

ALASKA

LEGISLATURE COMMITTEE FILES

1991-1992

8672

7584

SENATE LABOR & COMMERCE

1 * Sec. 5. The unexpended and unobligated balance of the appropriation made by sec. 2 of this Act
2 lapses into the general fund December 31, 1991.

*NONE OF THE FUNDS IN SEC 2. MAY
BE USED FOR ADMINISTRATIVE EXPENSE
BY THE DEPT.*

3 * Sec. 6. Except for secs. 3 and 4 of this Act, this Act takes effect on the later of

4 (1) the date that the Department of Natural Resources files a declaration with the
5 lieutenant governor and the revisor of statutes that the department has entered into agreements
6 with Seldovia Native Association for the sale of the inholdings of the association, the Timber
7 Trading Company for the sale of timber rights of the company, and the Cook Inlet Region, Inc.,
8 for the sale of inholdings of the corporation, for a total that is equal to or less than \$22,000,000;
9 and

10 (2) July 1, 1991.

11 * Sec. 7. Sections 3 and 4 of this Act take effect on the later of

12 (1) the date that the Department of Natural Resources files a declaration with the
13 lieutenant governor and the revisor of statutes that the department has entered into agreements
14 with Seldovia Native Association for the sale of the inholdings of the association, the Timber
15 Trading Company for the sale of timber rights of the company, and the Cook Inlet Region, Inc.,
16 for the sale of inholdings of the corporation, for a total that is equal to or less than \$22,000,000;
17 and

18 (2) the date that the Alaska Energy Authority files a declaration with the
19 lieutenant governor and the revisor of statutes that the Bradley Lake hydroelectric project has
20 been completed.

KACHEMAK IN-HOLDING ACQUISITION OPTIONS
(OTHER THAN DIRECT APPROPRIATION)

1. Give the Seldovia Native Association (SNA) the right to future income from development of a commercial recreational lodge on state land at Esther Island in Prince William Sound. The Prince William Sound Area Plan allows for one commercial lodge at this location. (estimate: \$100,000/yr.)
2. Give SNA the right to future income from a recreational lease planned at South Denali State Park. (estimate \$150,000/yr.)
3. Give TTC or SNA the income from future state timber sales (\$750,000/yr.) for specific time period.
4. Transfer SNA 2,500 acres of state land at Granite Point, subject to the pending coal export lease for Diamond/Chulitna (est. \$2,500,000). Note: This would be opposed by the coal companies! However, SNA must abide by the terms of the state lease.
5. Give SNA credits to obtain X dollar amount of surplus property as offered by the Department of Administration (value adjustable).

CSHB 83(FIN)am AMENDMENT

Insert a new section as follows:

The commissioner is authorized to ^{IF HAVE} negotiate cash and/or land trades not to exceed \$15,000,000 that are in the best interest of the state. The options may include but are not limited to future state income from recreational leases, timber sales and future resource development leases as well as requiring upto a 20% match from interested private sector parties. The match may include but is not limited to a check off donation of Permanent Fund Dividends, cash donations, and timber rights transfers.

Insert a new section as follows:

None of the funds appropriated in this legislation are to be used by the department for departmental expenses.

PRIORITIZED WITH BRADLEY LAST.



Alaska State Legislature

Please enter into the record my testimony to the Senate Labor & Commerce committee name

committee on HB83 , dated May 17, 1991

bill/subject

I believe the opposition to this Logging action is because of Environmental, Tourist, and State Park Considerations.

It is a Fact that if the natives agreed to trade the land in question with the state for some of Pat Redev's Susitna Valley remote area land, and the natives wanted to log that, you would have just as much opposition - if not more!

Also - is the state prepared to buy back all native owned lands that is being logged, such as Afognak Island. Logging has been evident there for a number of years. If some group became opposed to that operation would the state spend more millions on that land,

who benefits from the Tourism the most (in the Homer area) the locals - or non-residents? Why doesn't the City of Homer, Tourist Business, and various environmentalist groups buy this land and donate it back to the State.

The City of Homer had no recent depression periods - the Anchorage area and Mat-Su Valley did. This money proposed to be spent could help the Santa Central areas.

During the 1989-1990 winter the Mat-Valley lost 100's of Moose to starvation/winter kill. No environmentalists came to help the citizens feed the starving animals. The locals used their own hard earned money AND kept the animals alive.

We hear targets to cut Day Care Assistance and Longevity. How can we consider \$22,000,000 that Homer businesses are benefited) and consider cutting health & welfare programs?

Signed: _____ Testifier Bob & Barbara

_____ (over)

Representing (Optional) General Public

Address P.O. Box 204 Willow, AK 99688

Phone No. (907) 495-6337



Alaska State Legislature

Please enter into the record my testimony to the Senate Labor & Commerce
 committee name
 committee on HB83 (continued) , dated MAY 17, 1991
 bill/subject

The present Administration is advocating that
 ALL Capital Projects - that Local Governments, come
 up with matching funds. Why can't Homer
 come up with \$11,000,000 to show their
 good faith.

Signed: _____

Testifier

Representing (Optional)

Address

Phone No.

(2)



Alaska State Legislature

BLT

Please enter into the record my testimony to the Senate Labor & Commerce
committee name

committee on HB 83 , dated MAY 17, 1991
bill/subject

I am a 30-year + resident of Alaska. For months I have heard about you having to possibly limit (or withdraw) the Alaska Longevity Program and young parents are facing reductions (or elimination) of Day Care Assistance. It is absolutely irresponsible for the State to consider spending \$22,000,000 to buy this land when we can't support major health & welfare issues.

It appears that this consideration supports Nance businesses and Environmental Issues. If they are so concerned about this forest - let them buy the land to protect their interests. If this wasn't a major tourist spot they wouldn't be such an issue being raised. Let the people who are "so concerned" about this buying their tourist business put their money where their mouth is! I truly don't believe this is an environmental issue, it is a "big money/business" issue. What if we bought the land and a forest fire burned it off next week - would the world come to an end?

Signed: Elinor J. Beekley

Testifier

General Public

Representing (Optional)

P.O. Box 204, Willow, AK 99688

Address

(907) 495-6337

Phone No.

(over)

6

The Legislature should spend more time during the things that need to be done to create new jobs. Individuals love their self-esteem and self-respect and turn suicide, drugs and etc. when they have no hope of finding a job that will support themselves and their families.

Thomas Blank

(continued)
#B83 - Kachemak Bay
State/Territory Rights
2 p 2



Alaska State Legislature

Please enter into the record my testimony to the Labor and Commerce
 committee on HB 83 / Kachemak Bay committee name
State / Timber dated 5/17/91
 bill/subject Rights

I very strongly oppose the state of Alaska buying out private land holdings. There isn't enough land and other resources in private hands to support ~~the~~ private enterprise in Alaska. Any available money, such as the \$22,000,000 proposed in this bill, should go to create new jobs. Timber is a part of a potential diversified economy. Enough trees have been set aside (locked-up) for viewing. When does this type of thing stop. Once the trees are cut off the native land, the area will still be green and the trees will grow back.

Signed: Lawrence E. Sturbush
 Testifier

The General Public / The Workers of Alaska
 Representing (Optional)

HC01 BOX 6001 PALMER AK 99645
 Address

(907) 745-3357
 Phone No.

continued

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**



Alaska State Legislature

Please enter into the record my testimony to the Labor and Commerce committee name
 committee on HB 83 / State Timber dated 5/17/91
 bill/subject Rights

I very strongly oppose the state of Alaska buying out private land holdings. There isn't enough land and other resources in private hands to support ~~the~~ private enterprise in Alaska. Any available money, such as the \$22,000,000 proposed in this bill, should go to create new jobs. Timber is a part of a potential diversified economy. Enough trees have been set aside (locked-up) for viewing. When does this type of thing stop. Once the trees are cut off the native land, the area will still be green and the trees will grow back.

Signed: Lawrence E. Turbush

Testifier

The General Public (The Workers of Alaska)

Representing (Optional)

HC01 BOX 6001 PALMER AK 99645

Address

(907) 745-3357

Phone No.

continued



Alaska State Legislature

Please enter into the record my testimony to the Senate Labor & Commerce
committee name

committee on HB83 (Continued), dated May 17, 1991
bill/subject

Is the State setting a precedent if they
buy this land? What will happen every time
some group wants to stop another logging
operation - on a gravel pit - or a highway
etc. etc.? Is the State going to buy up
all the land to protect local group
interest? What about Afognak and South
Eastern? Logging has gone on there for
years. No one seems to be raising
an issue there - probably (again)
because there is no big money interest
in the land!

Why doesn't Homer take out a bond,
charge each Tourist that looks at this
land \$22.00 - then when a million Tourist
has looked at the land - it will be paid for.
Let's use our money when it's needed
for health, education, taking care of our seniors,

create parks,
jobs, build
some roads,
etc., etc.,
etc.!

Signed: _____
Testifier

Representing (Optional)

Address

Phone No.

6

April 30, 1991

Dear Legislators,

The effort to return Seldovia native lands in Kachemak Bay to their highest and best use as parklands will confront Alaskans until it is accomplished. Whether lost to a clearcut or not, the issues of tourism and the scenic values of these lands will always be with us.

Let us put this to rest now. Citizens across Alaska and in Homer have struggled to return these lands to the public estate for 15 years, we are tired, no less committed, but tired. Please consider it a moral if not legal obligation of the state to return these lands to the people as promised when they were initially set aside as parklands in 1971.

Our National government has just finished fighting a very expensive war in which our military went to great lengths to avoid damaging sites of spiritual and cultural value because it was the right thing to do. I contend that protecting the lands of Kachemak Bay is also the right thing to do for the same reasons. We are fighting for our country here now. For everything that the beauty of this place means. It is not a joke, it is patriotism pure and simple.

One of the problems in today's world is that people are transient, moving from place to place often looking for a place not ruined by lack of foresight. Alaska in particular is attractive to these hopefuls, let us not disappoint them. In Homer especially we want to avoid that. We want stability, tradition, and a godly value system respectful of the beauty of creation. We do not want a quick pillage of what value exists here so that we can take it elsewhere. We are here for good and wish to share the goodness of the area with others. Indeed, shipping these logs to market would be akin to stealing from ourselves. Certainly these logs are not critically necessary to the greater global community.

We are not afraid of industry. On our limited land base at the tip of the Kenai Peninsula we support clearcut logging of everything south of Seldovia and of large areas to the north by Ninnilchick. We support the Bradley Lake hydro project because of its importance to the state. The first port of call on the hiway sytem for boats coming in from the southwest, we also support a large fishing and seafood processing industry. We are anticipating the mining of chrome in the mountains across from Homer. All of this we will continue to do in the states interest. All that we ask is to sustain the multiple use, no net loss balance of our extensive heavy industries with our stable and very succesful, growth oriented tourist industry. Even if extensive economic arguments in favor of protecting the park values did not exist, it would still be true that life is not simply a matter of quantity, it is also a matter of quality.

As an example of the value of the Homer tourist industry consider that the Federal government, through the National Maritime Wildlife Service, is currently proceeding to invest \$20 million into the infrastructure of the Kenai Peninsula with the construction of a single tourist/visitors center in downtown Homer. Does it then make sense for the state to not match that investment? ...to fail to protect what is recognized as a world class scenic value and one of Alaska's most significant scenic values as seen from the hiway system? ...at a time when such values are recognised as becoming more and more valuable every year on local, state, national, and international levels?

We know from experience, prior and current, that global market conditions for timber are in constant and unpredictable flux and that this can have bankrupting effects on logging operations. Homer residents look upon the area threatened by clearcut every day. Almost everyone in Homer has the same panoramic view of this area. How saddened and disheartened we would be if after years of trying to demonstrate the rationale for preventing logging of this area, the logging company went bankrupt, due to unforeseen market conditions, in the midst of trying to clearcut it. It has happened before, and is as possible a scenario as any other.

Anyone knows that beauty is of value, spiritually and materially. No one does anything with the Taj Majall but admire its beauty. Single art pieces sell for millions of dollars. In any city on earth view property is the most expensive. Local realators in Homer agree that clearcutting the view from Homer will negatively effect local land values, in turn leading to increased taxes. The other possible scenario is that with the protection of this scenic value even more people will be interested in buying land in Homer and land values will increase. Certainly this last scenario is desirable, this is "front yard" issue, not a "NIMBY" issue.

Please consider that although all lands of uniquely spectacular quality should be at least considered for protection, those immediately surrounding population centers should receive priority protection. As mentioned above, the need to protect beautiful natural areas is a local, state, national, and international concern. We may have lots of wildlands left in Alaska but they are all we will ever have again, and we should make a concious effort to save the best. We are talking about ethics here, land ethics. If Alaska, as one of the wealthiest states in the Union, is too poor to save its most scenic lands, how hopeless the situation must be elsewhere in the world. We will be poorer still if we allow this to be logged when we could have set an example for the world.

"Wilderness is an anchor to windward. Knowing it is there we can also know that we are a rich nation, tending our resources as we should - not a people in despair searching every last nook and cranny of our land for a board of lumber, a barrel of oil, a blade of grass, or a tank of clean water." U.S.Sen. C.P. Anderson '63

"We must and will put the Exxon/Valdez oil spill behind us. In the place of that tragedy let us establish a world class Alaska recreation area. Alaska has much to offer the world including tourism and the spiritual uplift that comes from just experiencing the country. It is our right to care for and wisely use these resources we have in common. We will project an image to the world of a society that understands its ownership obligations and is a true steward of its natural inheritance. Of a place where the human spirit can grow."

Ak. Gov. Walter Hickel Jan 22, 1991
State of the State Address

"In a state of superlatives some places still manage to rise to the top. When the yardstick is scenic beauty, diversity of landscapes, richness in wildlife species and abundance, Kachemak Bay State Park is at the top." Ak. Dir. of Parks Neil Johansen

"Every tree is a compact between generations."

President George Bush 1989

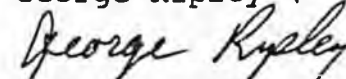
The heart and spirit will go out of many people if the Kachemak parklands are clearcut, residents and visitors alike. Countries across the world don't need that timber, we do. Foreigners who wish to visit Alaska would scorn us if we allow such a travesty.

Let us not forget the benefits we have all reaped from the Alaska purchase of 1867. There were critics then too. How fortunate we are that they were overruled by the visionary leaders of their day.

This is an opportunity to make a wise environmental decision and, most parties agree, a good business decision. We are seeking unanimity on this. Please support the Kachemak parklands buyback. Inspire us, and remember, a worthwhile destination at the end of the road benefits everyone along the road.

Sincerely,

George Ripley



P.O. Box 2074

Homer, Ak. 99603

907-235-5635

April 30,1991

Members of the legislature;

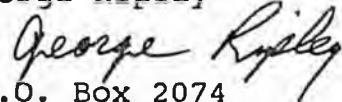
I would ask you all to recognize that tourism is an especially valuable industry because it provides opportunities for entrepreneurship at every level of our society. It is not just the big tourist industries that are important to our state's economic health and well being. It is the hundreds and thousands of smaller independent businesses across the state that round out our economy and fill the special needs of tourists. Independent business people often earn only enough to support themselves, but, equally important to the state, they also earn satisfaction, fulfillment and pride in serving the public.

Kachemak Bay is recognized internationally as a world class scenic destination. If our legislature will recognize what so many others already value, the Kenai Peninsula's strength as a pillar of Alaska's tourist industry will be established well into the 21st century.

I urge you to support the many tourist related business people, big and small, both in Homer and along the hiway to and from Anchorage, that will benefit well into the future from the passage of measures to protect Kachemak parklands.

Thank you,

George Ripley



P.O. Box 2074
Homer, Ak. 99603
907-235-5635

May 6, 1991

Dear Legislator,

There seem to be some lingering questions with regard to the Kachemak Bay parkland and timber buyback.

With regards to bark beetles; State foresters & insect/disease managers deem it unlikely that an infestation will occur in the park area unless there is a disturbance to the area. Infestations in the upper Kachemak Bay at Bear Cove and Mallard Bay are the result of major blowdowns in those areas caused by high winds off the glaciers above. Such a geographic high wind area does not exist in the buy back area. A disturbance in the buyback area would most likely be by the logging activity itself. I work in the logging industry and can state unequivocally that the economics of logging preclude the removal of slash. Indeed, I have just returned from the site of a supposedly "clean" helicopter logging operation where I witnessed 20-30% of the logs cut last year laying abandoned to rot in the woods. These trees are the perfect incubators for a devastating infestation. If our parklands are not protected, a timber harvest of any kind will inevitably leave slash pile incubators that will without question create an opportunity for the rapid spread of bark beetles throughout surrounding parklands and private lands in Halibut and Sadie Cove. The claim that harvesting the timber will protect us from beetles is not only false, it is the opposite that is true.

If on the other hand the buyback were to be consumated and a natural infestation were to occur, (contrary to biologist's expectations) it would be a very slow process. Even after 18 years, the beetle infestation at Mallard Bay can hardly be noticed through binoculars in the evening sun from a vantage point 7 miles away high on the north shore of Kachemak Bay, and then only if one knows what to look for and where. Contrary to a clearcut, a slow and naturally occurring beetle infestation in the parklands would have very little impact on tourist impressions or on park use.

Critics posit that if serious infestation were to occur there exists a threat of subsequent forest fires. Here it must be said that 1. Fires are unusual to extremely rare on the southern Kenai Peninsula. 2. Local geography would limit the range of any possible fire (note; it is just this geography that makes this such an interesting and worthwhile parkland.) 3. Many, if not most, would rather see a burned forest over there than the stumps of a clearcut. We know that both will regenerate but the issue here is parklands and has to do with spiritual concepts such as reverence, humility, and gratitude. The essential reason that parks have been legislated into existence at all is because of their spiritual benefit to mankind. Allowing that area to be logged would be an act of martyrdom. People would visit Homer and be very saddened that society and our leaders had shown such poor vision as to kill the goose for its golden egg. They would leave Homer's here-to-fore world class scenic area sadly chastened, recognizing that as a species man has proved to be as destructive as the bark beetle.

The wisdom of clear cutting a valuable parkland due to a potential for threat years down the road to timber values is a non sequitor concept to me. The highest and best use of these lands is as scenic parklands in support of a thriving tourist industry the benefits of which are enjoyed across the spectrum of our society. Please demonstrate the wisdom and vision to protect this area. Don't hesitate to be bold. Your children's children will be grateful.

Sincerely,

George Ripley

The Impact of Tourism on the Kenai Peninsula

Even a cursory assessment of the Kenai Peninsula reveals the obvious fact that it is a potential destination area for all of the forms of tourism common to Alaska.

In a survey of forty-five randomly selected Anchorage households conducted for this study, 73% visit the Kenai Peninsula, most of them several times per year. By comparison, only 50% of these households went to the Matanuska Valley more than once per year and less than 25% of them ever went to Prince William Sound.

Contrary to resident awareness, the Kenai Peninsula has low market recognition among the nonresident pleasure travelers. Tour executives explained that one of the main difficulties in marketing tours to the Kenai is that most of their customers are not familiar with the Kenai and its attractions. Instead, tour customers and independent travelers go to those places and attractions which they have heard of and which offer the obvious Alaskan experiences they expect. Conversely, tour executives report very high satisfaction levels among the tour customers who do go to the Kenai. Tour executives are generally encouraged by this satisfaction level but simply cannot generate high volume without higher market recognition of the Kenai Peninsula. The Kenai is known for fishing and this is certainly an attraction for the specialized market that comes to Alaska to fish, but for the bulk of the tourist market other motives predominate.

(Low market recognition has hampered the development of the Kenai's full tourism potential until the recent parallel boom of the king salmon sport fishery in Soldotna/Kenai and the halibut sport fishery of Homer. Limited fish resources have led to the leveling off of these attractions and the tourism industry on the Kenai Peninsula is now in need of diversification.)

Homer — in the eyes of tour company executives interviewed, Homer is the most marketable Peninsula community and receives the highest ratings of their customers. Existing excursion and charter opportunities, unique Cape Cod-like atmosphere, attractive architecture, art and gift stores, exceptional scenery, easily accessible fishing, unusual waterfront, large public areas and nearby evidence of Native and Russian history are some of Homer's strong points.

The key point found in this study is that the Kenai Peninsula has more tourist-related businesses — many of them small and innovative — than any other comparable area of Alaska. It receives more combined resident and nonresident tourists than any location except Anchorage and the Peninsula business community has responded with a vast array of tourist-oriented businesses to service the influx. Compared to other areas of Alaska, the Kenai Peninsula is very well developed to service the types of tourism which occur there. Businesses which service the Anchorage and nonresident personal vehicle markets have generally done well and their numbers have expanded significantly. Fishing-related businesses have also done well and increased in numbers. The point is that the Peninsula is already ahead of much of Alaska in its ability to serve the visitor and provide a satisfactory experience.

The Peninsula's ability to serve more tourists is not so much limited by the public and private infrastructure as by the lack of market recognition.

Generic marketing of the Kenai Peninsula would make hundreds of existing small tourist-oriented businesses healthier plus create many more opportunities for new businesses than can be listed at this time.

The McDowell Group
Eric McDowell, Principal Tourism Analyst
Robert Dindinger, Travel Industry Advisor
Prepared for the Kenai Peninsula Borough
September 1985

*Italics indicate portions added
for clarification of current situation
by George Ripley 1991*

 * DELIVER TO: LIOCBLS *
 * ORIGINAL *
 * SENT: 05/17/91 TIME: 15:42 *
 * FROM: LIOCMIL *
 * SUBJECT: 91-05-092; PL, KACHEMAK; 5-17 *
 * PRINT DATE: 05/17/91 TIME: 15:42 *

SUBJECT LINE TO READ: TC NO., PL TS, SHORT SUBJECT, DATE

TC NO. 91-05-092
 DATE: 05-17-91
 SPONSOR: S LABER & CONNERCE
 SUBJECT: HE 83, KACHEMAK
 MODERATOR: JUDY
 SITE: ANCHORAGE

Budget # 562-2882

PARTICIPANT LIST

 TO TESTIFY
 NAMES/REPRESENTING ADDRESS PHONE BILL NO.

TO INTERVIEW
 NAME/ REPRESENTING ADDRESS PHONE BILL NO.
 1. JON BERMAN
 2.
 3.
 4.
 5.

BACK OF RUBBER MAIL ADDRESS: 547-1199 LIOCMIL

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

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*Italics indicate portions added
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"In a state of superlatives, some places still manage to rise to the top. When the yardstick is scenic beauty, diversity of landscapes, richness in wildlife species and abundance, Kachemak Bay State Park and the adjacent Kachemak Bay State Wilderness Park area are at the top."

Neil Johansen
Alaska Director, Department of Parks
November 1989

The effort to prevent logging of Kachemak Bay State Park land is a patriotic issue in Homer. People who live there and visit there love that country. Area people have been fighting to protect this land for 10 to 15 years and have borne great anguish at the thought of its loss to a clear cut.

There is heart-searching going on in the capitalist world. The people are looking, asking, and saying that we must redefine the bottom line. Dollars in our pockets are not worth smog in our lungs, trash in our cities, pollution in our rivers and streams.

We can contribute to our nation's energy security while contributing to the re-creation of our nation's spirit . . . and I think that last thing is most important.

Be it tourism, timber, fishing, energy, recreation, mining, or attracting business to Alaska, Government is a major player.

We have to have a governor who thinks like an owner. An owner's responsibility is to care for the total.

Walter J. Hickel
Wise Use Council
December 1, 1989

Former Governor Jay Hammond upon signing the repurchase bill finalizing the buyback of oil leases in Kachemak Bay;

"This represents a victory of the people over a government which did not listen to their wishes. Kachemak Bay is one of the richest marine areas in the world and one of the state's major recreation areas. We are going to preserve those qualities for our children.

But Kachemak Bay has even a larger meaning. It was a time when Alaskans rose up to say that in this state there are some places that we consider so valuable that we will not risk their destruction — even if we produce a little less oil and make a little less money in the process. We don't say that very often but sometimes it needs saying. It was an important victory for the people and for the conscience of Alaska."

Former Governor Jay Hammond
Homer News, April 1978

Excerpts from
PERCEPTION vs. REALITY
Facing the Environmental Challenge

Julian R. Darley, President BP Exploration (Alaska) Inc.
to the Alaska Support Industry Alliance May 17, 1990

According to one recent survey, more than three-quarters of all Americans now consider themselves "environmentalists."

I'd like to share some of the results of extensive public opinion polling our company conducted earlier this year.

We asked what are the most important issues or problems facing Alaska over the next few years. The #1 response was protecting the environment — higher than the economy, state spending and education.

We also asked people what they believe is the most important responsibility of the oil industry in Alaska. Again, the #1 response was protecting the environment.

It is time for Alaska to recapture its glory.

Our opportunity in Alaska is to be a pattern for the world at large.

As we make our decisions, the rule of thumb should be simple. Is it good for Alaska?

We cannot build a future without addressing the investments that will create a future for our children.

Once we have found a resource we must break out of our Third World mentality. We must stop shipping it somewhere else without value-added processing.

Why should Tokyo or Seattle bank our bounty?

We must and will put the Exxon-Valdez oil spill behind us.

In the place of that tragedy, let's establish a world class Alaska recreation area.

Alaska has much to offer the nation and the world — tourism and the spiritual uplift that comes from just experiencing the country.

It is our right to care for and wisely use these resources we own in common.

And we will project an image to the world of a society that understands its ownership obligations — is a true steward of its natural inheritance — a place where the human spirit can grow.

State of the State Address by
The Honorable Walter J. Hickel,
Governor of the State of Alaska
Senate-House Joint Journal Supplement
January 22, 1991

Allow Alaska to come of age. It's a very young country. We stand ready to help this nation any way we can. Caring for that country up there that's practically a spiritual experience that comes from just being there. Come up and visit. It's a glorious country.

We've been bestowed with a natural rich inheritance.

We have great beauty in Alaska that can help revitalize anyone who wants to have their spirit revitalized.

Governor Walter J. Hickel
National Press Club Address
Washington D.C.
February 1991

Wilderness is an anchor to windward. Knowing it is there, we can also know that we are still a rich nation, tending our resources as we should — not a people in despair searching every last nook and cranny of our land for a board of lumber, a barrel of oil, a blade of grass, or a tank of water.

U.S. Senator Clinton P. Anderson
American Forests
July 1963

* * * * *
 * DELIVER TO: LIOCBLS *
 * * * * *
 * ORIGINAL *
 * SENT: 05/17/91 TIME: 15:42 *
 * FROM: LIOCHIL *
 * SUBJECT: 91-05-092; PL; KACHEMAK; 5-17 *
 * PRINT DATE: 05/17/91 TIME: 15:42 *
 * * * * *

SUBJECT LINE TO READ TO NO., PL TS; SHORT SUBJECT; DATE

T/C NO. 91-05-092
 DATE 05-17-91
 SPONSOR S LABOR & COMMERCE
 SUBJECT HB 83, KACHEMAK
 MODERATOR JUDY
 SITE ANCHORAGE

Bridget
562-2882

PARTICIPANT LIST

TO TESTIFY
 NAMES/REPRESENTING ADDRESS PHONE BILL NO.

TO OBSERVE
 NAME/ REPRESENTING ADDRESS PHONE BILL NO.
 1. JOE WENNER
 2.
 3.
 4.
 5.

BACK OF NUMBER 562-2882
 EMAIL ADDRESS LIOCHIL

 *
 * DELIVER TO: LIOCBLS
 *
 * ORIGINAL
 * SENT: 05/17/91 TIME: 15:37
 * FROM: LTCCNAT
 * SUBJECT: 092PL SLAB HB 83 5/17/91
 * PRINT DATE: 05/17/91 TIME: 15:37
 *

SUBJECT LINE TO READ: TC NO.; PL/FS; SHORT SUBJECT; DATE

T/C NO: 91-05-092
 DATE: 5/17/91
 SPONSOR: S LAB
 SUBJECT: HB 83
 MODERATOR: MARY
 SITE: MATSU

PARTICIPANT LIST NUM 1

*see
 would like to
 be tips*

 TESTIFIER

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1. CLARENCE FURBUSH			
2. ROY BURKHART			
3. ELIZABETH BURKHART			
4.			
5.			

 ORDERVEL

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
1.			
2.			
3.			
4.			
5.			

UNABLE
 DELIVER
 TO/PL

START TIME: 3:30AM END TIME:

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*-----*
* DELIVER TO LOCKER                                     *
*                                                       *
* ORIGINAL                                             *
* FROM: 6/17/91 TIME: 15:40                            *
* FROM: LUCAS                                          *
* SUBJECT: 91-05-092, PL, S.L&C, S-17-91             *
* PRINT DATE: 6/17/91 TIME: 15:40                    *
*-----*

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SUBJECT NAME TO READ: TC NO., PL/FS, SHORT SUBJECT, DATE

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TC NO: 91-05-092
DATE: 6/17, 1991
SPONSOR: SENATE LABOR AND COMMERCE
SUBJECT: 91-05
MODERATOR: CHARLES
TITLE: HOMER

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PARTICIPANT LIST

-----*

NAME/REPRESENTING	ADDRESS/ZIP	PHONE	BILL NO.
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
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10.			
11.			
12.			

-----*

OBSERVER

NAME/REPRESENTING	ADDRESS/ZIP	PHONE	BILL NO.
1. JACK KOLSTER			HB83
2. CAROL SMITH			HB83
3. THERESA M. PETER			HB83
4. JENNIFER BRADY			HB83
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			

-----*

UNIFIED
 UNABLE
 DISAPPEAR
 TOTAL

My name is Jack Polster. I am a resident of Homer. My presentation will last 6 minutes.

The previous speakers have expressed an appreciation of the wooded lands to the south of Kachemak Bay. I too love the forest. I spent four years and substantial funds to earn a bachelors degree in forest management. Let us assume that one agrees to the goal of a lush healthy forest across from the Homer spit. Does the proposed purchase of Seldovia Native Association land by the State of Alaska promote that goal?

One must first look at a brief history of the Cooper Landing area, where, approximately 15 years ago, foresters identified a problem; the spruce bark beetle. Had the land around Cooper Landing been privately owned, or in a governmentally owned land-status which allowed timely response to a beetle problem (and I know of no such status) the problem would probably been solved through quick development and implementation of a forest-management prescription.

However, all parties interested in the problem had...so to speak...their day in court. For years the efforts of forest managers and concerned residents to check the beetle were thwarted by so-called environmentalists who used the slow and inefficient process of government to gain time. But the beetles did not wait. Mature trees which once had positive stumpage value (and which would have paid for a quickly implemented management plan) now sit dead.....as do 95 per cent of all spruce in the Cooper Landing area. Those same trees which formerly had potential, now sit with negative stumpage value awaiting an opportunity to carry wildfire through the community of Cooper Landing.

Where, one might ask, are the so-called environmentalists-of-Cooper Landing? They, like the beetles, have moved south to Kachemak Bay State Park. One can find beetle infested Sitka Spruce and environmentalists from Seldovia Bay on the west, to Bear Cove on the east. One now hears an unwitting request for a possible replay of The Cooper Landing disaster,





Each individual who has made a purposeful decision did so only after examining his or her own values, and acting accordingly. Listen closely to what the pro-buyback petitioner has told you today. He has revealed innermost personal values; he believes, but has not directly said, that he prefers your purchase of old mature trees in his back yard to your use of state funds to assist-among others-needy children across the entire state of Alaska. One must wonder if the petitioner has become so involved in the emotional issue of promoting wilderness that he or she has lost touch with the feelings and needs of fellow human beings, choosing not to embrace the sick child in need, but rather the tree. One would hope that the petitioners have not become so enamored with the silence of the woods that they can no longer hear the child in pain. But the children of Alaska, unlike the vocal petitioners, speak very poorly to their needs.

The main issue before the committee is not a possible decision to purchase SNA lands, but, ultimately, whether to allocate a fixed sum of state funds for either an expansion of the land holdings of a state bloated in public land, or the needy child...or other state resident... who has yet to receive all financial aid available to alleviate his condition. I do not speak as an advocate of the young, but as one who sincerely questions the values of the petitioners.

Advocates of State purchase of Seldovia Native Association Land in Kachemak Bay, already blessed with a State Park want more. While each of the petitioners asks that more old mature trees be preserved, they live in wooden houses, and thus, through their testimony, imply a desire that their demand for wood products be satisfied at someone else's expense.

The petitioners ask that the state pick up a \$23 million buck check for purchase of land they sincerely cherish...and they ask that others-elsewhere-supply them with wood products out of their back yards. The petitioners ask, in short, that they obtain the gain, while others bear the pain. Those petitioning for State purchase of SNA lands are a fulfillment of Fredrick Bastiat's description of government..."that great fiction, by which everyone wishes to live at the expense of everybody else."

A plank of an infamous manifesto indicates that individual freedom can be jeopardized by simply increasing public ownership of property, while reducing private ownership. The present proportion of governmental held to privately owned land in the State of Alaska would have made Mr. Marx smile. The proposal before you is to further increase the rift between the two. Yet, the sensitivity of we Alaskans who now object to the proposed State purchase of the SNA holdings -because of its violation of the sanctity of private property-could easily have been addressed. During earlier land trade proposals between the State of Alaska and the Seldovia Native Association, state held lands which could have been traded and transferred to private ownership...i.e. to SNA...in trade for its Kachemak Bay State Park lands, were identified and offered. That land trade offering was rejected by the natives. However, the State did indicate by its actions that the transfer of those offered lands would not have jeopardized its operations. To maintain the quantity of private ownership of land within Alaska the proposed land purchase before you could have been keyed to transfer to private individuals, by sale, of those excess State lands previously identified by the state. Those lands, by the state's own estimates, are of nearly equal value to the present proposal purchase price of the SNA lands

The present owners of the land in question, the SNA, have never said they would not sell their land to private interests. Because a transfer sale between private parties is not the issue being considered, one might conclude that sufficient financial support amongst potentially incorporated individuals could not be located to allow private transfer. For at least 16 years interested individuals have had opportunity to search worldwide for investors who would desire to become private owners of the SNA lands at issue.

Purchase of private SNA lands grates against the principle of private property ownership. But then the arguments presented by the petitioners rest not on principle, but on the statist argument that modern government must not run in classical fashion; i.e. to identify, codify, and protect individual rights; but as the spawn of a pervasive give-me mentality which-symptomatically-causes Alaskan fat-cat lobbyists to succeed only if they become the best professional beggars.

Is the proposed land purchase necessarily conducive to the stated goal? A green velvet Sitka spruce forest, in light of the beetle, is perhaps best achieved by allowing the proposed sale land to rest in anything other than state lock-up status.

In closing, please ask the petitioners who come before you what principle of political philosophy allows justification of State purchase of private

actions that the transfer of those offered lands would not have jeopardized its operations. To maintain the quantity of private ownership of land within Alaska the proposed land purchase before you could have been keyed to transfer to private individuals, by sale, of those excess State lands previously identified by the state. Those lands, by the state's own estimates, are of nearly equal value to the present proposal purchase price of the SNA lands

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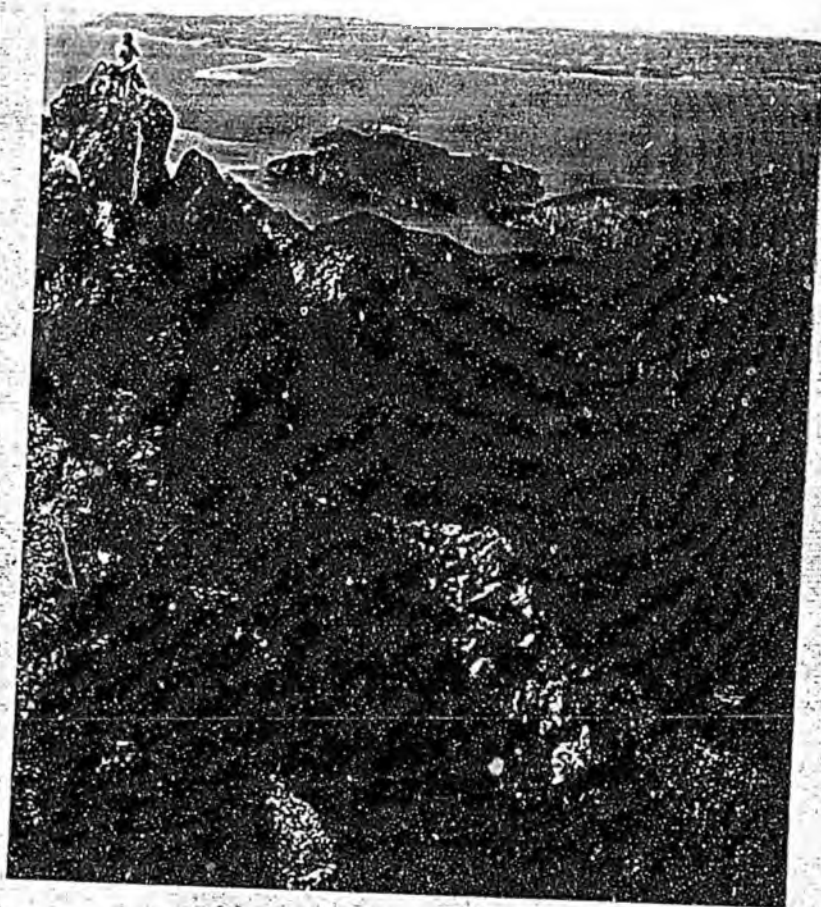
In closing, please ask the petitioners who come before you what principle of political philosophy allows justification of State purchase of private property in this case. Ask, When looking at the long term goal of a healthy forest, how would rigid non-intervention State Park status promote that goal?

I am not presently employed by any government agency or private forestry employer...nor do I intend to become such an employee in the future. Thank you.



Jack Polster

235-2298
8777



Everything in these
two photos is slated
for clearcut.

Note all of Homer
in the background.

The two notes
are the same

H B

8 4

"If, in the United States,
five 727s with 200 people each crashed
every day,
of every week,
of every month,
of every year...
sooner or later, someone would say:
'We've got to do something about this.'"

— Dr. John Allen, President
American Lung Association

Doonesbury

BY GARRY TRUDEAU



"One thousand smokers quit every day...
...and their funerals are held
two or three days later."

— C. Everett Koop
former U.S. Surgeon General

For an Act entitled: "An Act relating to the sale, exchange, or giving of tobacco and tobacco products."

Summary

This bill amends AS 11.76.100, Selling or giving tobacco to a minor and AS 43.50. Article 1, Cigarette Tax Act, Sections 10 and 20, License and Separate Licenses. The bill repeals Subsection (b) and (c) of AS 11.76.100 and subsection (c) of AS 43.50.030. These subsections refer to the offense committed through the sale of tobacco products to a minor by vending machines and the licensing of vending machine operators to sell tobacco products. Section 107 is added to AS 11.76 prohibiting the sale of tobacco products by vending machines and provides for a fine of not less than \$300.00 for those found in violation. Subsection (d) in AS 11.76.100 is amended to fine persons not less than \$300.00 who are convicted in violation of selling or giving tobacco to a minor. Section 43.50.070(1) is amended to provide for suspension or revocation of license for those found criminally negligent in violation of selling tobacco products to minors or the sale of tobacco products through vending machines.

Subsection (f) is added to AS 43.50.010 and requires persons holding a license to sell tobacco products to post an 11 by 14 inch warning sign that reads "WARNING: Tobacco products are highly addictive. The sale of tobacco products to persons under age 19 is illegal." This sign must also depict a pack of cigarettes defaced by a red diagonal diameter within a surrounding red circle.

Discussion

Only a very small percentage of smokers begin smoking as adults. Efforts at prevention must focus on children. Vending machines are the main source of cigarettes for the youngest children.

Nicotine addiction becomes quickly established in children as evidenced by studies that document the difficulty children have in quitting. Given the prevalence of smoking in the Alaska (33.8%) and the Nation (26.5%), tobacco use is the most widespread form of drug dependency. The sale of tobacco should be considered as seriously as the sale of alcohol and other

addictive drugs.

In addition, tobacco-use represents the most extensively documented cause of disease ever investigated in the history of biomedical research. There are forty-three identified carcinogens present in tobacco smoke and high concentrations of carcinogenic tobacco-specific nitrosamines found in smokeless tobacco.

Maternal smoking is associated with several complications of pregnancy in addition to a 25 to 50 percent high rate of fetal and infant death among women who smoke during pregnancy.

The economic impact of smoking in Alaska, the smoking attributable direct and indirect costs, was 82.3 million in 1985. This includes 2.4 million in pediatric deaths associated with smoking.

Alaska is among the states at highest risk for tobacco use and its devastating health consequences. Alaska has the highest age-adjusted lung cancer death rate in the Nation. Close to 90% of all lung cancer deaths are caused by cigarette smoking and 43.4% of Alaska males over 20 smoke, the highest smoking rate in the country.

Cancer was the second leading cause of death in Alaska in 1986 and 1987, accounting for 21% of all deaths, 30 percent of all cancer deaths and again, 90% of all lung cancer deaths are caused by smoking.

Recent studies by the Centers for Disease Control and the American Cancer Society rank Alaska second in the nation with deaths from oral and pharyngeal cancer and tied for third in our death rate from all cancers. Risk taking behaviors associated with oral and pharyngeal cancer are tobacco use and heavy alcohol consumption.

The elimination of vending machines will make tobacco products less available and reduce children's and adolescent's opportunity to experiment with tobacco products and lessen the likelihood that children will develop a regular pattern of use.

Studies have shown that children and adolescents who start to smoke do not understand the nature of tobacco addiction and are unaware of or underestimate important health consequences of smoking. Children and adolescents decision to smoke is therefore not a fully informed choice.

Studies by states and voluntary health organizations have shown that merchant compliance with tobacco access laws is

low. A recent study reported that 80 percent of the retailers in five states were violating the law and selling to minors. However, compliance with the law was six times greater in stores where signs were posted compared to stores without signs. The posting of the sign as required by this bill, will increase the difficulty a minor has in obtaining tobacco products through a higher merchant compliance with the law.

The initiatives contained in this bill are becoming more widespread. Legislation restricting the sale of tobacco products through vending machines exists in nine states with Colorado banning the sale of smokeless tobacco products through vending machines.

There are currently 22 cities and/or counties in the U.S. that have a total ban on vending machine sales of tobacco products. In addition, there are 14 states that require the posting of signs relating to prohibiting the sale of tobacco products to minors.

In addition, the 100th Congress introduced legislation, (H.R. 3658), that included the limiting of sales of tobacco products to over-the-counter (prohibiting vending machine sales) and requiring every retail establishment selling tobacco products to post a sign stating "The sale of cigarettes to minors is strictly prohibited".

Given both the highly addictive nature of tobacco use and its adverse health consequences, it is important to protect children and adolescents from using tobacco until they are capable of making a mature and informed decision.

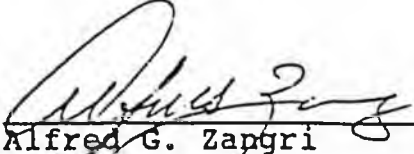
This bill would compliment the laws already in place that are known to reduce the availability of tobacco products to children 1) restricting the sale of tobacco products to minors; 2) banning the use or possession of tobacco by minors; 3) banning vending machines and 4) the posting of signs at the point-of-purchase. Banning the free distribution of tobacco product samples is the fifth policy shown to be effective in preventing initiation of tobacco addiction.

Although addiction is one of the health consequences of the use of tobacco products, the Department recommends strengthening the message on the sign; for example "WARNING: Tobacco products are highly addictive, hazardous to your health and may cause complications during pregnancy. The sale of tobacco products to persons under age 19 is illegal." Stronger language may be substituted such as "a cause of lung disease and cancer".

Recommendation


The Department strongly supports this bill which will help prevent the initiation of smoking among young children and adolescents.

Recommended: _____


Alfred G. Zangri
Acting Director
Division of Public Health

Date: _____

Approved: _____


Theodore Mala, M.D., M.P.H.
Commissioner
Department of Health
and Social Services

Date: 2/25/91

HB 84

HB 84

STATE OF ALASKA
1992 LEGISLATIVE SESSION

FISCAL NOTE

BILL NO. CSHB 84(2nd FIN)

Revision Date: _____ Department Affected: Commerce & Economic Development
 Title: An Act relating to the offense of selling or giving tobacco to a minor... BRU: Occupational Licensing
 Component: Administration
 Sponsor: Rep. Brown, Ellis, B. Davis
 Requestor: Rep. Brown COMPONENT SERIAL NO.

0	3	5	6
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	2.0	2.0	2.0	2.0	2.0	2.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	2.0	2.0	2.0	2.0	2.0	2.0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER - GF/PR	2.0	2.0	2.0	2.0	2.0	2.0
TOTAL	2.0	2.0	2.0	2.0	2.0	2.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)
 The expenditure identified in this fiscal note results from Section 8 of the bill which requires making a consumer warning sign available to businesses that obtain the tobacco endorsement on their business license. An authorization from program receipts collected in the business licensing program is requested.

Prepared By: Jennifer Strickler Phone: 463-2144
 Division: Occupational Licensing Date: 02/25/92
 Approved by Commissioner: Glenn A. Olds

Date: 2/25/92
 Department of Commerce & Economic Development
 Requestor, OMB, & Impacted Agency(ies)
 Page 1 of 1

HISTORY IN THE HOUSE

1991
1/30 Read first time and referred to:
L&C, JUD, FIN

3/1 L&C RPT CS(L&C) New Title
3 DP 1 DNP 1 NR 0 AM
 FN 2 OFN Previous FN

3/26 Jud RPT CS(Jud) New Title
4 DP 1 DNP 2 NR 0 AM
FN OFN 3 Previous FN
28 FN

5/1 FIN RPT CS(FIN) New Title
5 DP 3 DNP 3 NR 0 AM
 FN OFN Previous FN

1992
1/19 Rtd to Fin from RIS.
1/29 FIN RPT 2d CS(FIN) New Title
5 DP 0 DNP 5 NR 0 AM
1 FN 2 OFN Previous FN

2/26 Read second time
CS(21 Fin) Adopted

Amended

2/26 Advanced

2/26 Read third time

2/28 Return to second for specific amendment
Amended

2/26 PASSED EFD Same ___ or
Yeas 26 Yeas
Nays 8 Nays
Excused 6 Excused
Absent 0 Absent

Intent adopted

2/26 Reconsideration by Zawacki
2/28 Reconsideration ~~not~~ taken up - ret to 2nd
Amended

2/28 PASSED ON RECON. EFD Same ___ or
Yeas 29 Yeas
Nays 6 Nays
Excused 5 Excused
Absent 0 Absent

Intent adopted

2/28 Reported correctly engrossed
Signed by Speaker, to the Senate

Kurtis Gray
Chief Clerk of the House

HISTORY IN THE SENATE

1992
3/2 Read first time and referred to:
L&C, JUD, FIN

RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

Rules Calendar() CS AM Other
New Title Same Title Previous FN
FN OFN

Read second time

CS Adopted () New Title
Amended Advanced

Read third time

Letter of Intent adopted
Return to second for specific amendment

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reconsideration
Reconsideration not taken up

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reported correctly engrossed
Signed by President, to the House

Secretary of the Senate

3/3/92 Rep. Kay Brown

SPONSOR STATEMENT

CS HB 84 (2nd Finance) am Children & Tobacco Addiction Prevention

CS HB 84 (2nd Finance) am

CS HB 84 (2nd Finance) am respects the rights of adults to make informed choices about their personal lives and to bear the consequences. At the same time, CS HB 84 (2nd Finance) am includes three basic elements that will help curb illegal sales of tobacco products to children.

- CS HB 84 (2nd Finance) am would continue to allow the sale of tobacco products through vending machines but *restrict* placement of machines to adult only locations (bars, liquor stores, private adult clubs, and employee lounges).
 - Adults rarely start smoking — children do. It is estimated that about 60 percent of current smokers started by age 14, and 90 percent by age 19.
 - Purchasing trials in Alaska as well as other states have found that children routinely succeed in purchasing cigarettes through vending machines.
 - Studies have shown that it is the *youngest* of new smokers who rely most heavily on tobacco vending machines because no one will stop them from purchasing tobacco from this source.
 - No other cancer-causing, addictive product or drug that is illegal for children to possess is sold through vending machines.
 - By restricting tobacco product vending machine sales to places where access by children is restricted, tobacco product sales to minors would require *direct merchant supervision* at the point of over-the-counter sales.
 - President Bush's Secretary of Health & Human Services Louis Sullivan as well as former U.S. Surgeon General C. Everett Koop have both called for a ban on tobacco vending.

... as well as numerous other doctors, health care providers and individuals.

Children and Tobacco

According to a report by the U.S. Inspector General, each day more than 3,000 minors start smoking: more than one million new teenage smokers each year, approximately *one new teenage smoker every 30 seconds*.

Sixty percent of current smokers started by age 14, 90 percent by age 19. Studies have found that children routinely succeed in purchasing cigarettes through vending machines. By restricting vending machine sales of tobacco products, children will be subject to direct merchant supervision through over-the-counter sales.

According to a research survey sponsored by the vending machine industry, it is the youngest new smokers (the 13 year olds in the survey population) who rely most heavily on vending machines as a source of tobacco products. As noted in the survey: "Teens who bought from vending machines often or occasionally found this source to be attractive because no one will stop them from buying cigarettes this way."

- Tobacco causes more premature death than AIDS, use of heroine, cocaine and alcohol, fire, automobile accidents, homicides and suicides combined — more Americans die each year from smoking related illness than died in all of World War II.
- It is estimated that some 53,000 Americans die from passive (second-hand) smoke alone — more people than died as a result of dropping the atomic bomb on Nagasaki.
- Studies have found that young children find it relatively easy to purchase cigarettes through vending machines.
- More than 430,000 Americans die each year of illness and diseases caused by tobacco — nearly one person each minute, 1,179 people each day.
- Smoking by pregnant women has been linked to fetal and infant mortality. Low birth weight, often associated with mental retardation and other developmental and health problems, has been conclusively linked to the number of cigarettes smoked during pregnancy.
- Other smoking effects include premature delivery, retardation in fetal growth, and diminished availability of oxygen to the fetus. These problems may affect a child, often severely, throughout its lifetime.

Support for...

House Bill 84
Children & Tobacco Addiction Prevention

American Cancer Society
Alaska State Medical Association
Alaska Nurses Association
Aleutian/Pribilof Islands Association, Inc.
Substance Abuse Directors Association of Alaska
American Lung Association of Alaska
Alaska Federation of Natives
Alaska Native Health Board
Alaska Family Support Group
Anchorage Municipal Health & Human Services Commission
Cordova Medical Clinic
Kodiak Island Hospital & Care Center
Kodiak Area Native Association
Tanana Chiefs Conference
North Slope Borough Department of Health & Social Services
Norton Sound Health Corporation
Bristol Bay Area Health Corporation
Southcentral Foundation
Alaska Department of Health and Social Services
Yukon-Kuskokwin Health Corporation
North Star Vending

... as well as numerous doctors, parents, teachers, health care providers and other individual Alaskans.

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

HB 84

3/3/92 Rep. Kay Brown

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CS HB 84 (2nd Finance) am
Children & Tobacco Addiction Prevention

CS HB 84 (2nd Finance) am

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 - Studies have shown that it is the *youngest* of new smokers who rely most heavily on tobacco vending machines because no one will stop them from purchasing tobacco from this source.
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 - By restricting tobacco product vending machine sales to places where access by children is restricted, tobacco product sales to minors would require *direct merchant supervision* at the point of over-the-counter sales.
 - President Bush's Secretary of Health & Human Services Louis Sullivan as well as former U.S. Surgeon General C. Everett Koop have both called for a ban on tobacco vending.

- CS HB 84 (2nd Finance) am would require the placement of warning signs stating that it is illegal to sell tobacco sales to individuals under age 19.
 - Studies have found that placement of warning signs regarding tobacco sales to minors at the point of retail sale is a very effective way of reducing illegal sales to minors.
 - LAA legal counsel has reviewed the proposed warning sign and determined that this provision is not preempted by federal tobacco labeling and advertising requirements.
- CS HB 84 (2nd Finance) am streamlines the enforcement process for illegal tobacco product sales to minors.
 - CS HB 84 (2nd Finance) am sets the fine for illegal tobacco sales at \$300 and allows for citations to be issued for a violation
 - CS HB 84 (2nd Finance) am establishes a “negligence” standard for illegal sales to children.

CS HB 84 (2nd Finance) am has the support of ...

American Cancer Society
Alaska State Medical Association
Alaska Nurses Association
Aleutian/Pribilof Islands Association, Inc.
Substance Abuse Directors Association of Alaska
American Lung Association of Alaska
Alaska Federation of Natives
Alaska Native Health Board
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Southcentral Foundation
Alaska Department of Health and Social Services
Yukon-Kuskokwin Health Corporation
North Star Vending

... as well as numerous other doctors, health care providers and individuals.

Children and Tobacco

According to a report by the U.S. Inspector General, each day more than 3,000 minors start smoking; more than one million new teenage smokers each year, approximately *one new teenage smoker every 30 seconds*.

Sixty percent of current smokers started by age 14, 90 percent by age 19. Studies have found that children routinely succeed in purchasing cigarettes through vending machines. By restricting vending machine sales of tobacco products, children will be subject to direct merchant supervision through over-the-counter sales.

According to a research survey sponsored by the vending machine industry, it is the youngest new smokers (the 13 year olds in the survey population) who rely most heavily on vending machines as a source of tobacco products. As noted in the survey: "Teens who bought from vending machines often or occasionally found this source to be attractive because no one will stop them from buying cigarettes this way."

- Tobacco causes more premature death than AIDS, use of heroine, cocaine and alcohol, fire, automobile accidents, homicides and suicides combined — more Americans die each year from smoking related illness than died in all of World War II.
- It is estimated that some 53,000 Americans die from passive (second-hand) smoke alone — more people than died as a result of dropping the atomic bomb on Nagasaki.
- Studies have found that young children find it relatively easy to purchase cigarettes through vending machines.
- More than 430,000 Americans die each year of illness and diseases caused by tobacco — nearly one person each minute, 1,179 people each day.
- Smoking by pregnant women has been linked to fetal and infant mortality. Low birih weight, often associated with mental retardation and other developmental and health problems, has been conclusively linked to the number of cigarettes smoked during pregnancy.
- Other smoking effects include premature delivery, retardation in fetal growth, and diminished availability of oxygen to the fetus. These problems may affect a child, often severely, throughout its lifetime.

- The federal Department of Health and Human Services estimates that smoking related illness cost the nation about \$52 billion per year (about \$221 per capita) in health treatment and other costs. In Alaska, it has been estimated that for one year (1985) direct and indirect mortality and morbidity costs were in excess of \$100 million.

While respecting the rights of *adults* to make informed choices about their personal lives and to bear the consequences, CS HB 84 (2nd Finance) am is needed to help prevent *children* from being manipulated by sophisticated advertising practices leading to tobacco product addiction, illness and death.

Support for...

House Bill 84
Children & Tobacco Addiction Prevention

American Cancer Society
Alaska State Medical Association
Alaska Nurses Association
Aleutian/Pribilof Islands Association, Inc.
Substance Abuse Directors Association of Alaska
American Lung Association of Alaska
Alaska Federation of Natives
Alaska Native Health Board
Alaska Family Support Group
Anchorage Municipal Health & Human Services Commission
Cordova Medical Clinic
Kodiak Island Hospital & Care Center
Kodiak Area Native Association
Tanana Chiefs Conference
North Slope Borough Department of Health & Social Services
Norton Sound Health Corporation
Bristol Bay Area Health Corporation
Southcentral Foundation
Alaska Department of Health and Social Services
Yukon-Kuskokwin Health Corporation
North Star Vending

... as well as numerous doctors, parents, teachers, health care providers and other individual Alaskans.

Smoking Kills More Americans Each Year Than Alcohol, Cocaine, Crack Heroin, Homicide, Suicide, Car Accidents, Fires, and AIDS combined.

Approximate Number of Deaths:

Smoking.....	390,000 ¹
Alcohol (including drunk driving).....	125,000 ²
Car Accidents (including drunk driving).....	47,000 ³
Fires.....	4,000 ³
AIDS.....	23,000 ⁴
Heroin and Morphine.....	2,400 ⁵
Suicide.....	31,000 ⁵
Homicide.....	21,000 ⁵
Cocaine and Crack.....	3,300 ⁵

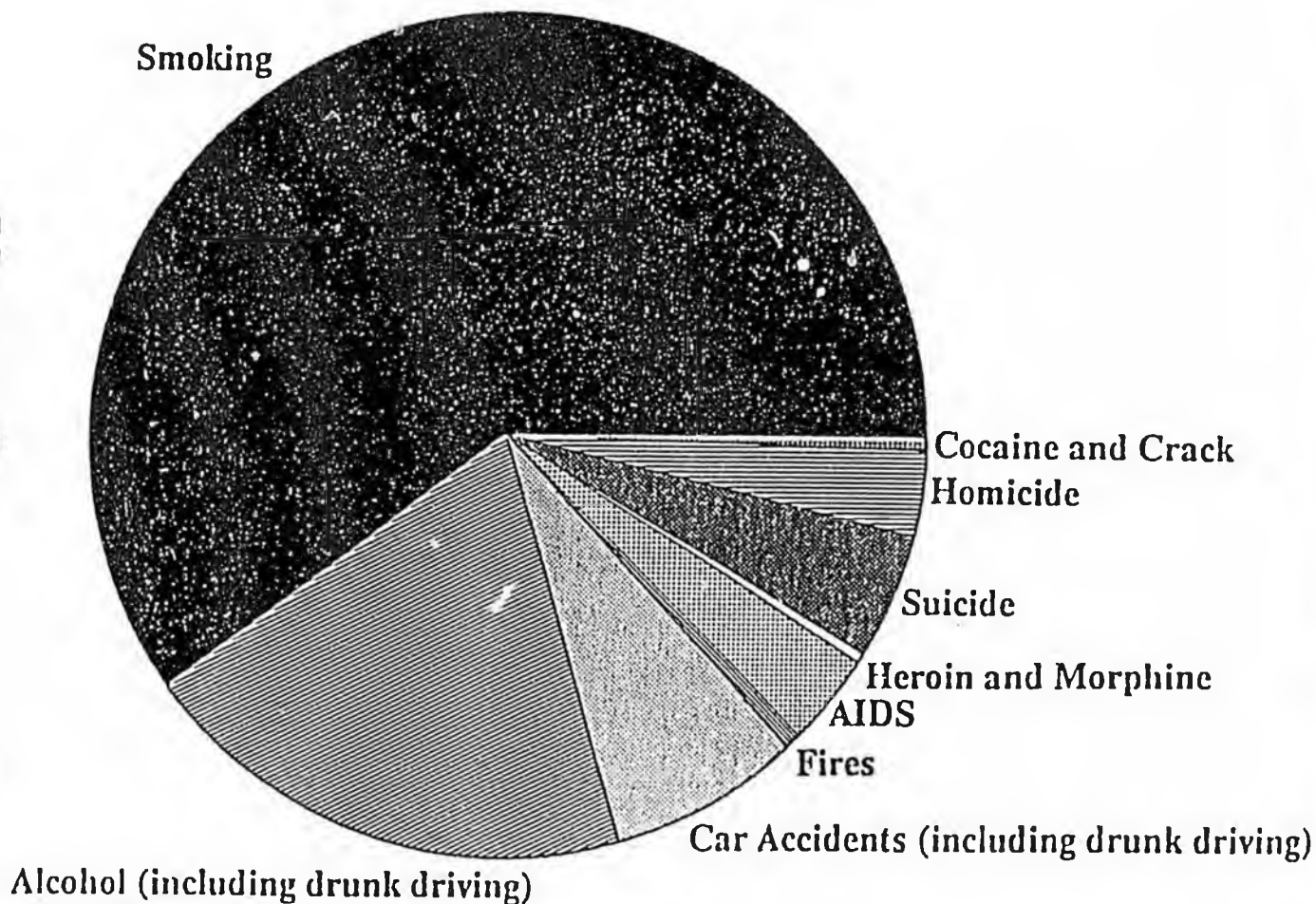
¹1989 Surgeon General's Report, 1985 data

²Surgeon General's Office, 1985 data

³National Safety Council, 1989 data

⁴Center For Disease Control, 1989 data

⁵National Center For Health Statistics, 1987 data



Smokefree Educational Services
Incorporated

375 South End Avenue, Suite 321F
New York, NY 10280
Phone: (212) 912-0944

Representative Kay Brown

ALASKA STATE LEGISLATURE

Legislative Information Office
3111 C Street #435
Anchorage, Alaska 99503
(907) 561-7627

During Session
P.O. Box V
Juneau, Alaska 99811
(907) 465-4998

March 3, 1992

Senator Drue Pearce, Chair
Senate Labor & Commerce Committee
State Capitol
Juneau, Alaska 99811

Dear Drue,

As you know, the House recently passed CS HB 84 (2nd Finance) am, legislation that would help to reduce the number of new teenage smokers.

This bill has the support of many statewide organizations including among others the American Cancer Society, Alaska State Medical Association, Alaska Nurses Association, Substance Abuse Directors Association of Alaska, American Lung Association, Alaska Native Health Board, Anchorage Health & Human Services Commission as well as regional health corporations, numerous doctors, nurses, parents, teachers, health professionals and other individuals from all over Alaska. Not surprisingly, the bill is opposed by the tobacco industry.

Children learn by example. As long as our society treats tobacco like candy and soda pop, how can we expect kids to do otherwise? No other dangerous, cancer-causing, addictive product or drug that is illegal for children to own is sold through vending machines. Louis Sullivan, President Bush's Secretary of Health and Human Services, and former U.S. Surgeon General C. Everett Coop have both urged a complete and total ban of tobacco vending machines.

Tobacco causes more premature death than AIDS, use of heroine, cocaine and alcohol, fire, automobile accidents, homicides and suicides *combined*. By calling for restriction of machines to adult only locations, CS HB 84 (2nd Finance) am is a responsible and reasoned response to what is by far the largest source of preventable illness and death in our country.

There have been attempts by the tobacco industry to confuse and confound the issue. This legislation would not in any meaningful way interfere with the rights of adults to buy tobacco products. If adults want to buy tobacco products, they will still be able to do so. CS HB 84 (2nd Finance) am would simply treat tobacco like the dangerous, addictive drug that we all know it is.

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Eastridge • Penland Park • Airport Heights • Government Hill

This is not, as some have suggested, a matter of restricting personal freedom. It's a question of saving lives.

Drue, the fundamental reason for this bill is simple — adults rarely start smoking. Children do. Nearly all of today's smokers started when they were very young. 60% of current smokers started by age 14, some 90% by age 19. Even more importantly, we know from research sponsored by the vending machine industry itself, that it is the *youngest* of new smokers (13 year olds in the survey population) who rely most heavily on vending machines as a source of tobacco products. As noted in the survey: "Teens who bought from vending machines often or occasionally found this source to be attractive because no one will stop them from buying cigarettes this way."


We hear a lot about the "war on drugs" yet only rarely is tobacco included in these discussions. Nevertheless, tobacco products and smoking are responsible for 430,000 U.S. deaths annually — about one per minute — that's more Americans than died in World War II. Roughly one in six deaths is tobacco related. I think Dr. John Allen, president of the American Lung Association, referring to tobacco deaths, said it best:

"If, in the United States, five 727s with 200 people each crashed every day of every week of every month of every year... sooner or later someone would say: 'We've got to do something about this.'"

While respecting the rights of *adults* to make informed choices about their personal lives, CS HB 84 (2nd Finance) am will help prevent *children* from experiencing needless tobacco addiction, illness and death.

I would greatly welcome your support for CS HB 84 (2nd Finance) am and would appreciate a hearing for this legislation at the earliest opportunity.

Sincerely,



Representative Kay Brown

Support for...

House Bill 84
Children & Tobacco Addiction Prevention

American Cancer Society
Alaska State Medical Association
Alaska Nurses Association
Aleutian/Pribilof Islands Association, Inc.
Substance Abuse Directors Association of Alaska
American Lung Association of Alaska
Alaska Federation of Natives
Alaska Native Health Board
Alaska Family Support Group
Anchorage Municipal Health & Human Services Commission
Cordova Medical Clinic
Kodiak Island Hospital & Care Center
Kodiak Area Native Association
Tanana Chiefs Conference
North Slope Borough Department of Health & Social Services
Norton Sound Health Corporation
Bristol Bay Area Health Corporation
Southcentral Foundation
Alaska Department of Health and Social Services
Yukon-Kuskokwin Health Corporation
North Star Vending

... as well as numerous doctors, parents, teachers, health care providers and other individual Alaskans.

MAR 13 1992



Alaska Native Health Board

1345 Rudakof Circle, Suite 206
Anchorage, Alaska 99508

Phone: (907) 337-0028
FAX: (907) 333-2001

March 12, 1992

The Honorable Drue Pearce, Chair
Labor and Commerce Committee
Alaska Senate, State Capitol
Juneau, Alaska 99801-1182

Dear Senator Pearce:

I am writing on behalf of the Alaska Native Health Board to urge your support for House Bill 84, which would restrict cigarette vending machines to adult-only locations. We believe this legislation would be highly effective in preventing access to cigarettes by children, thus reducing the high rate of tobacco addiction seen among our people.

A recently published study by the Indian Health Service ("Cancer Mortality Among Native Americans in the United States") reveals that Alaska Natives have the highest cancer mortality of any Native American group, higher also than the U.S. average. One third of the deaths are from lung cancer. Sixty percent of adult Natives smoke, a habit almost all of them picked up as teenagers (or younger). These statistics represent an incredible amount of sickness, suffering, and death—not to mention health care costs—all preventable.

We know the tobacco industry has placed high-powered, highly paid lobbyists in Juneau to influence your vote. We urge you to remember that you were elected to serve in the public interest, not the interest of companies which promote the use of deadly, addictive drugs.

Sincerely,

A handwritten signature in cursive script that reads "Anne M. Walker". The signature is written in dark ink and is positioned above the printed name and title.

Anne M. Walker
Executive Director

ALEUTIAN/PRILOF ISLANDS ASSOCIATION, INC.
BRISTOL BAY AREA HEALTH CORPORATION
COPPER RIVER NATIVE ASSOCIATION
KODIAK AREA NATIVE ASSOCIATION

MANILAQ ASSOCIATION
THE NORTH PACIFIC RIM
NORTH SLOPE BOROUGH HEALTH DEPARTMENT
NORTON SOUND HEALTH CORPORATION

SOUTHCENTRAL FOUNDATION
SOUTHEAST ALASKA REGIONAL HEALTH CORPORATION
TANANA CHIEFS CONFERENCE
YUKON-KUSKOWUMI HEALTH CORPORATION

MAR 16 1992

Anne Marie Holen
11241 Latta Circle
Anchorage, Alaska 99516
907/346-2789

March 12, 1992

The Honorable Drue Pearce, Chair
~~Labor and Commerce Committee~~
Alaska Senate, State Capitol
Juneau, Alaska 99801-1182

Dear Senator Pearce:

I am writing to urge your support for House Bill 84, which would restrict cigarette vending machines to adult-only locations. I believe this legislation would be highly effective in preventing access to cigarettes by children, thus reducing the high rate of tobacco addiction and subsequent cancer mortality seen in Alaska.

I know tobacco industry lobbyists are working hard in Juneau to influence your vote. Naturally the tobacco industry is against H.B. 84—they depend on a continual supply of young smokers to replace the 435,000 Americans who die annually of smoking-related diseases. The vast majority of smokers picked up the habit in their teens, or younger. As you know, it is extremely difficult to give up smoking once a person is addicted. The result is a staggering amount of sickness, suffering, and death, not to mention astronomical health care costs that are a burden to us all.

Please remember that you were elected to serve the public, not the interests of the tobacco lobby! It strikes me as outrageous that legislators would even give tobacco lobbyists the time of day. (Would you invite members of the Medellin cocaine cartel into your office?) H.B. 84 would help protect public health at virtually no cost to the state. Please lend your support to this worthwhile legislation.

Sincerely,



Anne Marie Holen

NB84

MAR 20 1992



Municipality of Anchorage



Department of Health and Human Services

Tom Fink,
Mayor

825 "L" Street
P.O. Box 196650 Anchorage, Alaska 99519-6650

March 17, 1992

Senator Drue Pearce
Chair of the Senate Labor
and Commerce Committee
PO Box V
Juneau, Alaska 99811

Dear Senator Pearce:

I am writing in support of CS HB 84 (2nd Finance) am.

Tobacco is a known carcinogen causing more than 434,000 deaths annually in the U.S. alone. While we must balance individual freedom with public health concerns in dealing with tobacco in legislation, we must also clearly restrict the purchase of this product by minors.

Because of the high addiction potential of tobacco with repetitive use, tobacco companies target young people with advertising. Most people who become addicted to this product began smoking as teenagers, when they had a poor understanding of the health consequences of their decision.

As a society we have the duty to protect our youth from dangerous drugs. Vending machines for these products should not be in areas accessible to youth. By restricting the sale of these products to minors, we will prevent many young people from becoming addicted without curtailing the freedom of adults to use these products.

I urge you to pass this legislation.

Sincerely,

Mary Ellen Gordian
Mary Ellen Gordian, MD MPH
Medical Officer

MAR 20 1992

Leo C. Kaye
HC 30 Box 12934
Wasilla, Alaska 99654
March 17, 1992

Senator Jalmar Kerttula
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Dear Senator Kerttula,

This is my week to address the Legislators. I have just completed a battery of POM's to key House and Senate leaders concerning your SB No. 44 and SJR 9. It is my opinion that 1992 is the year for Alaska to make strategic moves to lay the foundation for a plan-of-action leading to a Veterans Home. Your support of the \$5,000 award to establish a Veterans Monument and Bicentennial Park has helped to enlist all veterans to create a powerful community force.

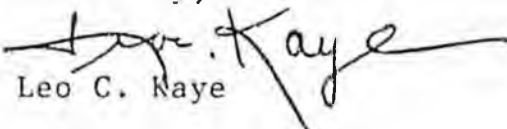
I wish to address another issue that Representative Kay Brown is championing. She is doing this with HB 84. I support this legislation because I know something about the hazards of smoking and habit forming among children. From 1948 to 1983, I was employed as an educator and administrator for Lung Association programs, the last 13 years in Alaska. My organization had enacted the first anti-smoking legislation signed in my presence by Jay Hammond.

I spoke to thousands of youth in schools living in Fairbanks and Kodiak and visited the Native Villages from Bethel to Koyokuk as well as Galena. I remember a young boy (age 7) in Haines talking to me about obtaining cigarettes from a vending machine. I also challenged a store keeper at a Seven Eleven store in Wasilla who was about to allow a youth to purchase cigarettes but he put them back on the counter.

Lung and other respiratory diseases such as emphysema, chronic bronchitis, asthma and cancer are preventable. I urge you to give Representative Brown's Bill your fullest and vocal support. Smoking habits and lung diseases are preventable.

In closing, I wish to report that our son David was sent to Ketchikan and was unable to visit with you as previously planned. He will try again.

Sincerely,


Leo C. Kaye

LCK/f

cc: Representative Kay Brown
Senator Drue Pearce



Leo C. & Frances G. Kaye
HC 30, Box 12934
Wasilla, Alaska 99687

March 17, 1992

LETTERS TO THE EDITOR
The Anchorage Times
PO Box 100040
Anchorage, Alaska 99510-0040

Cigarette Vending Machines

HB 84 is a legislative bill that deserves the support of all Legislators. After 35 years as an administrator in Lung Association programs, (1970-83 in Alaska) I can speak with authority on the subject of "easy availability of cigarettes" which leads to a habit forming practice. Vending machines are difficult to supervise and should not be accessible to youth. Medical sources have proven that cigarette smoking does lead to such preventable respiratory diseases as emphysema, chronic bronchitis, asthma and cancer. These lead to disability and costly treatment. Once the youth are hooked, they will continue and will enlist others.

Leo C. Kaye
Wasilla
376-8810



March 20, 1992

Alaska Area Native Health Service
250 Gambell Street
Anchorage, Alaska 99501-2781

Refer to: A-OCHS

Senator Drue Pearce, Chair
Senate Labor and Commerce Committee
State Capitol
Juneau, Alaska 99801

Dear Senator Pearce:

It is my understanding that the Senate Labor and Commerce Committee is currently considering House Bill 84, legislation that would reduce the easy access to tobacco products by children.

I would encourage the Committee to consider some of the information developed as a result of the Public Health Service study Cancer Mortality Among Native Americans in the United States. The data are very disturbing, especially for Alaska:

--For all cancers in both sexes combined, cancer mortality rates for Alaska Natives exceeded those in other Indian Health Service (IHS) areas, and exceeded the overall U.S. rate as well.

--Cancer is now THE LEADING CAUSE of death in Alaska women and ranks third in men. Tobacco-related deaths account for about one third of all deaths. Among cancer deaths in both men and women, lung cancer is the most frequent. Lung cancer rates are rising rapidly in both men and women; the curve is particularly steep for women.

--Because of the high prevalence of smoking among Alaska Native men and women (nearly 60%), this problem will get worse before it gets better.

Clearly, the highest priority for cancer prevention and control must focus on reduction of tobacco use. Lung Cancer is particularly tragic since lung cancer is caused by cigarette smoking, and, therefore preventable. House Bill 84 is an important part of the effort to reduce cancer deaths.


Sincerely,

Anne P. Lanier, M.D., M.P.H.
Epidemiologist
Alaska Area Native Health Service

CSHB 84 (L&C): "An Act relating to the offense of selling or giving tobacco to a minor; prohibiting sale of tobacco products by vending machine; requiring certain retailers to post a tobacco warning sign; and relating to the suspension or revocation of a license to sell, purchase, possess, or acquire cigarettes."

The bill attempts to reduce the availability of tobacco products by prohibiting the sale of tobacco products by vending machines. The bill also requires the court to notify the business licensing section of the Department of Commerce and Economic Development of any person convicted of violating the prohibition on vending machine sales in order to facilitate suspension of the person's business license tobacco endorsement. The department must also provide a consumer warning sign to be posted by all businesses that are issued the tobacco endorsement on their business license.

CSHB 84 (L&C) will strengthen existing laws concerning the illegal sale of tobacco to minors under the age of 19 by removing the availability of tobacco vending machines and, therefore, the department supports passage of the bill.


Glenn A. Olds, Commissioner

Date: 3-22-91

MAR 27 1992



SITKA TEEN RESOURCE CENTER

"PREVENTION THROUGH EDUCATION"

P.O. BOX 1034 SITKA, ALASKA 99835

(907) 747-3500

March 24, 1992

Senator Drue Pearce
Senate Labor & Commerce Committee
State Capitol
Juneau, AK 99801-1182

Dear Labor & Commerce Committee:

I am writing to express my support of House Bill 84 to help reduce the illegal sale of tobacco products to minors. As the Administrator of a youth drug and alcohol program, I see an alarmingly high rate of young people beginning to smoke at very young ages and who become addicted to tobacco within a very short time. Teens tell us that they frequently purchase cigarettes from vending machines.

Young teens do not always understand the long-term consequences of their actions and look at smoking as a glamorous activity that will make them "more grown-up". Although House Bill 84 is not a cure-all, it would help prevent young teens and children from smoking by limiting their access to cigarettes.

Please help protect our young people and make Alaska a healthier place for all of us.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Starostka". The ink is dark and the signature is fluid.

Kathy Starostka
Executive Director

MAR 27 1992

Jacquelyn L. Wagner, MPH
1470 Noble St. #3
Fairbanks, AK 99701

Senator Drue Pearce
Chair, Senate Labor & Commerce
State Capitol
Pouch V
Juneau, AK 99801-1182

March 19, 1992

Dear Senator Pearce,

I am writing this letter in support of HB 84. I would urge you to hear and consider this bill as soon as possible. This legislation is designed to reduce the illegal sale of tobacco products to children.

As a Public Health Professional I am concerned with the health of all Alaskans. The consumption of tobacco products in Alaska is a major health problem. We have some of the highest rates of tobacco use and there are abundant cases of children as young as 5 using tobacco products in our state. Tobacco use causes personal health problems for individuals and societal costs associated with ^{the} health care of these problems.

HB 84 is designed to reduce youth access to tobacco and therefore prevent the problems associated with tobacco use and addiction. It does not restrict adult use of a legal product.

- over -

During my graduate program I was involved in developing and implementing similar legislation in Minnesota. This legislation was adopted at local levels and eventually at the state level. This legislation is not unreasonable and has the potential to save many lives.

In summary, I urge you to support HB 841 and protect the health of Alaskan youth. Please do not hesitate to contact me if you would like further information/clarification regarding my role in this type of legislation in Minnesota.

Thank you!

Sincerely,

Jacqueline L. Wagner

Jacqueline L. Wagner, M.P.H.

Jacquelyn L. Wagner, NPH.
1470 Noble St. #3
Fairbanks, AK 99701



Senator Drew Persson
State Capitol
Pouch V
Juneau AK 99801-1182

Representative Kay Brown

HB 84
ALASKA STATE LEGISLATURE

Legislative Information Office
3111 C Street #435
Anchorage, Alaska 99503
(907) 561-7627

During Session
P.O. Box V
Juneau, Alaska 99811
(907) 465-4998

TO: Senator Drue Pearce, Chair
Senate Labor and Commerce Committee

FROM: Representative Kay Brown

DATE: March 30, 1992

SUBJ: CS HB 84 (Finance) am — Children & Tobacco Addiction

I would like to take this opportunity to provide you with some background information on CS HB 84 (Finance) am. This legislation has several elements, including provisions that would 1) reduce illegal tobacco vending machine sales to children and require direct merchant supervision of sales; 2) require warning signs to improve merchant awareness of legal obligations under the law; and 3) streamline enforcement provisions relating to illegal sales.

I would also like to specifically address the provisions of the bill concerning warning signs and to clarify why this is an integral part of the legislation.

Background

The basic premise for legislative action is simple — tobacco is, by far, the largest cause of preventable illness and death in our country. Tobacco kills more Americans each year than alcohol (including drunk driving), cocaine, crack, heroin, homicide, suicide, car accidents, fires and AIDS combined.⁷ Moreover, adults rarely start smoking — children do. Efforts at prevention must focus on children.

In trying to identify options to address this enormous health problem, I reviewed a large body of research including the report "Blueprint for Success" (September 1990) prepared jointly by the American Cancer Society, American Heart Association and the American Lung Association, as well as other scientific studies regarding the costs and consequences of tobacco addiction.

Nicotine Addiction Among Teens & Pre-Teens

Tobacco use is the most common form of drug addiction and responsible for approximately one in six deaths in the United States. When measured by the percentage of users who lose control over their substance intake, nicotine is

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six to eight times more addictive than alcohol.³ The addictive power of nicotine is manifest in the fact that 90% of current smokers want to quit and have failed to do so.³

Nicotine addiction typically begins during childhood, when the average age of the first use of cigarettes is 13 years, and for snuff, 10 years. ³ In a survey of 15 year olds smoking five or more cigarettes each day, 51% had failed to stop smoking when they tried and 27% felt they could not stop no matter how hard they tried.³ Long term cessation programs rarely exceed 25%, similar for abstinence rates for the treatment of alcoholism. ³

Most smokers become addicted to nicotine as children and, despite repeated attempts to stop, continue to smoke throughout their lifetime. Among those unwilling or unable to stop, more than half die of the consequences of smoking. Studies have shown that children who start smoking do not understand the nature of tobacco addiction. Smoking is perceived by these children as "cool" or glamorous, a mature thing to do. Since an estimated 3,000 - 4,000 American children start smoking daily, *nicotine addiction is the most common lethal condition of childhood.* ³

Need to Reduce Illegal Tobacco Sales to Children

A report on the efforts in Minnesota states the problem well:

"By their [teenagers] own report it appears that teenagers primarily obtain cigarettes from commercial sources rather than friends or family, and so laws which effectively prevent purchase by minors could have a major impact on prevalence of tobacco use in this age group." ¹ (emphasis added)

The Minnesota study included various purchasing trials conducted by underage children to document the relative ease with which minors could obtain cigarettes from commercial sources, including vending machines.

An initial round of purchase attempts were made, with a finding that children age 14 - 15 were successful in purchasing cigarettes 53% of the time in the case of over the counter attempts and 79% of the time in the case of vending machines. After the initial attempts were made, the Minnesota state legislature enacted a new law raising the legal charge for sale to minors from a petty misdemeanor to a gross misdemeanor, which carries a maximum penalty of \$3,000 fine and/or one year in jail. After the new law took effect (which was attended by substantial publicity), another round of purchasing trials was initiated:

"Efforts to purchase cigarettes over the counter after the new penalty went into effect were significantly less successful... . However, there

*was no measurable decline in the purchase success from vending machines over the two time periods. The vast difference in success rates between vending machine locations and over the counter locations... points to the necessity for controlling this source of cigarettes."*¹ (emphasis added)

Other studies have confirmed the ease with which teenagers acquire tobacco from commercial sources. In field trials, minors routinely succeed in purchasing from vending machines 70 - 100% of the time.² In Santa Clara County, for example, 412 stores and 30 vending machines were visited by minors aged 14-16; they were successful at 74% of the stores and 100% of the vending machines.² In a Massachusetts study, an 11 year old girl succeeded in 75 of 100 commercial tobacco purchase attempts (from a clerk in 59 of 93 attempts at a success rate of 63% and from a vending machine in 6 of 7 attempts for a success rate of 86%).³

The Minnesota study previously noted went on to point out that the results of that study argued in favor of a complete ban on tobacco vending machines. Louis Sullivan, President Bush's Secretary of Health and Human Services, as well as former U.S. Surgeon General C. Everett Koop, have also both called for a complete ban on tobacco vending.

As originally introduced, House Bill 84 called for a total ban on tobacco vending machines. In response to concerns that this approach was too severe, however, the legislation was amended to reflect the present proposed *placement restrictions* limiting machines to adult only locations.

Use of Tobacco Vending Machines by Children

We know from research sponsored by the vending machine industry itself, that it is the *youngest* of new smokers who rely most heavily on vending machines as a source of tobacco products.⁸ A 1989 research survey, conducted for the national trade association for the merchandise vending machine industry, found that vending machines (as opposed to over-the-counter sales) are relied on to by younger teens and that "13 year olds are the most likely to use vending machines."⁸ The primary location of the vending machines used by teens is a restaurant or other eating establishment. Bowling alleys and gas stations are also popular locations.

The survey also found that those teens that seldom or never bought over the counter did not buy from this source more frequently because they were underage and felt that "they would be asked for an ID or hassled in some other way (59%)."⁸ As noted in the survey:

"Teens who bought from vending machines often or occasionally found this source to be attractive because no one will stop them from buying cigarettes this way."⁸

The survey also confirmed a high *success rate* for illegal teenage vending machine purchases — approximately eight attempts out of nine (89%).

This experience has been confirmed in Alaska through purchasing trials conducted by the American Lung Association of Alaska, as well as more recent purchase attempts by a minor in Juneau within the last year. During the House committee process, a local teenager from Juneau Douglas High School testified that he had just visited a number of local businesses to test how well vending machines are supervised. He successfully purchased cigarettes from each machine without being challenged in the process. In fact, at one location, the vending machine was out of order — so the clerk gave him directions to the nearest working machine.

Tobacco Addiction, Disability & Death in Alaska

The U.S. Center for Disease Control (CDC) estimates that 434,000 Americans died in 1988 due to smoking.⁴ In Alaska, of 2,092 deaths in 1989, it is estimated that 17% were smoking related.⁴

Relative to national standards, cancer mortality data indicates that tobacco is killing a disproportionate number of Alaskans, especially Alaska Natives. A recent Department of Health and Social Services, Public Health Service study *Cancer Mortality Among Native Americans in the United States*, found that cancer mortality rates for Alaska Natives exceeded overall U.S. rates and cancer is the leading cause of death in Alaska women and ranks third in men.⁵ Lung cancer is the most frequent cause of death. Tobacco-related deaths account for about one third of the total. Lung cancer rates, attributable in large part due to the high prevalence of smoking among Native Alaskans, are rising rapidly in both men and women; the curve is particularly steep for women. Cancer death rates, due largely to patterns in lung cancer, are expected to get worse in Alaska for the foreseeable future.⁶

As noted by Dr. Anne P. Lanier, Epidemiologist for the Alaska Area Native Health Service: "Clearly, the highest priority for cancer prevention and control must focus on reduction of tobacco use." ⁶

Other Laws & Model Legislation

As of January 1992, a total of 38 local governments had enacted ordinances to completely ban cigarette vending machines. Another 71 local governments and 2 states (Utah and Hawaii) have enacted laws that severely restrict placement of machines.⁹

A 1987 study of public health laws by DiFranza, et. al., intended to prevent children from smoking in all fifty states and the District of Columbia concluded that more effective laws are clearly needed.³ The report recommended model legislation which included, among other provisions, a ban on vending machines (as well as alcohol vending machines); the conspicuous posting of warning signs regarding the legal prohibition of sales to minors; and penalties sufficient to deter illegal sales.

Warning Signs & the Effect of Merchant Education

Fourteen states require the posting of warning signs stating that it is illegal to sell tobacco to minors.¹⁴ In particular, the DiFranza study examined the efficacy of a Massachusetts law which required that a copy of the state law prohibiting tobacco sales to minors be posted conspicuously on the premises of retail sales outlets. The study determined that:

“Educating vendors about tobacco laws is crucial to obtaining their cooperation and compliance. A posting of the law is an effective method of informing vendors of the law, serving as a reminder for employees and demonstrating that management is concerned about complying with the law.”³

Not surprisingly, the study found that compliance by commercial tobacco outlets was greatest among establishments where the law was posted. The efficacy of warning sign placement and merchant education regarding state law was also the subject of a 1989 study by Altman et. al., published in the *Journal of the American Medical Association*.² The success rate of purchasing trials by minors was compared “before” and “after” tobacco warning signs had been posted. *Illegal sales were substantially reduced in those establishments that posted signs.* Reductions in illegal sales by as much as 63%. Results are summarized below:²

<u>Store Type or Tobacco Source</u>	<u>After Warning Signs Reduced Illegal Sales</u>
Gas Station	- 35%
Liquor Store	- 45%
Convenience Store	- 41%
Pharmacy	- 53%
Grocery Store	- 63%
Vending Machine	0% (no change)

Significantly, the study also found: “Sales to minors were reduced in all categories *except* vending machines.”² (emphasis added) That is, vending machine sales were not reduced from the pre-intervention purchase success

level of 100%, further reinforcing the need for rigorous restrictions on this uniquely difficult to control tobacco source.

It has been argued by the tobacco industry that the requirement to post warning signs is preempted by federal law. Legislative legal counsel has reviewed this issue and determined that CS HB 84 (Finance) am is not preempted by federal law. Moreover, the fact that 14 other states have successfully enacted warning sign provisions contradicts this objection.

Enhanced Penalties & Enforcement Needed

At the same time, the DiFranza study concluded that compliance overall was poor and that *lack of enforcement* is a significant contributing factor:

"Penalties for the sale of tobacco to minors must be stringent enough to deter would-be offenders in light of the profit that can be made by selling tobacco to children."³

Enforcement of Alaska's present law prohibiting sale of tobacco products to minors is essentially non-existent. This is due primarily to the cumbersome provisions of current Alaska state law which requires that a person be convicted of a "knowing sale" of tobacco products to a minor. This standard of proof in a court of law is virtually impossible to achieve (as a defense a person could simply assert that they did not *know* that the minor was underage). Together with the fact that law enforcement resources are limited, and police are not willing to undertake prosecutions of tobacco sales violations as matter of priority, enforcement does not occur.

CS HB 84 (Finance) am would streamline the enforcement provisions of current law, replace the "knowing" standard with a "negligence" standard (similar to the standard applicable to a bartender) and allow peace officers of the state to issue a citation of \$300 for an offense. A person receiving a citation would still retain all rights under the law and have the option of a formal court proceeding if the person wished to contest a citation.

As noted previously by the Minnesota study, when educated about increased penalties associated with illegal sales, merchants were more attentive to challenging underage teens who attempted over the counter purchases.

Impact of Placement Restrictions on Commercial Vending Operators

Based on the experience in Utah, where tobacco vending machine restrictions have been enacted, it is not anticipated that this legislation would have substantial adverse economic impact on vendors.

In Utah, nine months following the establishment of the placement restrictions, Smokefree Educational Services conducted an informal telephone survey of the Utah vendors who had objected most strenuously. All businesses surveyed were doing well and growing despite the placement restrictions. In the one instance where employees had been laid off (two workers), sales were nevertheless still up by \$20,000.

This finding is consistent with national survey data that a large majority of vending machines are already located in bars and other adult-only locations. According to National Automatic Merchandising Association (NAMA) research, only about one quarter of tobacco vending machines are located in areas open to the general public and easily accessible to minors (eg, restaurants, gas stations, retail stores, bowling alleys, hotels, etc.). Yet it is these machines that are a disproportionately significant source of illegal sales to young children.

Accordingly, while restricting machines as proposed by CS HB 84 (Finance) am would not have a severe impact on vending businesses, eliminating this source of illegal sales to minors can be expected to help substantially reduce tobacco availability to the youngest of new smokers.

Economic Impacts of Tobacco Addiction & Illness

In contrast to the negligible economic impacts that restrictions as proposed by CS HB 84 (Finance) am would have, tobacco related illness, disability and death are staggering.

The federal Department of Health and Human Services has estimated that smoking increases national health care costs and insurance for everyone by about \$52 billion.¹¹ Moreover, smokers' illness monopolizes the attention of many health care workers who devote valuable time to the needless illness and disease caused by tobacco products.

Smoking causes 80 million lost work days a year, which costs employers between \$300 and \$6,000 a year per smoker. The federal Office of Technology Assessment (OTA) has estimated that smoking costs employers as much as \$95 billion a year in the form of lost productivity and health care costs.¹²

Within Alaska, the total estimated costs in 1989 for smoking related morbidity and mortality was \$83.2 million.⁴

CS HB 84 (Finance) am — A Question of Protecting Children

Easy access to tobacco is an essential prerequisite for widespread teenage tobacco addiction. Over half of high school seniors who smoke at least a half a pack a day have made at least one serious but unsuccessful attempt to quit

smoking, 47% say they would like to quit at the current time, and almost three-fourths of daily smokers in high school still smoke seven to nine years later, even though in high school only 5% thought that they would be daily smokers five years later.

As stated by Louis Sullivan, President Bush's Secretary of Health and Human Services:

"We must put to an end the time when any child with a handful of change can commence the slow-motion suicide that is taking the lives of millions of Americans."¹³

Sullivan also urged that warning signs be placed at the point of retail sale to remind merchants of their obligations under the law.

At most, CS HB 84 (Finance) am would pose a minor inconvenience to adult smokers. On the other hand, this legislation would help reduce needless illness and death that is claiming 430,000 U.S. lives each year, about one person per minute — more Americans each year than died in World War II. By contrast, the atomic bomb dropped on Nagasaki killed about 40,000 people.

While respecting the rights of *adults* to make informed choices about their personal lives, CS HB 84 (2nd Finance) am is needed to help prevent *children* from being manipulated by sophisticated advertising practices leading to tobacco product addiction, illness and death.

* * * * *

Drue, the data and information is overwhelming. Tobacco is highly addictive. It addicts young children who don't have a clue as to what they are doing when they take up cigarettes or snuff. (The *average* age for first use of smokeless tobacco is 10 years old.¹⁵) Tobacco is killing hundreds of thousands of people each year — in this country alone — at an economic cost of up to \$95 billion while also wasting the lives and talent of countless doctors, nurses and health care professionals on what is truly needless, *preventable* illness, disability and death.

Once again, I would like to request that you schedule CS HB 84 (2nd Finance) am as soon as possible and I would greatly appreciate your support of this legislation.

References

- ¹ Jean L. Forster, PhD, MPH, et. al., "The Movement to Restrict Children's Access to Tobacco in Minnesota," paper presented at the Surgeon General's Interagency Committee on Smoking and Health (May 31, 1991).
- ² David G. Altman, PhD, et. al., "Reducing the Illegal Sale of Cigarettes to Minors," *Journal of the American Medical Association*, Vol. 261, No. 1 (January 6, 1989).
- ³ Joseph R. DiFranza, MD, et. al., "Legislative Efforts to Protect Children from Tobacco," *Journal of the American Medical Association*, Vol. 257, No. 24 (June 26, 1987).
- ⁴ "Impact of Smoking in Alaska," State of Alaska Department of Health and Social Services, *Epidemiology Bulletin* No. 14, July 5, 1991.
- ⁵ Sarah Valway, et. al., *Cancer Mortality Among Native Americans in the United States: Regional Differences in Indian Health, 1984-1988, Trends Over Time, 1968-1987*, Department of Health and Human Services, Public Health Service.
- ⁶ Correspondence, Anne P. Lanier, MD, MPH, Epidemiologist, Alaska Area Native Health Service, to Anne Walker, Executive Director, Alaska Native Health Board dated March 2, 1992.
- ⁷ Smokefree Educational Services, Inc., based on data from the U.S. Surgeon General's reports, the National Safety Council, The Center for Disease Control, and the National Center for Health Statistics.
- ⁸ Response Research, "Teenage Cigarette Smoking and Purchasing Behavior," research survey prepared for the National Automatic Merchandising Association (June/July 1989).
- ⁹ "Major Legislation Restricting Tobacco Vending Machines in the U.S. Effective January 1992," *Americans for Nonsmokers Rights*, Berkeley California (1992).
- ¹⁰ Correspondence, Joseph W. Cherner, Smokefree Educational Services, to The Honorable Peter Vallone, New York City Council, October 22, 1990.
- ¹¹ "Smoking's Ills," *Anchorage Daily News*, February 21, 1990 (page E-8).
- ¹² "Smoke Screens: Why You Should Limit Smoking in the Workplace," Risk Management, Alaska Municipal League newsletter (1992).
- ¹³ "Sullivan wants laws to cut tobacco vending," Associated Press.
- ¹⁴ Alaska Department of Health and Human Services — Position Paper on House Bill 84 (February 25, 1991).
- ¹⁵ Joseph R. DiFranza, et. al., "RJR Nabisco's Cartoon Camel Promotes Camel Cigarettes to Children," *Journal of the American Medical Association*, Vol. 266, No. 22 (December 11, 1991): "After a 24-year decline in smokeless tobacco sales, an aggressive youth-oriented marketing campaign has been followed by what has been called 'an epidemic' of smokeless tobacco use among children, with the *average* age for new users being 10 years." (emphasis in original)

THE BRALOR

Misc Copies
in Sec 1002
1/15/84



March 30, 1992

Senator Drue Pearce
Alaska State House
Pouch V
Juneau, Alaska 99811

Dear Drue:

I understand the Labor and Commerce Committee which you chair will soon be considering CSHB418 relating to amending the current child labor law to allow minors to work on film and video jobs in Alaska. This is an important issue for our industry and is needed to make Alaska competitive with other potential locales when a child cast member is involved.

I would appreciate anything you can do to help this bill get passed.

Best regards

Robert J. Gould

RJG/kj

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 84 2nd Fin (Am)

Revision Date: April 10, 1992

Title: Prohibiting Sale of Tobacco

Department Affected: Department of Revenue

BRU: Revenue Operations

Component: Income and Excise Audit

Sponsor: Brown

Requestor: _____

COMPONENT SERIAL NO. | 1 | 1 | 3 |

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LANDS & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL						
REVENUE	0.0	0.0	0.0	0.0	0.0	0.0
FUND SOURCE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
FUND SOURCE						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: \$0.0

ANALYSIS: This fiscal note updates our previous fiscal note of January 21, 1992 due to an amendment by the House of Representatives. This amendment has no impact on the Department of Revenue.

Prepared By: Paul Dick *PD* Phone: (907) 465-2320
 Division: Income and Excise Audit Date: April 10, 1992

Approved by Commissioner: Darrel J. Rexwinkel *Darrel Rexwinkel*
 Agency: Department of Revenue Date: 4/13/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legls. Ofc., & Impacted Agency(ies).

1992 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Commerce & Economic Development
 Title: An Act relating to the offense of selling or giving tobacco to a minor... BRU: Occupational Licensing
 Component: Administration
 Sponsor: Reps. Brown, Ellis, B. Davis
 Requestor: Rep. Brown COMPONENT SERIAL NO.

0	3	5	6
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	2.0	2.0	2.0	2.0	2.0	2.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	2.0	2.0	2.0	2.0	2.0	2.0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER - GF/PR	2.0	2.0	2.0	2.0	2.0	2.0
TOTAL	2.0	2.0	2.0	2.0	2.0	2.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

The expenditure identified in this fiscal note results from Section 8 of the bill which requires making a consumer warning sign available to businesses that obtain the tobacco endorsement on their business license. An authorization from program receipts collected in the business licensing program is requested.

Prepared By: Jennifer Strickler Phone: 465-2144
 Division: Occupational Licensing Date: 04/10/92
 Approved by Commissioner: Glenn A. Olds
 Agency: Department of Commerce & Economic Development Date: 4-18-92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Bill No. CS HB 84 (2nd Finance) am

Revision Date: 04/10/92 Department Affected: Alaska Court System
 Title: An Act relating to the sale, exchange, BRU: Trial Courts
or giving of tobacco and tobacco products Components: _____
 Sponsor: Brown
 Requestor: Labor & Commerce COMPONENT SERIAL NO. 000 | 000 000 | 768

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CSC* Phone: 264-8228
 Division: Alaska Court System Date: 04/10/92
 Approved by: Arthur H. Snowden, II, Administrative Director *AS*
 Agency: Alaska Court System Date: 04/10/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Representative Kay Brown

ALASKA STATE LEGISLATURE

Legislative Information Office
3111 C Street #435
Anchorage, Alaska 99503
(907) 561-7627

During Session
P.O. Box V
Juneau, Alaska 99811
(907) 465-4998

TO: Senator Drue Pearce, Chair
Senate Labor & Commerce Committee

FROM: Representative Kay Brown *KB*

DATE: April 10, 1992

SUBJ: CS HB 84 (2nd Finance) am — Tobacco & Youth

In anticipation of the hearing on CS HB 84 (2nd Finance) am, please find attached the following materials:

1. Sponsor Statement
2. Agency Position Papers
 - Department of Health and Social Services
 - Department of Commerce and Economic Development
3. Fiscal Notes
 - Department of Commerce and Economic Development (2.0)
 - Department of Revenue (0.0)
 - Alaska Court System (0.0)
 - Department of Health and Social Services (0.0)
4. Sectional Analysis
5. Tobacco Warning Signs
 - Effectiveness of warning signs (A. Zangri/DHSS)
 - LAA legal opinion (federal pre-emption)
6. Additional Information
 - Smoking Compared to Other Causes of Death (pie chart)
 - Ten Reasons to Restrict Tobacco Vending Machines
 - Alaska Cancer & Tobacco Use (cancer mortality rates)
 - "Study attributes 400,000 deaths to past smoking" (article)
 - "Young Addicts: Crack down on vending machines" (editorial)
 - Tobacco as a Gateway Drug (bar graph)
 - Teenage Smoking — General Accounting Office (fetal effects)
 - "Vending Machines Sell Cigarettes To Children 100% of Time"
 - Reducing Youth Access to Tobacco (JAMA, Vol. 266, No. 22)

DISTRICT 12

Downtown • Fairview • City View • Bootleggers Cove • Inlet View • South Addition • Thunderbird Terrace
Eastridge • Penland Park • Airport Heights • Government Hill



Tom Fluk,
Mayor

Municipality of Anchorage

Municipal Health & Human Services Commission

825 "L" Street

P.O. Box 196650 • Anchorage, Alaska 99519-6650



Telephone:
(907) 343-4674

April 10, 1992

Senator Drue Pearce, Chair
Senate Labor and Commerce Committee
State Capitol
Juneau, AK 99801-1182

Dear Senator Pearce,

The Municipality of Anchorage Health and Human Services Commission has reviewed CSHB 84 which is designed to reduce the illegal sale of tobacco products to children. We understand that the bill has been scheduled for a hearing by the Senate Labor and Commerce Committee and strongly urge you to give it favorable consideration.

The costs of tobacco consumption have been well documented. Tobacco causes more premature deaths than AIDS, alcohol and drug use, automobile accidents, homicides, and suicides combined.

Due to its addictive properties, a variety of strategies must be employed in order to significantly reduce tobacco consumption. Some of the most effective strategies involve reducing the number of new teen-age smokers. (Approximately 60 percent of current smokers started by age 14, 90 percent by age 19.)

Banning cigarette sales through vending machines will eliminate one of the easiest ways for minors to acquire cigarettes. Studies have shown that young smokers rely most heavily on vending machines as a source of tobacco products because no one will stop them from purchasing tobacco from this source.

The compromise which would restrict the placement of vending machines to bars and private adult clubs is reasonable. The rights of adults to make informed choices about their personal lives and bear the consequences are protected as well as the rights of children to be protected from addiction to tobacco products.

Sincerely,

Richard Towell, Chair
Municipal Health and Human Services Commission

cc: Helen D. Beirne, Ph.D., Director
Municipality of Anchorage
Department of Health and Human Services



ALASKA DIVISION, INC.

DATE: April 13, 1992

DELIVER TO: Drue Pearce FAX # 463-5352

SENT BY: Diana Kuhns FAX # 277-8697 PHONE 907-277-8696

This Fax Telecopy consists of 1 pages including this page. *****

MESSAGE OF ADDITIONAL INFORMATION

Senator Pearce --- As your constituent and Executive Vice President of the American Cancer Society, Alaska Division, Inc., I ask for your support and passage of HB 84 through your Labor and Commerce Committee. Representative Kay Brown has provided you the facts concerning children and tobacco addiction. This bill is of importance for the legislators to show their support and care for Alaskan health.

Diana Kuhns

Diana Kuhns
8111 Country Woods Dr.
Anchorage, AK 99502



ALASKA DIVISION, INC.

DATE: April 13, 1992

DELIVER TO: Senator Drue Pearce FAX # 463-5352

SENT BY: Emily Larson FAX # 277-8697
PHONE 907-277-8696

This Fax Telecopy consists of 1 pages including this page.

MESSAGE or ADDITIONAL INFORMATION

Drue --- Posting warning signs stating that it is illegal to sell tobacco to minors reinforces the law to vendors, employees, and the public. Compliance of the law was greatest among establishments post the law. Studies show that sales to minors were reduced in all facilities except vending machines. HB 84 addresses both signage and placement of vending machines to deter minors access to tobacco. Your support of HB 84 is of utmost importance. Thank you!

Emily Larson, Chairman of the Board

TELECOPY COVER SHEET
Kodiak Legislative Information Office

Office - (907) 486-8116

Fax - (907) 486-5264

TO: Senate Labor & Commerce Committee FAX: _____ PHONE: 465-3844

FROM: Kenny Lester - Kodiak (via the LIO Kodiak) PHONE: 486-3376

INSTRUCTIONS: Could a copy of this testimony be given to Senators Collins, Eliason,
Halford, Kerttula and Zharoff also?

RECEIVED: Date 4-14-92 Time _____

SENT: Date _____ Time _____

DISPOSAL OF ORIGINAL: Discard _____ Hold for Pickup _____

NUMBER OF PAGES: 4 (Not counting cover sheet)

SENT BY: Loma



Alaska State Legislature

Please enter into the record my testimony to the Senate Labor & Commerce Committee
committee name

92-04-049
committee on HB 84 - Ban sale of Tobacco dated 4-13-92
bill/subject

Kenneth R. Lester
Box 538
Kodiak, Alaska 99615
1992

April 14,

Honorable Senator Drue Pearce
Chairperson, Labor & Commerce
Alaska State Senate
State Capitol
Juneau, Alaska 99801-1162

RE: House Bill 84

Dear Senator Pearce,

I would like to again thank you for the opportunity extended on April 13th to testify on the teleconference network on this bill.

Due to the short time frame and somewhat nervous ability I had to get my points across I feel that further testimony by letter will state my case to the fullest. I realize that this is a very busy time in the business of the Legislature and thank you for your time involved in reading this explanation. I am also enclosing a copy of an article taken from the Anchorage times that is very reflective of the action being taken by all levels of Government at this time in history.

House Bill 84 will have a direct impact on my business as my Brother and I operate a Vending Business in Kodiak. We service all types of vendors including cigarette machines and are in all types of business locations in Kodiak. If vending of tobacco products is outlawed we stand to lose approximately \$20,000.00 of equipment and 18% of our net income. This may seem to be a small amount but in fact our business breaks even each year and nothing more. If we are forced to increase our prices to make up for this loss our over all sales will in fact go down creating a vicious circle. As with all small business these days we are struggling with overhead and government regulation at all levels. One of these laws will be the straw that breaks the camels back, causing us to go out of business and the loss of seven employed positions. We sincerely hope that Government at all levels will wake up some day and see the effects that regulations are having on small business in all walks of life.

We are a supporters of non sales of tobacco products to those under the age of 19, or even 21. The fact that the effects of these products are devastating to developing bodies is well documented. It was also stated that minors "deny that it will happen to me" when discussing the effects of tobacco in any form. This statement can be and is made on any subject for any age group when discussing death or accidents. The attitude for using seat-belts is a perfect example. Therefore should not even be

Kenneth R. Lester
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