Disclosure Law, in three major ways:

1. By prohibiting lobbyists from serving as campaign agents and from directly or indirectly soliciting campaign funds;
2. By permitting only political parties and individuals to contribute to candidates; and
3. By limiting individual contributions to candidates to \$2000, and limiting individual and group contributions to political parties to \$2000.

It is assumed that the bill would be amended to include an effective date after the 1990 elections, yet well enough before the 1991 municipal election cycle to give 1991 municipal candidates a chance to become familiar with the changes (possibly March 1, 1991).

The restriction on lobbyist activity would have no fiscal impact on the commission. However, restrictions on sources and contributions and changes in the contribution ceiling would lead to major changes in campaign finance disclosure reporting. APOC staff would have to respond to many requests for interpretations of the law.

Preparations for implementation would take place shortly after the 1990 elections at one of the busiest times of the four-year election cycle. Complaints would also increase. With groups restricted to contributing \$2000 to political parties, it is

anticipated that groups would undertake more independent expenditure activity, leading to more frequent allegations that the activity constitutes a contribution in cooperation with a candidate under the guise of an independent expenditure.

Commission staff already is stretched to the limit in administering Alaska's three public disclosure laws. Without additional staff to implement this major change, APOC's ability to examine reports and investigate complaints will erode even further.

Assuming an effective date of March 1, 1991, the commission would need a temporary Research Analyst (Range 16) funded full-time for FY 91 and half-time for FY 92 in order to absorb the additional implementation workload anticipated in these fiscal years. Hiring a position on a temporary basis will result in lower benefit costs, and eliminate the need to fund a merit increase.

During FY 91, in anticipation of the change, the position would revise forms and manuals, work on regulatory revisions, and answer questions regarding the new provisions in the law. In FY 92, the position would handle questions and implementation problems arising during the municipal elections. After the elections staff would revise forms and manuals to incorporate information gained during the first election year operating under a major change in the law, and would review reports filed under the new provisions of the law. After two fiscal years, persons subject to the laws should be familiar with the change, and a temporary position should no longer be needed.

Beginning in FY 92, the commission would need two new permanent part-time positions: a Range 16 paralegal (half-time), to assist in investigating complaints involving independent expenditures by groups, and a Range 8 data entry clerk (half-time)

to enter and cross-check data to determine whether the contribution ceiling has been exceeded. The commission would also need to acquire an additional desk and a computer terminal.

Other costs associated with this change, including the cost of reprinting the statute and the instruction manuals, could be absorbed with existing resources.

1/12/90

1. Ashley Reed (279-5350) will not be testifying but would like to pass along a recommendation: Require all contributions be reported, for the purpose of catching "organized contributions" i.e. VECO.

2. re: SB 384 Jim Crawford (563-0700) will be traveling on Wed. but has comments for Pat's attention: He would be prepared to support this bill if the political parties are included as potential recipients and asks that a careful analysis of Section 2 C.6 (line 20,21,22 of page 2) be completed by committee and eliminated if it increases level of expenditure. Feels this is a very dangerous provision.

3. SB 231: Pat Smutz (463-5422) feels the Gov's bill is targeted at labor unions and businesses but in reality only impacts unions. His feeling is that the business sector has a multitude of wealthy executives who can and do make individual contributions. Unions do not have this core of people and unions are strictly regulated by federal government whereas businesses are not. Feels this bill directly hurts democrats and helps republicans.

4. Jeanne has requested the fiscal note for SB 384

Contacted re: hearing *=will testify

Rep. Finkelstein: will attend

Rep. Brown

*John Pugh; AK. Demo. Party

John Shively

AKPIRG

Ashley Reed

John Shively

Av Gross; Av out of town for 2 weeks. Left info for Susan.

Jim Crawford: Repubs: see comments above. Will contact Cliff Groh to request he testify.

Don Mitchell; may be in Juneau on the 16th and will stay for hearing if it works out. He reminds Pat to look forward to seeing him!

Pat Smutz: Won't be testifying (we probably won't see any union testimony) but has comments on SB 231. see above.

*Mary Halloran: OMB will testify

Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman
Sen. Al Adams
Sen. Tim Kelly
Sen. Rick Uehling



P.O. Box V
State Capitol
Juneau, Alaska 99811

907-465-3712

Senate State Affairs Committee

A G E N D A ELECTION CAMPAIGN FINANCING

October 31, 1989
10:00 a.m. - 12:00 noon
Anchorage LIO, 3111 C Street

- I. The Governor's View - SSSB 231, Relating to election campaign financing
Mary Halloran, Director of Policy and Planning, Office of the Governor
- II. AKPIRG's View -- The Ballot Initiative
John Shively, President, AKPIRG
- III. Others' Views -- Invited Testimony
John Pugh, Chairman, Alaska Democratic Party
Jim Crawford, Chairman, Alaska Republican Party
Av Gross, Attorney at Law
Others
- IV. APOC's View
Karla Forsythe, Executive Director, Alaska Public Offices Commission
- V. Public Comment (approximately 11:30 a.m.- 12:00 noon)

THE HEARING WILL BE TELECONFERENCED TO SELECT SITES. PLEASE CONTACT SENATOR PAT POURCHOT (561-7623) IF YOU WOULD LIKE TO TESTIFY.

ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS,
CHAIR

ETHICS COMMITTEE,
CHAIR



ANCHORAGE
P.O. BOX 104836
ANCHORAGE, AK 99510
(W) (907) 561-7623
(H) (907) 338-2425

JUNEAU
P.O. BOX V
STATE CAPITOL
JUNEAU, AK 99811
(907) 465-3712

Senator Pat Pourchot

September 26, 1989

Mr. S. Allen Vezey, Jr.
Alaska Public Offices Commission
1216 Rangeview Road
North Pole, Alaska 99705

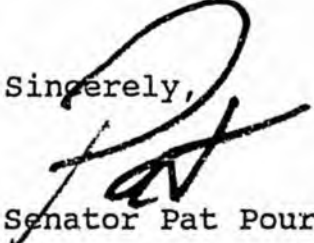
Dear Mr. Vezey:

Thanks again for the opportunity to participate in the Commission's meeting on campaign finance reform last week. I wanted to get back to you to correct something I told you in your inquiry on Senator Coghill's bill calling for a constitutional amendment to limit legislator's terms of office.

Contrary to what I told you and the Commission, the Senate State Affairs Committee, which I chair, did pass out Senator Coghill's bill, despite my lack of support. The bill now rests in the Senate Judiciary Committee chaired by Senator Faiks.

Although this certainly is a testament to my increasingly poor memory, perhaps it is a credit to my sense of fair play!

Sincerely,


Senator Pat Pourchot

cc: APOC Members
Karla Forsythe

REVISION DATE: 3/1/89

PUBLIC OFFICES COMMISSION

<u>MEMBER</u>	<u>APPT</u>	<u>REAPT</u>	<u>REAPPT</u>	<u>TERM</u>
-VACANT-	0/00/00	0/00/00	0/00/00	0/00/00
APOC Appointment				
Annie Laurie Howard 3220 Amber Bay Circle Anchorage 99515 Public/Restricted/R	86/02/95	0/00/00	0/00/00	91/02/01
Burke Riley 2000 Glacier Highway Juneau 99801 Public/Restricted/D Chair	85/02/21	0/00/00	0/00/00	90/02/01
Ⓢ S. Allen Vezey, Jr. 1216 Rangeview Road North Pole 99705 Public/Restricted/R	88/04/04	0/00/00	0/00/00	93/02/01
Rodman Wilson 6234 Tanaina Drive Anchorage 99502 Public/Restricted/D	89/01/14	0/00/00	0/00/00	92/02/01

JANE Behlke
Box 8-2230
F/A 99708

LEGISLATIVE TELECONFERENCE NETWORK

89.10.015



SIGN-IN SHEET

SPONSOR: SENATE STATE AFFAIRS
 SUBJECT: Election Campaign Financing
 START/END TIME: 9:00 AM - 12:00 PM DATE: 10.31.89
 10a - 12 noon

PLEASE PRINT

	NAME/REPRESENTING	ADDRESS	PHONE #	TESTIFY	OBSERVE	BILL #
1	Kathleen Rice Democratic Party	1443 W.N. Lights	258-3050		✓	
2	John Shively APOC	Box 10758, 99510	248-3030 ✓			
3	Karla Forsythe	APOC 2221 E.N. 45.	276-4176 ✓			
4	Kary Boorman	APOC.	276-4176		✓	
5	David Finkelstein	3111 C ST	561-7626		✓	
6	Theda Pittman	3111 C ST	561-7627		✓	
7	Jim Crawford			✓		
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231mail.txt

ALASKA STATE LEGISLATURE

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman

Sen. Al Adams

Sen. Tim Kelly

Sen. Rick Uehling



P.O. Box V
Juneau, AK 99811

907-465-3712

Senate State Affairs Committee

April 3, 1989

Fate Putman
P. O. Box 90502
Anchorage, Alaska 99509

Dear Fate:

I appreciated receiving your message in support of SB 231, which would amend the state's campaign financing law.

SB 231 has been referred to the Senate State Affairs Committee, which I chair, and I intend to schedule it for a hearing within the next couple of weeks. I agree that we need to deal with the appearance of impropriety held by the public in regard to campaign financing and feel that reform of the law is long overdue.

As with any proposal dealing with elections, there will likely be a good deal of debate on SB 231. All sixty legislators have first hand experience on the issue, and we all like to think that we're experts on it.

The Governor has proposed permitting only political parties and individuals to contribute to candidates, and prohibiting lobbyists from being directly involved in fundraising for specific candidates. In addition, he has proposed increasing the individual contribution limit from \$1,000 to \$2,000 annually.

Fate, thank you again for taking the time to share your views. I will keep you posted as our work on SB 231 progresses.

Sincerely,

Senator Pat Pourchot
Chairman

PP/ss

Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman
Sen. Al Adams
Sen. Tim Kelly
Sen. Rick Uehling



P.O. Box V
State Capitol
Juneau, Alaska 99811

907-465-3712

Senate State Affairs Committee

MEMORANDUM

TO: Kurt Dzinich, Director
Senate Advisory Council

FROM: Senator Pat Pourchot, Chairman
Senate Committee on State Affairs

RE: Campaign Finance Reform

DATE: August 27, 1989

A handwritten signature in dark ink, appearing to be "Pat", written over the "FROM" line of the memorandum.

The Senate State Affairs Committee is considering various amendments to the state's campaign finance laws. In preparation for hearings on this issue, I would appreciate your assistance in obtaining information on the following laws:

Federal government
Oregon
Washington
California
Montana
Wyoming

in regard to the following provisions:

Who can make contributions to a candidate? Individuals, corporations, lobbyists, political parties, political action committees, others? Are individuals allowed to contribute to candidates running for office outside of the election district in which the individual resides?

What is the maximum annual contribution that can be made by an individual to a candidate, by an individual to a political party, and by a political party to a candidate?

Is there a prohibition against post general election fundraising?

Are lobbyists prohibited from fundraising on behalf of candidates or from holding office in a candidate's campaign?

If you obtain copies of these other states' statutes, I would appreciate you providing me a copy as well.

Please contact Sandra Schubert of my staff (561-7623) if you have questions about this request or desire additional information.

S B

232

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SB 232

SPONSOR Int'l. Trade Committee / Szymanski

BILL TITLE Beverage dispensary licensees.
(alcohol boxes in hotels)

DATE REFERRED 3-20-89

HEARING SCHEDULED 3 ^{postponed} 31-89, 4-5-89

FISCAL NOTE PREPARED Sharrock 3/23

SPONSOR CONTACTED ~~the (Beland)~~ Szymanski 4978 Mary

INTERESTED PARTIES CONTACTED

✓ Jim Lottsfeldt, ^{Jim Kubitz} 277-7633 FAX 278-6552
Hotel/Motel Assoc.

✓ Pat Sharrock, ABC Ed 277-8638
Cliff Cook, DOR FAX 278-5026

Carter Mitchell, Washington ABC (206) 753-6262
Ken Byers, Calif ABC (916) 445-6811

CHARR
Alaska Visitors Assoc.

~~2009-3009~~
~~2009-3009~~
~~2009-3009~~
~~2009-3009~~
~~2009-3009~~

Mike Ford 2450

lobby Hotel/Motel Assoc
463-4935
live w/ Mike ~~Hank~~ Hanky when in June
Jim Lottsfeldt

→ Teleconference to Anch

ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS,
CHAIR

ETHICS COMMITTEE,
CHAIR



ANCHORAGE
P.O. BOX 104836
ANCHORAGE, AK 99510
(W) (907) 561-7623
(H) (907) 338-2425

JUNEAU
P.O. BOX V
STATE CAPITOL
JUNEAU, AK 99811
(907) 465-3712

Senator Pat Pourchot

MEMORANDUM

TO: Senate State Affairs Committee Members
FROM: Senator Pat Pourchot, Chairman
RE: Draft Committee Substitute for SB 232
DATE: April 10, 1989

Please find attached a draft committee substitute for SB 232, An Act relating to certain beverage dispensary licensees. This bill will be back before the committee at 1:30 p.m. today.

The CS addresses the following concerns raised at last week's hearing on the bill:

page 1, line 15

Deletes "notwithstanding any other provision of law". There was concern that inclusion of this wording might negate local option laws. Neither the legislative drafter nor the ABC Board's counsel object to its deletion.

page 1, line 18

Specifies that alcohol sold under SB 232 is for consumption in the guest room only.

Requires authorization by the ABC Board to install mini-bars. This would likely be through a designation on the existing license.

page 1, lines 18-21

Limits the use of mini-bars to hotels and motels that meet the room requirements in existing law (see attached AS 04.11.400(g)(1)). This is patterned after Washington state law which limits the mini-bar privilege to large hotels that would be putting a lot at risk if they were to abuse the mini-bar privilege, and that are the most likely to cater to international travelers.

page 1, line 23

Specifies that alcoholic beverages stocked in hotel rooms must be stored in a refrigerated unit.

The ABC Board is currently authorized to adopt regulations and to suspend and revoke licenses. Attached are existing regulations regarding revocation of a license designation that could be made to apply to the mini-bar designation.

*also adopted
title change*

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 232 (State Affairs)

*Changes in
CS marked.*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to certain beverage dispensary
7 licensees."

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

9 * Section 1. FINDING AND PURPOSE. The legislature finds that interna-
10 tional and domestic travelers are accustomed to receiving hospitality
11 services in their rooms for business entertainment and personal enjoyment.
12 The purpose of this Act is to enhance the accommodations and services
13 available to travelers visiting Alaska.

14 * Sec. 2. AS 04.11.090 is amended by adding a new subsection to read:

15 *[Notwithstanding any other provision of law]*

16 (g) A holder of a beverage dispensary license issued to a hotel,
17 motel, resort, or similar business that caters to the traveling public
18 may stock alcoholic beverages in guest rooms, for sale and consumption
19 *[on the premises]*
20 in the guest room only, if authorized by the board. The board may not
21 authorize the stocking of alcoholic beverages in guest rooms unless
22 the holder of the beverage dispensary license also has a minimum
23 number of rental rooms as required under AS 04.11.400(g)(1). Alco-
24 holic beverages stocked under this subsection must be stored in a
25 refrigerated unit using a key or combination lock system within the
26 guest room. Except for the licensee, or an agent or employee of the
27 licensee, a key or combination enabling a person to obtain alcoholic
28 beverages stocked in a guest room may only be provided to a guest who
29 occupies the room and who is 21 years of age or older.

BY THE SENATE SPECIAL
COMMITTEE ON INTERNATIONAL
TRADE AND TOURISM

1 IN THE SENATE

2

SENATE BILL NO. 232

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to certain beverage dispensary
7 licensees."

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10 tional and domestic travelers are accustomed to receiving hospitality
11 services in their rooms for business entertainment and personal enjoyment.
12 The purpose of this Act is to enhance the accommodations and services
13 available to travelers visiting Alaska.

14 * Sec. 2. AS 04.11.090 is amended by adding a new subsection to read:

15 (g) Notwithstanding any other provision of law, a holder of a
16 beverage dispensary license issued to a hotel, motel, resort, or
17 similar business that caters to the traveling public may stock alco-
18 holic beverages in guest rooms, for sale and consumption on the prem-
19 ises only. Alcoholic beverages stocked under this subsection must be
20 stored using a key or combination lock system within the guest room.
21 The licensee may provide a key or combination enabling a person to
22 obtain alcoholic beverages stocked in a guest room only to guests who
23 occupy the room and who are 21 years of age or older.

(1) a hotel, motel, resort, or similar business relating to the tourist trade with a dining facility or having kitchen facilities in a majority of its rental rooms and at least a minimum number of rental rooms required according to the population of the established village, incorporated city, unified municipality or population area established under AS 04.11.400(a) in which the facility will be located, as follows:

- (A) 10 rental rooms if the population is less than 1,501;
- (B) 20 rental rooms if the population is between 1,501 and 2,500;
- (C) 25 rental rooms if the population is between 2,501 and 5,000;
- (D) 30 rental rooms if the population is between 5,001 and 15,000;
- (E) 35 rental rooms if the population is between 15,001 and 25,000;
- (F) 40 rental rooms if the population is between 25,001 and 50,000;

and

- (G) 50 rental rooms if the population is greater than 50,000; or
- (2) an airport terminal.

(h) The board may approve the issuance or transfer of ownership of a restaurant or eating place license without regard to (a) of this section if

- (1) the premises of the restaurant or eating place are more than 18 miles from the corporate limits of a city or unified municipality;
- (2) the premises will serve food to the traveling public; and
- (3) the board finds that the public convenience will be served by the issuance or transfer.

(i) An application requesting a transfer of location of licensed premises limited under (a) or (b) of this section shall be granted without regard to (a) of this section if the new location is less than one mile from the original location and

- (1) no ground for denial exists under AS 04.11.340(1) or (3); and
- (2) relocation of the licensed premises is necessary due to
 - (A) termination of a lease or rental agreement;
 - (B) condemnation of the premises;
 - (C) the substantial destruction of the premises by any cause.

(j) The board may approve the issuance or transfer of ownership of a restaurant or eating place license in a municipality without regard to (a) of this section if the board finds that issuance or transfer of the license is necessary for the public convenience. (S 2 ch 131 SLA 1980; am § 88 ch 74 SLA 1985; am §§ 9-16 ch 93 SLA 1985)

Effect of amendments. — The first 1985 amendment repealed subsection (c), which defined "unified municipality."

The second 1985 amendment rewrote subsections (a), (b), (e), (f), (g), the intro-

ductory language of subsection (h), and subsection (j), and in subsection (i) inserted "limited under (a) or (b) of this section" and substituted "without regard to" for "notwithstanding."

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15 AAC 104.765

REVENUE

15 AAC 104.795

15 AAC 104.765. LIMITATION OF DESIGNATION. (a) The board will, in its discretion, designate only a portion of a licensed premises under 15 AAC 104.725 and 15 AAC 104.745, and will, in its discretion, limit the hours when persons under the age of 21 may be present on the designated premises.

(b) A licensee may make changes to the designated premises only with the prior approval of the board. (Eff. 10/24/87, Register 104)

Authority: AS 04.06.100
AS 04.16.049

15 AAC 104.775. CERTIFICATE OF DESIGNATION. Upon approval by the board of a designation application, the director will issue a certificate of designation of premises, which will state whether the designation is under AS 04.16.049(a)(2), AS 04.16.049(a)(3), AS 04.16.049(c), or a combination of those statutes. The certificate must be prominently displayed in the license premises. (Eff. 10/24/87, Register 104)

Authority: AS 04.06.100
AS 04.16.049

15 AAC 104.785. TERMINATION OF DESIGNATION. A designation issued under 15 AAC 104.715 — 15 AAC 104.795 terminates upon expiration, revocation, transfer, or relocation of the holder's alcoholic beverage license. A local governing body may protest continuation of a designation in the same manner it protests other license actions under AS 04.11.480. (Eff. 10/24/87, Register 104)

Authority: AS 04.06.100
AS 04.16.049

15 AAC 104.795. SUSPENSION OR REVOCATION OF DESIGNATION. A designation under 15 AAC 104.715 — 15 AAC 104.795 is a privilege over and above that of a license, and is issued with the understanding that the board will, in its discretion, suspend or revoke the designation for good cause without a hearing under AS 04.11.510 or the Administrative Procedure Act, AS 44.62. The director will notify a licensee in writing not less than 10 days before board consideration of suspension or revocation of a licensee's designation. The board will afford the licensee an opportunity to be heard. (Eff. 10/24/87, Register 104)

Authority: AS 04.06.100
AS 04.16.049

Example

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Relating to certain beverage dispensary licensees
Sponsor: Sen. Comm. on Int'l Trade & Tourism
Requestor: Sen. State Affairs Comm.

Agency Affected: Revenue
BRU: Alcoholic Beverage Control Board
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Patrick L. Sharrock, Director Phone: (907) 277-8638
 Division: Alcoholic Beverage Control Board Date: March 23, 1989
 Approved by Commissioner: Hugh Malone Date: 3/24/89
 Agency: Department of Revenue

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

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE 2/30/89
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER

FIN

**FISCAL NOTE(S) MUST BE ATTACHED
IN ACCORDANCE WITH AS 24.08.035

DATE TURNED INTO OFFICE 4-11-89

3/20/89

Mr. President:

STATE AFFAIRS

Committee considered

SB 232

certain beverage dispensary licenses

and recommended:

replace with CS SB 232 (St Aff) same title
 new title

attached amendment(s) and

_____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

FISCAL NOTE(S) attached zero

fiscal impact

appropriation no FN attached

Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Bob Adams
Jan Fark

Tim Kelly - No Pass

Pat Fournier do pass

Chairman signature and recommendation

Committee backup attached

04.11.080

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§ 04.11.090

ALCOHOLIC BEVERAGES

§ 04.11.090

- (17) caterer's permit;
- (18) special events permit;
- (19) conditional contractor's permit. (§ 2 ch 131 SLA 1980)

Cross references. — For statute providing that a license is a personal privilege, see AS 04.11.660. 48 C.J.S., Intoxicating Liquors §§ 99-101.

Collateral references. — 45 Am. Jur. 2d, Intoxicating Liquors, §§ 124-133.

Sec. 04.11.090. Beverage dispensary license. (a) A beverage dispensary license authorizes the holder to sell or serve on the licensed premises alcoholic beverages for consumption on the licensed premises only.

(b) The annual beverage dispensary license fee is \$1,250.

(c) An applicant for a beverage dispensary license must file with the application a cash bond or a surety bond executed by a surety company approved by the board. The bond must be in the sum of \$2,500. Upon revocation of the license under AS 04.11.370(4), the bond shall be forfeited and the amount deposited in the general fund of the state.

(d) The area designated as the licensed premises under a beverage dispensary license issued to a hotel, motel, resort or similar business that caters to the traveling public as a substantial part of its business may include the dining room, banquet room, guests' rooms, and other public areas approved by the board.

(e) A holder of a beverage dispensary license may not maintain upon the licensed premises more than one room in which there is regularly maintained a fixed counter or service bar at which alcoholic beverages are sold or served to members of the public for consumption unless the licensee is issued by the board, after investigation, a duplicate of the original license for each of the rooms. The holder of the beverage dispensary license shall pay to the board with each application for a duplicate license an amount equal to the fee payable for the original beverage dispensary license under (b) of this section. If the licensed premises are located within a municipality, a duplicate beverage dispensary license may not be issued unless approved by the council or assembly, as appropriate.

(f) The area designated as the licensed premises under a beverage dispensary license issued to a bowling alley may include the concourse or lane areas of the bowling alley. Notwithstanding AS 04.16.049, the board may, upon application, authorize access by persons under 21 years of age to the concourse or lane areas designated part of the bowling alley's licensed premises during hours when no alcoholic beverages are being sold, served, or consumed. (§ 2 ch 131 SLA 1980; am § 1 ch 109 SLA 1983)



ALASKA VISITORS ASSOCIATION

501 West Northern Lights, Suite 201 • Anchorage, Alaska 99503

Tel: (907) 276-6663 • Fax: (907) 258-4036

1988-89

Executive Officers

President

Tom Dow

NANA Development Corp
Anchorage, Alaska

1st Vice-President

Robert Dindinger

Alaska Travel Adventures
Juneau, Alaska

2nd Vice-President

Ray Pedersen

Princess Tours
Seattle, Washington

Vice-President/

Government Relations

Robert Jacobsen

Wings of Alaska
Juneau, Alaska

Secretary

Cheri McGuire

Quinnat Landing Hotel
King Salmon, Alaska

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Bob Berto

Southeast Stevedoring
Ketchikan, Alaska

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Larry Anderson

Mark Air

Marlan Beck

Kachemak Bay Ferry

Captain Jim Binkley

Alaska Riverboat
Discovery

Dennis Brandon

Westmark Hotels

Bob Brennan

Signature Travel

Bill Bubhel

The Runo House

Ruth Burnett

Polaris Hotel

Bill Elander

Anchorage Convention
& Visitors Bureau

Bob Engelbrecht

TENESCO Helicopters

Pete Cherini

Waterfall Resort

Tim Kirschbaum

Kirschbaum Corporate
Marketing

Len Laurance

Atliner, Inc.

Alan LeMaster

Cadana Junction Village

John Litten

Sitka Tours

Ralph Nestor

Travel Industry
Management, UAF

Dave Palmer

Alaska Airlines

Brad Phillips

Phillips Cruises & Tours

Tom Watson

Kodiak Island Convention
& Visitors Bureau

Richard West

Alaska Sightseeing

189-1

A Resolution of the Board of Directors of the Alaska Visitors Association regarding:

The presence of mini-bars in hotel and motel rooms.

WHEREAS, the Hotel/Motel Association of Alaska and CHARR are seeking passage of a statute by the Alaska legislature amending Alaska State liquor laws to permit the placement of mini-bars in hotel and motel rooms;

THEREFORE BE IT NOW RESOLVED, that the Board of Directors of the Alaska Visitors Association supports this legislation and encourages the Alaska State Legislature to amend the necessary laws to permit the use of hotel room mini-bars.

ADOPTED BY THE AVA BOARD OF DIRECTORS ON FEBRUARY 7, 1989.



March 20, 1989

The Honorable Mike Szymanski
The State Senate
P.O. Box V
Juneau, AK 99811

Dear Senator Szymanski:

It was brought to my attention that the mini-bar legislation is now in the Tourism Committee for consideration and that possibly a bill will be put forth by the Committee.

I'm writing to encourage you and the committee members to seriously consider the legalization of mini-bars in Alaska hotels. Many legislators I've spoken with are surprised mini-bars are currently not legal in Alaska.

I'm certain you heard a lot of the facts that basically point out the lack of problems in states where they are legal. Over 60 percent of sales are non-alcoholic. Many wholesale tour operators I've talked with feel many foreign visitors expect this type of service in their rooms; they're accustomed to it.

I know you and the Tourism Committee are extremely busy and this is not major legislation considering the economy and many other pressing issues. Reviewing other state legislation and the lack of problems encountered in other states, I hope you can find the time to assist our industry to be able to better serve the traveling public.

Sincerely,

WESTMARK HOTELS, INC.

Bill Dugdale
Vice President, Operations

vs

cc: Max Lowe
Rose Marie Citti

THE ANCHORAGE HILTON

RECEIVED MAR 23 1989

March 20, 1989

Senator Mike Szymanski
107 Capitol
P.O. Box V
Juneau, AK 99811

Dear Senator Szymanski:

I am writing to encourage your assistance in passing the Honor Bar Bill for guest rooms.

Having worked in many different states I have had quite a bit of experience with the Honor Bars. These Bars even though they contain liquor are furnished for the convenience of our guests who mostly use the soft drinks and snacks. Many people often are tired and rather than call room service would prefer to use the Honor Bars.

Our guests from the Pacific Rim countries are surprised we do not have the Bars in our rooms. We call ourselves World Class Hotels but do not match the rest of the world in this normal amenity.

Thank you for your assistance in this matter.

Sincerely,

THE ANCHORAGE HILTON


RALPH C. NOGAL

/sw

cc: Rosemarie Citti, Alaska Hotel Motel Association ✓

INSIDER

motel/motel newsletter

Published Bi-Weekly by Atcom Inc., 2315 Broadway, New York, NY 10024, (212) 873-5900

Vol. 19, No. 13

February 29, 1988

In-Room Mini-Bars Will Be "A Way Of Life" Within Five Years

Although in-room mini-bars—self-service refrigerators or absorption coolers from which guests can purchase an assortment of beverages and snacks—have been an amenity in European hotels for many years, their popularity has only recently started to grow on this continent.

"It took off in the last four or five years," Peter Kleiser, Senior Vice President of Food and Beverage for Hilton Hotels, told the INSIDER. "As we go along we experience an increase in usage. I think in another four or five years it will be a way of life that if you have a guest room you will be able to go to an in-room mini-bar and help yourself."

Kleiser noted that Hilton is in the process of installing in-room mini-bars in more than 30,000 rooms. Although some hoteliers have told the INSIDER that they remove their soda and ice machines when they install self-service, in-room mini-bars, Kleiser noted that they will continue to have ice machines in those hotels which currently offer them. He noted as well that the mini-bars "take very little away from room service. It is a convenience for the guest who wants to have a drink—he or she doesn't have to go down to the bar or wait for room service. It is almost like a home away from home...you go to your refrigerator and get yourself a Coke."

Motel/Hotel "INSIDER"

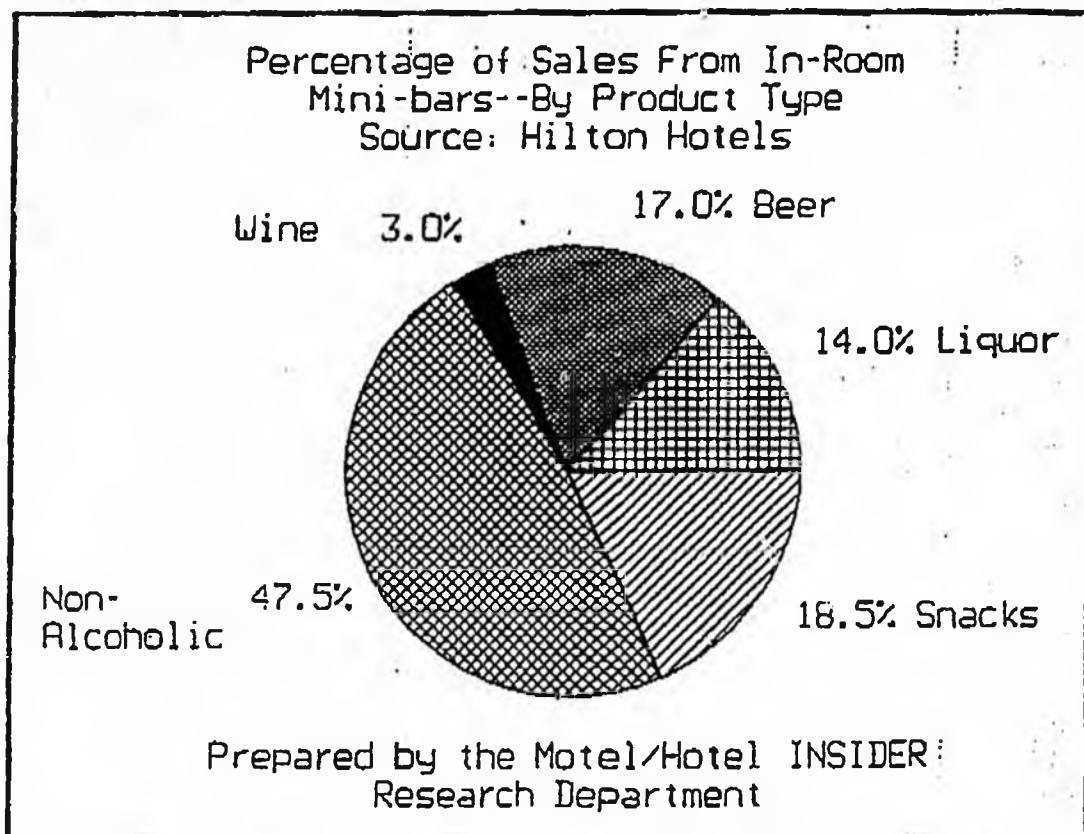
February 29, 1988

**"We'd Rather Keep
The Prices Moderate
And Sell Something"**

In discussing in-room mini-bars with several American hotel guests recently, the INSIDER heard the same complaint from each person: the prices are lower at soda and candy machines.

"Well, the prices are a little bit higher," said Kleiser when we mentioned this concern to him, "but we don't want to out-price ourselves. If you don't sell anything, high prices mean nothing. We'd rather keep the prices moderate and sell something."

Another concern mentioned by the hotel guests with whom the INSIDER spoke was that they could not change their minds about an item and would be charged for it even if they only remove it from the mini-bar and then return it to its slot. While some systems *do* work this way, Kleiser told the INSIDER that Hilton intentionally chose one that *doesn't*. "When we experimented with both types of systems, the feedback we got was that the American clientele wants to be able to put an item back and not have it so that if you touch it you bought it," he explained.



According to Kleiser, another reason Hilton chose in-room mini-bars which operate on the honor system is because "some of those electronic systems are very expensive; they cost three times as much. You want to have a return on investment, besides providing a service, and the pay-back is much slower on the more expensive units."

September 18, 1987

Use of controlled access liquor cabinets is authorized by state statute in:

Arizona (Section 4-205.06)
District of Columbia (Section 402.8)
California (Sections 23355 and 233552)
Georgia (Sections 3-9-12 and 3-9-13)
Missouri (Section 311.099)
Oklahoma (Laws of 1987)
Rhode Island (Sections 3-5-12 and 3-7-7-1)
Washington (Section 66.24.400)

Colorado
Ohio

Use of controlled access liquor cabinets are authorized by state alcohol beverage control agency regulation in:

Florida (Reg. 7A-3.41)
Hawaii
 (Honolulu, Reg. 7-18)
 (Maui, Reg. .34)
Minnesota (Reg. 7515.0560)

Use of controlled access liquor cabinets are authorized by state alcohol beverage control agency policy or opinion in:

Delaware
Maryland
Michigan
Nebraska
Pennsylvania
Virginia

Controlled access liquor cabinets may be used in states that do not specifically prohibit in-room service, including:

Connecticut
Illinois
Louisiana
Maine
Nevada
New Mexico
North Dakota
Ohio

593 Herndon Parkway • Herndon, Virginia 22070 • (703) 478-0075 • (800) 742-8100

Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman
Sen. Al Adams
Sen. Tim Kelly
Sen. Rick Uehling



P.O. Box V
State Capitol
Juneau, Alaska 99811

907-465-3712

Senate State Affairs Committee

MEMORANDUM

TO: Senate State Affairs Committee Members
FROM: Senator Pat Pourchot, Chairman
RE: April 5 Committee Meeting
DATE: April 4, 1989

On Wednesday, April 5 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SB 201, An Act making a special appropriation to the Department of Transportation and Public Facilities for an environmental impact statement concerning Seward and Kodiak as homeports for navy ships

SB 201 would appropriate \$750,000 to the Department of Transportation for preparation of an environmental impact statement on the establishment of homeports in Seward and Kodiak. At the sponsor's request, a draft committee substitute has been prepared that clarifies funds would also be used for work associated with feasibility assessments, the negotiation of agreements with the Navy, and any necessary legal activity. Unused funds would lapse to the general fund June 30, 1990.

In 1988 the legislature approved a resolution (SJR 55) supporting a homeport, and indicating the state's willingness to consider investment of as much as \$100 million for capital improvements. The resolution specified that the commitment of funds was contingent upon the completion of a cost-benefit analysis demonstrating that the state would derive net benefits from its investment.

The Navy's January 1989 letter to DOT, which announced Kodiak and Seward as the preferred Alaskan sites, indicated that "due to the constrained budget climate in Washington, the entire capital cost of a new homeport facility in Alaska would be an Alaskan investment". The letter also indicated that the next step would be joint preparation of an EIS.

SB 232, An Act relating to certain beverage dispensary licensees

SB 232 would authorize the holder of a beverage dispensary license issued to a hotel, motel, resort or similar business to stock alcoholic beverages in guest rooms. The beverages could be consumed only on the premises. Access would be restricted to guests age 21 and older, and would be controlled through a lock system.

The bill is intended to address the expectations of travelers accustomed to receiving hospitality services in their rooms.

HB 73, An Act making technical amendments to public employee benefits statutes

HB 73 would correct changes to statute inadvertently made last year. Section 1 reinstates the policy of income and interest earned on the Teachers Retirement Fund being returned to the fund.

Section 2 clarifies the procedure under which judges who have had contributions to the retirement account involuntarily refunded can repay the contributions, conforming the procedure to that currently followed under TRS and PERS.

Section 3 clarifies that, because municipal as well as state employees can be members of PERS, the "employer" of a supplemental benefits system member -- not the Department of Administration -- is required to make payments to the member's account.

In addition, HB 74, An Act relating to the financing of the Seward Student Service Center by ASBA, will be back before the committee. The Department of Revenue is preparing additional information on the current and proposed financing agreements.

Alaska State Legislature

Sen. Pat Pourchot, Chairman

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Sen. Al Adams

Sen. Tim Kelly

Sen. Rick Uehling



P.O. Box V
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Juneau, Alaska 99811

907-465-3712

Senate State Affairs Committee

MEMORANDUM

TO: Senate State Affairs Committee Members

FROM: Senator Pat Pourchot, Chairman

RE: March 31 Committee Hearing

DATE: March 30, 1989

On Friday, March 31 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SR 8, Requesting a hiring freeze for state employees

SR 8 would request that the Governor institute an immediate hiring freeze. The resolution is intended to address the projected FY 90 budget deficit.

SB 232, An Act relating to certain beverage dispensary licensees

SB 232 would authorize the holder of a beverage dispensary license issued to a hotel, motel, resort or similar business to stock alcoholic beverages in guest rooms. The beverages could be consumed only on the premises. Access would be restricted to guests age 21 and older, and would be controlled through a lock system.

The bill is intended to address the expectations of travelers accustomed to receiving hospitality services in their rooms.

HB 74, An Act relating to the acquisition and financing of the Seward Student Service Center by the Alaska State Building Authority, and relating to the use of a lease-financing agreement for the project

HB 74 gives the approval required under AS 18.55.100(d) for ASBA to provide lease financing for the Seward Student Service Center. The proposal is essentially the refinancing of an existing State

lease-financed project. The refinancing is estimated to result in present value savings in state rental payments of \$1,203,001 over the ten year repayment term. Savings in FY 90 would be \$433,229, and from \$68,000 to \$87,000 in subsequent years.

Under AS 18.55.100(d), ASBA may not proceed with any public building project until it is approved by law. HB 74 would also serve as the legislative approval required under AS 36.30.080(c) for any lease financing agreement that has annual rent in excess of \$1 million.

The Seward Student Service Center is a student lounge and recreation complex for the Alaska Vocational-Technical Center (AVTEC) at Seward. AVTEC is the only state-operated adult vocational training facility in Alaska. The Center was completed and occupied by the state in April 1985.

6-1051E
Ford
4/7/89

Original sponsor: Senate Special Committee on
International Trade and Tourism

adopted w/ title change

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 232 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to certain beverage dispensary
7 licensees. *to stock alcoholic beverages in*

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA: *guest rooms.*

9 * Section 1. FINDING AND PURPOSE. The legislature finds that interna-
10 tional and domestic travelers are accustomed to receiving hospitality
11 services in their rooms for business entertainment and personal enjoyment.
12 The purpose of this Act is to enhance the accommodations and services
13 available to travelers visiting Alaska.

14 * Sec. 2. AS 04.11.090 is amended by adding a new subsection to read:

15 (g) A holder of a beverage dispensary license issued to a hotel,
16 motel, resort, or similar business that caters to the traveling public
17 may stock alcoholic beverages in guest rooms, for sale and consumption
18 in the guest room only, if authorized by the board. The board may not
19 authorize the stocking of alcoholic beverages in guest rooms unless
20 the holder of the beverage dispensary license also has a minimum
21 number of rental rooms as required under AS 04.11.400(g)(1). Alco-
22 holic beverages stocked under this subsection must be stored in a
23 refrigerated unit using a key or combination lock system within the
24 guest room. Except for the licensee, or an agent or employee of the
25 licensee, a key or combination enabling a person to obtain alcoholic
26 beverages stocked in a guest room may only be provided to a guest who
27 occupies the room and who is 21 years of age or older.

(1) a hotel, motel, resort, or similar business relating to the tourist trade with a dining facility or having kitchen facilities in a majority of its rental rooms and at least a minimum number of rental rooms required according to the population of the established village, incorporated city, unified municipality or population area established under AS 04.11.400(a) in which the facility will be located, as follows:

- (A) 10 rental rooms if the population is less than 1,501;
- (B) 20 rental rooms if the population is between 1,501 and 2,500;
- (C) 25 rental rooms if the population is between 2,501 and 5,000;
- (D) 30 rental rooms if the population is between 5,001 and 15,000;
- (E) 35 rental rooms if the population is between 15,001 and 25,000;
- (F) 40 rental rooms if the population is between 25,001 and 50,000;

and

- (G) 50 rental rooms if the population is greater than 50,000; or
- (2) an airport terminal.

(h) The board may approve the issuance or transfer of ownership of a restaurant or eating place license without regard to (a) of this section if

- (1) the premises of the restaurant or eating place are more than 18 miles from the corporate limits of a city or unified municipality;
- (2) the premises will serve food to the traveling public; and
- (3) the board finds that the public convenience will be served by the issuance or transfer.

(i) An application requesting a transfer of location of licensed premises limited under (a) or (b) of this section shall be granted without regard to (a) of this section if the new location is less than one mile from the original location and

- (1) no ground for denial exists under AS 04.11.340(1) or (3); and
- (2) relocation of the licensed premises is necessary due to
 - (A) termination of a lease or rental agreement;
 - (B) condemnation of the premises;
 - (C) the substantial destruction of the premises by any cause.

(j) The board may approve the issuance or transfer of ownership of a restaurant or eating place license in a municipality without regard to (a) of this section if the board finds that issuance or transfer of the license is necessary for the public convenience. (§ 2 ch 131 SLA 1980; am § 8§ ch 74 SLA 1985; am §§ 9—16 ch 93 SLA 1985) "

Effect of amendments. — The first 1985 amendment repealed subsection (c), which defined "unified municipality."

The second 1985 amendment rewrote subsections (a), (b), (e), (f), (g), the intro-

ductory language of subsection (h), and subsection (j), and in subsection (i) inserted "limited under (a) or (b) of this section" and substituted "without regard to" for "notwithstanding."

§ 04.

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Bill

ABC Board - SB 232

Mike Murphy, Washington ABC
(206) 753-6262

L.H. Peterson, Washington Bd. Chair

Carter Mitchell WASH

Hot lawin

World's Fair - Vancouver 1986

Need to compete!

Wash = strict control state. State owned liquor stores.

Cal = license state. Wide open.

Big hotels have monetary investment in cocktail lounges & restaurants.

If they abuse the privilege & lose their license, have a lot to lose!

This is trying to get in

anything ^{by} more than 3 rooms

\$200 license fee

makes liquor available in places hasn't been available before

real benefit to minors -

21-yr. old rent room. Then party!

police & MADON opposed - killed 3 yrs in a row

Now only if already have:

- restaurant
- cocktail
- room service

} ie a big investment

~~California Alcohol Beverage Control Board (916) 445-6811~~

~~Ken Byers, Deputy Director~~

Ken Byers, Counsel

long, complicated provision

no minors

"Controlled Access Alcoholic Beverage Cabinet" -

refrigerated, locking ^{key} magnetic card

CAUF.

- no limitation as to number of rooms
- ^{keep} records to show not given to minors
- can't be restocked by minor
- limit hours of sale - 2am-6am (can't use, sell)
- ^{can sell} miniatures - not allowed elsewhere
- define hotel/motel:
guest rooms - predominant relationship =
innkeeper to guest

since Jan. 1, 1986

no significant problems - big hotels have too large
of an investment risk

MAILING COPY OF LAW.

THE FOLLOWING DOCUMENT MAY NOT FILM
LEGIBLY BECAUSE OF THE POOR QUALITY OF THE
ORIGINAL

not adopted -
in WA

The first part of the paper is devoted to a discussion of the general principles of the theory of the function of the mind. It is shown that the mind is not a passive receiver of impressions, but an active agent which selects and organizes its impressions. The author then discusses the various faculties of the mind, such as perception, judgment, and reasoning, and shows how they are all governed by the same general principles.

The second part of the paper is devoted to a discussion of the various theories of the mind. It is shown that the various theories are all based on the same general principles, and that they differ only in the details of their application. The author then discusses the various theories of the mind, such as the theory of the mind as a collection of faculties, the theory of the mind as a collection of organs, and the theory of the mind as a collection of powers.

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The first part of the document discusses the early history of the region, focusing on the settlement patterns and the role of the local government. It mentions the establishment of the first school in 1845 and the subsequent growth of the community. The text also describes the challenges faced by the settlers, such as the lack of infrastructure and the harsh climate. The second part of the document provides a detailed account of the early years of the settlement, including the names of the first settlers and the events that shaped the community. It also mentions the role of the local government in providing support and resources to the settlers. The document concludes with a summary of the early history and a list of references.



specify
size of
bottles

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The proliferation of outlets for alcoholic beverages
continue to exist. This is a serious problem in
many areas of the country. The government should
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the hours of operation. This will help to
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...public objection to prevalence of alcohol
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