

12209

HOUSE L&C



TANANA CHIEFS CONFERENCE

Health Services

Eye Clinic

122 First Ave, Suite 600

Fairbanks, AK 99701

(907) 452-8251 Fax: 459-3853

Toll Free in Alaska 1-800-478-7822

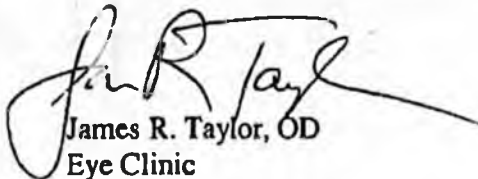
April 4, 2007

Dear Legislator,

I am writing in support of HB 113 which would allow qualified optometrists to prescribe oral medications for the treatment of eye disorders. I am an optometrist working in an Indian Health Service affiliated clinic. Much of my practice involves travel to the bush where direct access to a physician is very limited and travel to the city for care is expensive. Rural patients who need oral medications as part of their eye care are greatly inconvenienced since these medications must be prescribed by a physician (or a health aide under a physician's supervision). My optometric colleague, a U.S. Public Health Service officer, already has credentials through that agency to prescribe oral medications but is unable to do so in Alaska because our pharmacy cannot accept his prescriptions. 45 of the smaller states have passed legislation the same as or similar to this bill and all recent optometry school graduates are trained in the use of oral medications for the eye. Obviously, Alaska is well behind the times regarding ocular health care. Your vote in favor of HB 113 will benefit my patients and bring Alaska's optometric practice statutes in parity with the rest of the United States.

Sincerely,

TANANA CHIEFS CONFERENCE


James R. Taylor, OD
Eye Clinic

Our Vision

Healthy People Across Generations

Our Mission

TCC Health Services, in partnership with those we serve, promotes and enhances spiritual, physical, mental and emotional wellness through education, prevention and the delivery of quality services.

**Southcentral
Foundation**

April 9, 2007

Representative Kurt Olson
State Capitol, Rm 408
Alaska State Legislature
Juneau, AK 99801-1182

RE: Support HB 113 - "An Act relating to Optometry"

Dear Representative Olson:

I am writing to urge support of HB 113, which would add additional prescriptive authority for licensed optometrists with a board endorsement, who obtain the additional educational requirements approved by the Alaska Board of Examiners in Optometry. Alaska optometrists already treat eye disease by prescribing medications, but this bill increases their scope by authorizing additional systemic medications with certain restrictions and requiring additional education.

Southcentral Foundation is a non-profit health care organization of Cook Inlet Region, Inc., which provides a wide range of health care and related services to Alaska Natives and American Indians in Anchorage, the Mat-Su Valley, and surrounding rural villages. When Southcentral Foundation was established in 1982, it consisted of 12 staff providing limited services in three program areas: optometry, dental, and social services. Today, after 25 years, optometry remains one of our core health care services, although we now have over 900 employees and provide health-related services to over 32,000 Alaska Natives through about 65 different programs.

We seek optimum health care for our Alaska Native clients, and view optometry with the respect that is due a profession of its caliber. Please vote "YES" on the passage of HB 113 to ensure quality optometry that is both cost-effective and accountable. This bill has been modified to comply with issues raised in earlier years, and now contains several added restrictions and requirements placed upon the license endorsements of qualified Alaska doctors of optometry.

Sincerely,
SOUTHCENTRAL FOUNDATION

Katherine Gottlieb, MBA
President/CEO

April 9, 2007

House of Representatives
Alaska State Capitol
Juneau, Alaska 99801-1182

Dear Legislator,

I have had experience with the treatment of eye diseases by an optometrist. He was very knowledgeable and thorough during his examinations and I have every confidence in an optometrist ability to treat eye diseases. So with that said, I support HB113.

Sincerely,

Ted M. Rohloff
Finance Director
Denali Family Services
1675 C St. Suite 117
Anchorage, Alaska 99501
(907) 222-2307

cc: Alaska Optometric Association

Michael Bennett
AK Optometric Assoc

I am a private practice optometrist of twenty four years. My office is here in Juneau. I am currently the president of the Alaska Optometric Association. Thank you to the chair and committee for the opportunity to address you today in support of HB 113, an issue of importance to Alaska's eye care patients. This bill will authorize licensed and trained optometrists to prescribe medications by additional routes of administration for treatment of conditions of the eye and immediately surrounding tissues, as well as limited pain medications for very brief periods of time. It also provides for the treatment of anaphylactic shock which can occur, under rare circumstances, following the administration of dilating eye drops in the office. This is a treatment which patients with bee sting allergies self-administer.

This bill is narrow in scope; it does not allow prescription of the most abused controlled substances; it specifically prohibits injections inside the eye, it in no way grants surgical privileges and it mandates continuing education and competency testing.

Optometry has long been qualified for these prescriptive rights. We are a doctoral level profession meaning four rigorous years beyond a bachelors degree. Optometry school provides over 200 hours in pharmacology course work and greater than 2,000 hours of supervised patient care. These patients are not limited to the young and the healthy, the old and the infirm experience has higher rates of eye conditions and are therefore seen disproportionately in eye care settings. My own training included clinical rotations in a VA hospital and that is very typical. Optometry school entrance requirements and health science curriculum are the equal of medical and dental school and have been for more than thirty years.

Under current optometry law when a patient is seen who needs an oral antibiotic or antiviral they must either be referred to an eye surgeon, or to their primary care doctor or nurse practitioners who is not well versed in eye conditions. This frequently results in unnecessary travel and always results in delayed treatment, additional fees and lost time at work. It is an unneeded inconvenience to the patient and inflates expenses. All physicians, physicians assistants, and nurse practitioners are authorized to treat these conditions with very minimal training in eye care and yet you hear no outcry. Optometry is singled out for anti competitive reasons and not safety concerns. We have been proving ourselves for 30 years and 45 other states.

In the 16 years the national practitioner data bank has been in existence optometrists have had 514 malpractice settlements in the United States. Physicians have paid 229,000. They certainly outnumber us but not at a ratio of 446: 1. One million dollars of malpractice coverage costs an Alaskan optometrist \$511 per year, much less than most people's auto insurance. This is the same rate as North Carolina which has had oral prescriptive authority for 30 years. An Alaskan eye surgeon pays 38 times that much for the same one million dollars of coverage. Malpractice rates set so low reflect a very low rate of actual malpractice.

I think this speaks not only to the high standard of care by the profession but also to the overall conservation. Optometric scope of practice laws vary widely across the country yet the major malpractice carrier determined that scope did not affect malpractice experience. The risks to patients you have heard about have simply not materialized in other states with similar laws for many years. Our track record across the country bears out that we are not recklessly seeking scope expansion beyond our training. Rather we want to practice primary eye care to the extent of our training and to the betterment of our patients eye health.

As an integral part of the medical community to not advance and grow with new technologies in patient care would be to shirk our responsibility to the public. We are not a stagnant profession.

If it pleases the chair I would be happy to answer any questions raised by the committee. Thank you for your time.

HB

116

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB116-DOR-TAX-2-16-07

Bill Version: HB 116

() Publish Date: _____

Revision Date/Time (Note if correction): _____

Dept. Affected: Revenue 04

Title Broadcasting Promoting Charitable Gaming

RDU Taxation and Treasury

Component Tax Division

Sponsor Representatives Johansen, Johnson

Requester (H) Labor & Commerce

Component No. 2476

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013

CHANGE IN REVENUES ()	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would allow a permittee (or operator under contract with an authorizing permittee) to broadcast promotion of a charitable raffle or lottery. The means allowable include radio and television. Anyone who can conduct a raffle would be allowed to promote it by broadcasting via radio or television.

Though the bill language applies to raffles and lotteries, the statutory definition [AS 05.15.690(38)] equates the two, effectively giving two different names to the same activity. Thus, there is no apparent authorization to expand the kinds of gaming activity that can be promoted or conducted.

We do not anticipate any additional costs or revenues as a result of this bill.

Prepared by: Larry Meyers and Dan Stickel

Division: Tax Division

Approved by: Jerry Burnett

Agency: Department of Revenue

Phone: (907) 269-6620

Date/Time: 2/16/2007

Date: 2/16/2007

ALASKA STATE LEGISLATURE

Session:
State Capitol
Juneau, AK 99801-1182
(907) 465-3424
Fax (907) 465-3793

Interim:
50 Front Street, Suite 203
Ketchikan, AK 99901
(907) 247-4672
Fax (907) 225-8546



Chair
Transportation

Vice Chair
Fisheries

Member
Economic Development,
Trade and Tourism
State Affairs

REPRESENTATIVE KYLE JOHANSEN
DISTRICT ONE

February 13, 2007

Representative Olson
Committee Chairman
Labor & Commerce
State Capitol, Room 408

Re: HB 116, Advertising of charitable raffles and lotteries

Representative Olson:

I respectfully request that you schedule HB 116 for a hearing in House Labor and Commerce at your earliest convenience. HB 116 levels the playing field for Alaska's broadcasters and assists nonprofit organizations in their efforts to raise money and better serve our communities.

If you have any questions please contact my staff, Randy Ruaro or David Scott. Thank you.

Respectfully,

Kyle Johansen

David T. Scott
for

ALASKA STATE LEGISLATURE

Session:
State Capitol
Juneau, AK 99801-1182
(907) 465-3424
Fax (907) 465-3793

Interim:
50 Front Street, Suite 203
Ketchikan, AK 99901
(907) 247-4672
Fax (907) 225-8546



Chair
Transportation

Vice Chair
Fisheries

Member
Economic Development,
Trade and Tourism
State Affairs

REPRESENTATIVE KYLE JOHANSEN
DISTRICT ONE

SPONSOR STATEMENT

HB 116

“An Act relating to the use of broadcasting to promote charitable raffles and lotteries.”

HB 116 would allow lawful charitable raffles and lotteries to be advertised by way of radio and television. Under current law only newspapers are allowed to advertise lawful charitable raffles and lotteries. While leveling the playing field for Alaska's broadcasters, the intent of this legislation is to assist nonprofit organizations in their efforts to raise money to better serve our communities.

This bill is not an expansion of gambling. Only state sanctioned charitable gaming would be permitted to be promoted, as is currently the case. In addition, HB 116 allows only the promotion of legal gaming. Radio and television stations would only advertise, not manage or conduct these lawful raffles or lotteries.

HB 116 does not cause any conflict or issue with existing federal laws, regulations, or policies of the Federal Communications Commission. Federal law provides for a state exemption in allowing advertising on TV and radio.

Current law impedes positive governmental interests by prohibiting Alaska's broadcasters from assisting nonprofit organizations in their efforts raise money to reach their goals. This restriction is flawed policy that HB 116 will correct.



Alaska Juneau
Communications, Inc.

February 6, 2007

The Honorable Kyle Johansen
House of Representatives
State Capitol Room 13
Juneau, AK 99801-1182

Dear Representative Johansen:

Thank you for your willingness to introduce HB116 in support of a solution to the disparate treatment currently being imposed on Alaska's broadcasters by current Alaska Statute.

As you know, Alaska Statute §05.15.640(a) bans, but only via radio and television, the advertising of lawful charitable gaming or conduct. Newspapers are free to advertise the very same activity and conduct that radio and television stations may not advertise.

In fact, the current law actually impedes positive governmental interests by prohibiting Alaska's broadcasters from assisting deserving non profit organizations in their efforts to raise money to reach their goals. In a period of tight state revenues and charitable giving, this unwarranted restriction is simply flawed policy.

Broadcasters throughout Alaska appreciate your willingness sponsor legislation to correct this inequity.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dennis Egan', is written over a faint, larger signature.

Dennis Egan
President & GM
AJCI (KINY-AM, KSUP-FM)

David Scott

From: Blake Messer [bmesser@gci.net]
Sent: Wednesday, February 07, 2007 4:17 PM
To: 'andrea keikkala'; Blaine Aschcraft; 'Rob Skinner'; KRBD FM Jeff Seifert; 'Ken Fate, KCAW'; 'Dan Etulain'
Cc: David Scott
Subject: FW: HB 116
Attachments: HB0116A.pdf

Andrea, Blaine, Rob, Dan, Jeff, & Ken

Here is a copy of the bill I asked you to endorse. One simple paragraph will suffice. → email them to David_Scott@legis.state.ak.us Thanks again.

This is the simple statement I am sending to David Scott, Johansen's aid.

Dear Kyle,

I am writing as a constituent, an Alaskan broadcaster, and a volunteer for many fundraising efforts conducted by non-profit groups in your district. I manage several radio stations and frequencies in South East Alaska. I receive requests almost daily to support "not for profit" endeavors conducted by philanthropic organizations via our air waves. Our company gladly promotes the activities these organizations conduct and we are eager to aid in the crucial fund-raising efforts they undertake. We are often restricted in our promotion due to current Alaska gaming laws. I am confident that if broadcasters are able to help non-profit groups promote their raffles, those raffles will be more successful, and in turn the organizations conducting them will have more of the critical funding needed to improve the quality of life of the Alaskans they serve.

Sincerely,

*Blake Messer General Manager
KTKN/KGTW Ketchikan Alaska
KIFW/KSBZ Sitka Alaska.*

From: David Scott [mailto:David_Scott@legis.state.ak.us]
Sent: Tuesday, February 06, 2007 10:53 AM
To: Blake Messer
Subject: HB 116

Blake:

Attached is a copy of the bill. Thought you might be interested.

David Scott
Staff, Representative Johansen
465-6854 or 800-303-2455

David Scott

From: Ken Fate, KCAW [ken@kcaw.org]
Sent: Thursday, February 08, 2007 2:24 PM
To: David Scott
Subject: Re: HB116

Attachments: ken.vcf



ken.vcf (467 B)

Representative Johansen,

Hello, my name is Ken Fate and I am the General Manager of Public Radio station KCAW in Sitka, Alaska. I am writing in support of HB 116. KCAW broadcasts many promotional announcements for non-profit agencies each day. As funding opportunities shrink, many of these non-profits are turning to fund raising events for operating costs. Current state law prevents us from promoting, or even mentioning those events on the air. Allowing the mention of non-profit lotteries would be beneficial for many non-profits all across the state of Alaska. Thank you for your time.

Ken Fate
General Manager
KCAW Raven Radio

Representative Kyle Johansen
Chair, House Transportation Committee
State Capitol, Room 17
Juneau, Alaska 99801-1182

February 11, 2007

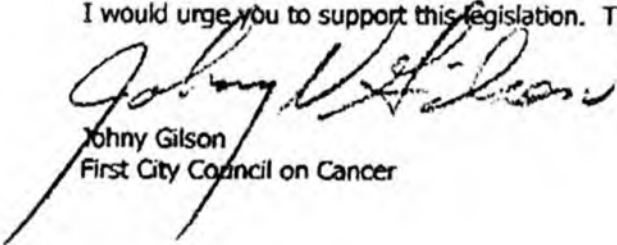
Dear Mr. Johansen,

There are two bills pending in the Alaska legislature HB 116 and SB 59. They both have to do with removing the restrictions that Alaska has on advertising raffles for non-profit organizations. Currently non-profits can advertise their raffles using print media; these two bills will allow non-profits to use radio and TV to advertise their fundraising efforts.

This Legislation does not in any way encourage gambling but a way for local groups such as School sports, little league baseball, and many health related fund raising groups to get the word out to support their cause by purchasing raffle tickets to generate funds to support the non profit fund raising during these times of limited recourses of government and school systems.

I do not know the history but have a difficult time understanding why print advertising should be dealt with any differently than the airways.

I would urge you to support this legislation. Thank you.



Johnny Gilson
First City Council on Cancer



Stories In The News

Ketchikan, Alaska www.sitnews.us

Viewpoints

Charitable Gaming Legislation

By Vicki O'Brien

February 08, 2007
Thursday

Hooray and kudos to Rep. Johansen for introducing HB116. After years of the Alaska Broadcasters Association working to put this into motion, I'm practically holding my breath in the hopes that this session the bill will be passed and this long overdue legislation will take effect.

Until very recently, I was a member of Ketchikan's broadcasting community and on a number of occasions I had the unappealing duty of telling hardworking non-profit volunteers that my radio station was unable to run a spot for them if that spot contained any information that could be construed as a "game of chance"... anything you have to pay money to enter, such as a raffle. Never mind that another radio station in town was currently running the ad (either in ignorance or defiance of the law) and that the papers were running ads as well. If a group wanted to mention that game of chance, our answer was no. Most people were understanding, once given the facts; some, however, were appalled, stating that I, we, my station, had something against them or their organization. We've been the recipients of anger, tears and oaths to "never listen to this station again.. and I'm going to tell all my friends!!" Fortunately the latter were few and far between, but the negative reactions still hurt. It's a shame that people should take personally an organization upholding the law, even if that law is unjust. The example of KTKN getting reprimanded for their advertisement of the Pennock Island Challenge is exactly the action we sought to avoid. With the passage of this proposed legislation, no broadcast entity will have to turn away its local non-profits or run the risk of legal liability; this is a win-win situation for all involved.

As I mentioned earlier, the Alaska Broadcasters Association has worked long and hard to bring this legislation into being. Bills were introduced last session only to stall at the hands of legislators who did not understand the purpose behind the bills; the one or two who failed to pass it through committee were hung up on the notion that this is a step toward legalizing

gambling in Alaska. HB116 and its counterpart in the Senate DO NOT take that step - make no mistake. These bills only seek to allow broadcasters in radio and tv across the state to advertise that which is already legal. It would take a completely separate bill in both the House and Senate to make gambling legal, a step the Alaskan broadcasting community is not even remotely interested in.

As a member of local non-profits myself, I know how diligently groups work to fundraise and keep their good works going. Helping to harness the power of local broadcast media will only further these groups' efforts. Please, contact your legislators and urge them to support these bills!

Vicki O'Brien
Ketchikan, AK

Received February 08, 2007 - Published February 08, 2006

About: "Ketchikan resident, former employee of KFMJ radio"

Related News:

[Charitable raffles and lotteries bill introduced](#) - Not-for-profit organizations will be able to promote charitable raffles and lotteries by way of radio or television broadcasting under legislation recently introduced by Representative Kyle Johansen (R-Ketchikan). - [More...](#)
February 07, 2007

Note: Comments published on Viewpoints are the opinions of the writer and do not necessarily reflect the opinions of Sitnews.

[Send A Letter](#) -----[Read Letters](#)

E-mail the Editor at editor@sitnews.us

[Sitnews](#)
Stories In The News
Ketchikan, Alaska

February 8th 2007

RE: LETTER OF SUPPORT HOUSE BILL 116 Introduction charitable raffles and lotteries

Dear Members of the Labor & Commerce Committee and the State Affairs Committee.

Due to unforeseen a work related situation today (February 8th 2007 at 2:00PM) during the legislative teleconference at 2:00PM I was not able to (testify) in support of HB 116 related to Charitable raffles and Lotteries. I would like to provide my letter of support for the following reasons. I have been involved for several years in the Ketchikan Running Club, Rotary 2000, Big Brothers Big Sisters, Team Diabetes Pennock Swim, Ketchikan Youth Court, Ketchikan Lions Club, Revilla Island Prevention Coalition, and Ketchikan Chamber of Commerce. While not all of these organizations run raffles they are connected in many ways to those who do run raffles.

The reality is that budgets are tight everywhere and will become tighter. Businesses have a long-term plan if they want to survive. Non-profits need to think like business people, and diversify their funding sources too. Many non-profits don't have (a service or product) to sell so they use raffles to generate funds for the non-profit programs and projects. Raffles also allows youth and adult a chance to give their pitch on their organization. The better they can promote the raffle the better the outcome. The great thing about raffles too is it allows everyone to make their own decision whether or not to purchase a raffle ticket.

Today, more than ever with both parents and single parents including myself, working sometime (2 or more) jobs to make ends meet because of the simple cost of increases in day to day living and medical expenses there is a need for many non-profits more than ever. These non-profit programs serve important purposes in our communities. They enhance the quality of our lives and sometimes give us the assets that are missing in our fast paced lives.

These programs make people feel good and they give adults, seniors, teenagers, and kids an improved quality of life. Many sports teams, senior programs, civil groups, and a wide-range of different non-profits rely on raffles to balance their operating budgets. During a time of decreased funds from Federal and State Grants many of us have depended on these local fundraisers to assure we can keep our doors open, send a child on a sports event, debate, or drama event, and generate funds for Senior programs, Homeless Shelter, or Youth programs.

HB 116⁶ will allow raffles to be advertised on the radio and television. This will allow us not only to thank everyone who was involved, but promote it in an effective and professional manner. There is no better time than now to help keep programs in solid positions to reassure our children, teenagers, and adults that we care about the quality of life they have in their communities. It is an awesome opportunity to streamline our fundraising efforts when other funds sources are drying up.

I leave you with these thoughts.

-----" A little person beams and raves about the opportunity have a Big in their life who took time to come each week to school. The quiet child is glowing with happiness that someone cares-that someone remembers to follow through—someone did not let them down."

-----"A youth court member sticks youth court out for 5 years --graduates high school after struggling in a single family home for years. Not only did that member learn leadership and public speaking skills, took part in countless hours of community service projects, but lead a sport team at school, graduated with honors, and had a chance to go to college."

-----"The sky lights up with brilliant fireworks and a family of four watches from the 3rd Ave. The fireworks doesn't last more than 15 minutes, but just for those simple moments a family enjoys together time."

----"Diabetic Educator Janet takes the opportunity to gives a support group training to teenagers and kids. Those moments when they think they are all (alone) gives them hope that there are others out there fighting the same thing."

----A soccer team member comes up smiling about a successful win. Dirtying and wet, but smiling because of enough people supported their fundraiser and they get to go to the finals." ---These are just samples of simple thoughts I have heard over the years)

Thank you for your time and consideration of this important HB 116. It will allow us to continue to work we all do to make each community a wonderful place to live.

Sincerely,

Gretchen Klein

Affiliations and Memberships

Ketchikan Youth Court Director 8 years

Alaska Community Services Program Manager 3 years

Ketchikan Lions Club Member 9 years

Ketchikan Chamber of Commerce Member 6 years

Team Diabetes for Running and Swimming Annual Fundraiser 7 years

Ketchikan Running Club Member 15 years

Rotary 2000 Member 3 years

Big Brothers Big Sisters of Ketchikan Friend of Program 5 years

Association for the Education of Young Children Liaison Ketchikan

2034 First Ave

Ketchikan, Alaska 99901

907 225-2072

NEWS RELEASE 9/6/06

KTKN/KGTW is being investigated by the Federal Communications Commission and the State of Alaska District Attorney's office for using the word "raffle" in a promotional announcement to assist the Alaska Diabetes Association for a fund raiser called Pennock Challenge.

The investigation was initiated after another radio station owner Bob Kern filed a letter of complaint with the FCC.

KTKN and KGTW's intent was to help the Diabetes Association raise funds for continued research to find a cure for the dreaded disease.

"We were most surprised to receive the investigation notice from the FCC" said Blake Messer, General Manager of KTKN and KGTW. He went on to say that "This filed grievance would not inhibit the stations future involvement in worthy Ketchikan events. The Diabetes Association is such a worthwhile cause and you'd be right to ask what possible legitimate reason could there be to file a letter of complaint with the FCC against promotion of the Diabetes Association".

William Schulz, Team Diabetes Pennock Challenge race director, said "I am very sorry to learn of the trouble that has come about from KTKN radio support of the Pennock Challenge event. KTKN radio played a significant role in helping Team Diabetes in Ketchikan raise money to support the American diabetes associations' efforts in Ketchikan and the state of Alaska. The willingness and enthusiasm that KTKN radio put into promoting this event was truly inspiring. The staff at KTKN radio acted in a friendly professional manner that made the whole experience easy and enjoyable. The staff is equally professional when conducting on air interviews and producing commercial products for their clients. I was very happy with the services that KTKN provided for Team Diabetes, specifically the Pennock Island Challenge event" Alaska Diabetes Association Volunteer Gretchen Klien of Ketchikan said "I am sorry to hear about the current situation that has come to play with KTKN Radio pertaining to Pennock Swim Event which has been supporting our local efforts to help people with diabetes.

Team Diabetes of Ketchikan has appreciated (all) the local coverage of local event in Ketchikan. This event is just example of an organization trying to make a difference in Ketchikan. We hope that we can all work together in a team effort as many of us are "simply volunteers" giving our time to make this a better place to live for future generations. It is truly the all the wonderful volunteers through their kindness, generosity, and support that allows us to simply try to make an impact to help those around us."

END


Emily Stancliff

From: Glen Anderson [glen.anderson@nnbradio.com]
Sent: Thursday, February 08, 2007 5:52 AM
To: Rep. Jay Ramras
Subject: Hi from Glenner

Hi Jay!

Hope all is going well in the city of rain.

I am sending this e-mail in hopes of gaining support for House Bill 116 in regards to advertising gaming and lottery for charitable organizations on TV and Radio. As I am sure you are aware, there is currently a double standard regarding this issue. While the advertisement of charitable gaming and raffles are legal in print form, they are still illegal in our media even though no other form of media does more for charitable organizations than radio. From United Way to FRA, Big Brothers/Big Sisters to RCPC, we constantly receive countless Public Service announcements for various fundraisers and charities which we can not do anything about due to the fact that they are using some form of games of chance. We air more than 50 PSA's per week per station) both recorded and live each and every week over the airwaves. Unfortunately, most charities use some form of gaming, lottery or raffle to raise funds and we can not help them. Is there a monetary gain for the industry? of course there is, one that Newspapers and magazines have used successfully for years. It is time to level the playing field.



Thanks Jay

Glen Anderson
Operations Manager
New Northwest Broadcasters
Fairbanks, Alaska
KXLR/KCBF/KWLF/KUWL/KFAR
(907)451-5910
Cell:907-378-2796

David Scott

From: Alaska Broadcasters Association [akba@gci.net]
Sent: Thursday, February 08, 2007 9:58 AM
To: David Scott; Sen. Gary Stevens
Cc: clark.gruening; egan@ptialaska.net
Subject: Letter In support of HB116 and SB59

----- Original Message -----

From: "Ric Schmidt" <rschmidtknom@nome.net>
To: "Alaska Broadcasters Association" <akba@gci.net>
Sent: Monday, February 05, 2007 4:48 PM
Subject: Raffle ad story from KNOM

Darlene:

In the first week of January, when the thermometer was routinely dipping below -20, I received a call from Winnifred in Kotlik.

She politely asked if the folks in Kotlik could announce a charitable raffle on KNOM AM & FM.

She said that the city office needed a monitor heater and due to the lack of city funds the citizens had put together a raffle to collectively raise enough money to purchase the desperately needed heater.

I was forced by Alaska State law to tell her NO! I told her that newspapers are allowed to promote this type of effort, but we are not

She said that the best way to raise the money was this raffle and the best way to promote it, would be announcing it on KNOM.

I apologized to her, and honestly...I was embarrassed!

Here was a community that didn't look to the state or federal government for help.

They were raising the money themselves, and state law was preventing them from standing on their own and buying a monitor heater for their city office.

I would hope that the people of Alaska can work to help communities like Kotlik, help themselves, without restricting their efforts through outdated laws and regulations.

We can't ask people to stand up and help, if we don't give them the tools to succeed.

Thank you for your interest in this sad story. I hope the future brings bright promise to all Alaskans.

Ric Schmidt
KNOM General Manager

I have her phone number if we want to contact her for any reason. I'd prefer to make the contact, so she has a frame of reference for this issue. Thanks. Ric

HB

118

The meeting of the Labor & Commerce Committee will come to order. Let the record reflect it is 3: 17 pm on February 21st, 2007.

Members present are:

Rep. Newman ✓
Rep. LeDoux —
Rep. Gatto ✓
Rep. Ramras —
Rep. Gardner ✓
Rep. Buch ✓

The bills on today's agenda are HB 118 Prohibit Allowing Minors to Have Alcohol and HB 121 Worker's Compensation Records.

We'll take up HB 121 first. There is a CS in file. May I have a motion to adopt the CS as the working document?

Rep. Wilson will present the bill.

(go to on-line testimony, in house testimony, close testimony)

Is there discussion?

What is the will of the committee?

The chair would entertain a motion to move CS HB 121 from committee.

The next item on the agenda is HB 118. Rep. Meyer will present the bill.

(Mike Pawlowski will be with him)

(go to on-line testimony, in house testimony, close testimony)

Is there discussion?

What is the will of the committee?

The chair would entertain a motion to move HB 118 from committee.

As there is no further business to come before the committee, we are adjourned at : PM.

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB118-DPS-AST-2-9-07
 Bill Version: HB 118
 () Publish Date: _____

Revision Date/Time : _____ Dept. Affected: Public Safety
 Title An act relating to underage possession of alcohol RDU Alaska State Troopers
 Component AST Detachments
 Sponsor Representative Meyer
 Requester House Labor & Commerce Committee Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill is an act relating to underage possession of alcoholic beverages in a dwelling.

Passage of this legislation will have no fiscal impact on the Department of Public Safety.

Prepared by: Lt. Rodney Dial Phone 907-247-4480
 Division Division of Alaska State Troopers Date/Time 2/9/07 1600
 Approved by: Commissioner Walt Monegan Date 2/14/2007
 Agency Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HB 118
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Corrections
Title "An act relating to underage possession of RDU Administration and Operations
alcoholic beverages in a dwelling." Component Office of the Commissioner
Sponsor Representative Meyer, Wilson
Requester Labor & Commerce Component No. 694

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type--Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Passage of this legislation should have no fiscal impact on the Department of Corrections.

Prepared by: Sharleen Griffin, Director
Division: Administrative Services
Approved by: Dwyane Peeples, Deputy Commissioner
Agency: Department of Corrections

Phone (907) 465-3339
Date/Time 2/15/07 8:20 AM
Date 2/15/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB118-LAW-CJL-2-13-07
 Bill Version: HB 118
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
 Title An Act relating to underage possession of RDU Criminal
alcoholic beverages in a dwelling. Component Criminal Justice Litigation
 Sponsor Representative Meyer
 Requester House Labor & Commerce Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The bill would prohibit a person who possesses or exercises dominion and control over a dwelling from recklessly permitting a person under 21 years of age to possess an alcoholic beverage in the dwelling. The department does not anticipate any significant fiscal impact.

Prepared by: Robert Meiners, Acting Director
 Division: Administrative Services Division
 Approved by: Robert Meiners for Talis Colberg, Attorney General
 Agency: Department of Law

Phone 465-5427
 Date/Time 2/13/07 11:01 AM
 Date 2/13/2007




REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

MEMORANDUM

DATE: February 6, 2007

TO: Representative Kurt Olson, Chairman
House Labor & Commerce Committee

FROM: Representative Kevin Meyer 

RE: Hearing Request for House Bill 118 *Allowing Minor's to Have Alcohol*

Please schedule HB 118 *Allowing Minor's to Have Alcohol* for a hearing in the House Labor & Commerce Committee at your earliest convenience.

HB 118 makes it a non-criminal violation to permit minors to possess alcohol in a dwelling over which a person exercises dominion or control.

Included in this packet:

- HB 118 *Allowing Minors to Have Alcohol* v. LS-0390\C
- Sponsor Statement
- Underage Drinking in Alaska Fact Sheet
- Current Status of Underage Drinking in Alaska Power Point
- Underage Drinking in Alaska Needs Assessment
- Teen Tipplers: America's Underage Drinking Epidemic

Email: Representative_Kevin_Meyer@legis.state.ak.us • Toll Free: (866) 465-4945

Session: State Capitol, Juneau, Alaska 99801-1182 • Phone: (907) 465-4945 Fax: (907) 465-3476

Interim: 716 W. 4th Ave., Anchorage, Alaska 99501-2153 • Phone: (907) 269-0199 Fax: (907) 269-0197



REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

Sponsor Statement House Bill 118

"An Act relating to underage possession of alcoholic beverages in a dwelling."

While it is against the law in Alaska to rent a hotel room for the purposes of providing alcohol to underage persons (AS 04.16.055) there is no provision in statute that makes it illegal to allow underage drinking in a home. This appears to be a significant oversight in statute since a home is the most commonly cited place underage people consume alcohol.

House Bill 118 closes this gap in statute by making it a non-criminal violation to permit underage persons to possess alcohol in your home. A parent allowing their own child to possess alcohol is not subject to the violation because they are allowed to provide alcohol to their children under AS 04.16.05. Under HB 118 however, a person throwing a party where an underage person possess alcohol (even if they were not responsible for providing the alcohol) would face a \$500 fine.

Alcohol is the drug of choice for young people in Alaska and has very serious impacts on our families, our institutions and our society. HB 118 closes a significant gap in our statutes and gives law enforcement an important tool to deter people from providing a venue for underage drinking.

(Updated 2/6/07)

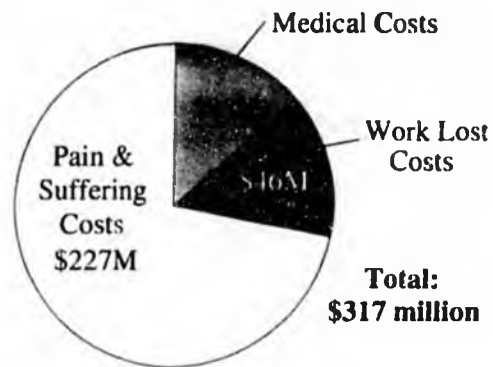
Underage Drinking in Alaska *The Facts*

Tragic health, social, and economic problems result from the use of alcohol by youth. Underage drinking is a causal factor in a host of serious problems, including homicide, suicide, traumatic injury, drowning, burns, violent and property crime, high risk sex, fetal alcohol syndrome, alcohol poisoning, and need for treatment for alcohol abuse and dependence.

Problems and Costs Associated with Underage Drinking in Alaska

Underage drinking cost the citizens of Alaska \$317 million in 2005. These costs include medical care, work loss, and pain and suffering associated with the multiple problems resulting from the use of alcohol by youth.¹ This translates to a cost of \$3,944 per year for each youth in the State. Alaska ranks 2nd highest among the 50 states for the cost per youth of underage drinking. Excluding pain and suffering from these costs, the direct costs of underage drinking incurred through medical care and loss of work cost Alaska \$89 million each year.

**Costs of Underage Drinking
Alaska 2005**



Costs of Underage Drinking by Problem, Alaska 2005

Problem	Total Costs (in millions)
Youth Violence	\$225.5
Youth Traffic Crashes	\$24.9
High-Risk Sex, Ages 14-20	\$18.4
Youth Property Crime	\$7.2
Youth Injury	\$16.8
Poisonings and Psychoses	\$1.6
FAS Among Mothers Age 15-20	\$4.6
Youth Alcohol Treatment	\$17.5
Total	\$316.5

Youth violence and traffic crashes attributable to alcohol use by underage youth in Alaska represent the largest costs for the State. However, a host of other problems contribute substantially to the overall cost. Among teen mothers, fetal alcohol syndrome (FAS) alone costs Alaska \$4.6 million.

Young people who begin drinking before age 15 are four times more likely to develop alcohol dependence

and are two and a half times more likely to become abusers of alcohol than those who begin drinking at age 21.² In 2003, 366 youth 12- 20 years old were admitted for alcohol treatment in Alaska, accounting for 11% of all treatment admissions for alcohol abuse in the State.³

Alcohol Consumption by Youth in Alaska

Underage drinking is widespread in Alaska. Approximately 33,000 underage youth in Alaska drink each year. In 2003, according to self-reports by Alaskan students in grades 9-12:⁴

- 75% had at least one drink of alcohol on one or more days during their life.
- 23% had their first drink of alcohol, other than a few sips, before age 13.
- 39% had at least one drink of alcohol on one or more occasion in the past 30 days.
- 27% had five or more drinks of alcohol in a row (i.e. binge drinking) in the past 30 days.
- 5% had at least one drink of alcohol on school property on one or more of the past 30 days.

In 2005, underage drinkers consumed 19.2% of all alcohol sold in Alaska, totaling \$74 million in sales. These sales provided profits of \$36 million to the alcohol industry.¹

Produced by the Pacific Institute for Research and Evaluation (PIRE), October 2006.

¹ Miller, TR, Levy, DT, Spicer, RS, & Taylor, DM. (2006) Societal costs of underage drinking *Journal of Studies on Alcohol*, 67(4) 519-528.

² Grant, B.F., & Dawson, D.A. (1997). Age at onset of alcohol use and its association with DSM-IV alcohol abuse and dependence: Results from the Nation Longitudinal Alcohol Epidemiologic Survey. *Journal of Substance Abuse* 9: 103-110.

³ Office of Applied Studies, Substance Abuse and Mental Health Services Administration. Treatment Episode Data Set (TEDS). (2003). *Substance Abuse Treatment by Primary Substance of Abuse, According to Sex, Age, Race, and Ethnicity*.

⁴ Center for Disease Control (CDC). (2005). Youth Risk Behavior Surveillance System (YRBSS).

**Underage Drinking in Alaska
Needs Assessment**

Prepared for: State of Alaska
Department of Health and Social Services
Division of Juvenile Justice
PO Box 110635
Juneau, Alaska 99811-0635

December 2000

Investigators:
Bobetta L. Trani
Steven L. Hamilton
C & S Management Associates
PO Box 34757
Juneau, AK 99803

Executive Summary.

A. Introduction. Underage drinking is an issue that receives a great deal of attention in many forums in Alaska. A wide range of organizations and agencies, both public/governmental and private expend considerable energy addressing this problem. It is a problem that contributes to accidents, attempted suicides, poor physical health, and more serious crime. Hidden effects include the increased probability of addiction to alcohol as adults. This report provides an assessment of the scope of the problem, efforts to address it in a variety of domains, and data resources and systems that help in assessment and tracking progress in addressing the problem.

“Underage drinking” refers to consumption of alcohol by youth ages 20 and younger. Because certain services or facilities, such as substance abuse treatment programs and correctional facilities, treat persons 18 and older as adults, the population is stratified into two different groups: youth ages 18 through 20 and youth ages 17 and younger.

Underage drinking is a complex, multi-faceted problem that is manifested in various ways with multiple, layered strategies in place to address the issue. The following areas of inquiry are included in this report:

1. Statutes and policy issues related to underage drinking;
2. Law enforcement efforts and issues;
3. The court system and its response to underage drinking;
4. Substance abuse treatment trends and resources;
5. Prevention, education, and advocacy efforts; and
6. Data resources and trends regarding underage drinking.

B. Methodology. To examine the issue of underage drinking in Alaska, investigators examined statewide efforts and data and conducted more detailed inquiries for 17 sample communities. The communities selected are listed and described in greater detail in Section I of the report. These communities ranged in size from Anchorage, the principal urban center in Alaska with a population of over 250,000, to the small village of Nanwalek with a population of only 170. The communities were geographically diverse with locations ranging from far western Alaska, including a small island village in the Bering Straits, to the panhandle in Southeast Alaska. The communities were ethnically diverse with some primarily Alaska Native villages, others that were predominantly Caucasian, and still others that represent a diverse mix. Finally, some communities were on the state’s limited road system, such as Homer and Copper Center, while others are accessible only by plane or boat, such as Aniak and Toksook Bay.

To gain an insight into the problems associated with underage drinking in Alaska and efforts to address these problems, investigators interviewed 203 key informants from the 17 communities

as well as representatives of statewide organizations and agencies. Information sought included information relating to prevalence of underage drinking, consequences, efforts to address the problem and barriers to those efforts. Existing literature was examined both at the national and state level to document the prevalence and trends in underage drinking as well as existing strategies. Investigators found a variety of rigorously developed information at the national level regarding prevalence and strategies. There is, however, less information on strategies and prevalence in Alaska.

Finally, investigators gathered and analyzed statewide data relating to underage drinking from a number of sources:

1. Alaska Court System data for minor consuming alcohol (MCA) cases;
2. Alaska Trauma Registry data (accidents, suicide attempts, and injuries resulting in death, in which alcohol was involved);
3. Alaska Division of Alcoholism and Drug Abuse treatment data;
4. Alaska Department of Transportation motor vehicle accident data;
5. Alaska Division of Juvenile Justice case data; and
6. Alaska Division of Motor Vehicles driver's license revocation data.

C. Overview of Underage Drinking. It is helpful to define what is meant by an "underage drinking problem." There are differing views on whether the problem is the fact that youth are consuming alcohol or whether the problem is more appropriately defined as the negative consequences (accidents, suicides, etc.) of underage drinking. For purposes of this report, "underage drinking problem" is defined as the consumption of alcohol by persons under the age of 21.

At the national level, underage drinking is both prevalent and deadly. In the 1998 Household Survey of Drug Abuse conducted by the Substance Abuse and Mental Health Administration (SAMHSA), 30.6% of youth ages 12 to 20 report being current users of alcohol, while 15.2% report binge drinking and 6.9% report consistent heavy use. When this is generalized to the population, it means that 10.4 million youth in the United States were current alcohol users, 5.1 million were binge drinkers, and 2.3 million were consistent, heavy drinkers.¹ The 1999 survey showed little change.² When the age group is narrowed to high school students, the Youth Risk Behavior Survey (YRBS) found that 50% of students were current users.³ The consequences of this drinking include the deaths of 5,477 youth ages 15 to 20 who were killed in alcohol-related

¹ Substance Abuse and Mental Health Services Administration (SAMHSA). Summary of Findings from the 1998 National Household Survey of Drug Abuse. Rockville, MD, May 1998

² Substance Abuse and Mental Health Services Administration (SAMHSA). Summary of Findings from the 1999 National Household Survey of Drug Abuse. Rockville, MD, August 2000

³ U. S. Centers for Disease Control, "Adolescent and School Health," Internet Web Site www.cdc.gov/nccdphp/dash/pics99/natl.htm. Atlanta, GA, August 2000

automobile injuries with 21% of those coming in accidents caused by an underage drinking driver.⁴ Research shows that youth who begin to consume alcohol before the age of 15 are four times more likely to develop alcohol dependency (alcoholism) than people who wait until after the age of 21 to begin drinking.⁵ Finally, The Office of Juvenile Justice and Delinquency Prevention (OJJDP) reported nearly 19,600 arrests for driving under the influence of alcohol (DUI) of youth under the age of 18 in 1997.⁶ Nationally, the problem of underage drinking is addressed by a number of different agencies in diverse ways. OJJDP, through block grants, technical assistance, and discretionary programs helps states in enforcement, training, and prevention. SAMHSA provides funding to organizations and states for prevention and treatment for youth. The Department of Education, through Safe and Drug-Free Schools Programs funds a variety of efforts to eliminate the problem of underage drinking in schools.

In Alaska, the prevalence of underage drinking does not vary significantly from the national prevalence. The 1999, Alaska YRBS found that 50.9% of high school youth self-report as current users of alcohol while 33.4% report binge drinking in the month prior to the survey.⁷ When the age cohort is broadened to include youth ages 12 through 20, 12.3% report binge drinking with 5.7% dependent on alcohol or other drugs. This compares with national rates of dependence of 5.8%.⁸ The consequences of underage drinking in Alaska are reflected in an increase in the number of alcohol-related accidents among youth requiring hospitalization of 66.3% between 1991 and 1998. Over this period, Alaska averaged 30 suicide attempts annually among youth where alcohol was a factor.⁹ In 1998, there were 128 traffic accidents in which alcohol consumption by an underage driver contributed to the accident.¹⁰ Alaska has a diverse set of strategies in place to address the problem of underage drinking. The Alaska Division of Juvenile Justice, the Alcoholic Beverage Control (ABC) Board, State Troopers, and local law enforcement officials all contribute to enforcement of underage drinking laws. Underage drinking prevention efforts are supported through the Alaska Division of Alcoholism and Drug Abuse, Alaska Division of Juvenile Justice, and the Alaska Department of Education and Early Development. Community advocates, officials of the court system (judges, magistrates, prosecuting attorneys, etc.), and local law enforcement officials are searching for ways to effectively intervene with youth cited for underage drinking to ensure that they receive appropriate services in addition to being held accountable for their violations.

D. Relevant Statutes, Laws, and Ordinances. Underage drinking is addressed legally on three different levels. The Alaska Statutes are the primary vehicle for addressing the issue in Alaska. Locally, communities have a variety of ordinances that are used to reduce underage drinking

⁴ National Highway Traffic Safety Administration, Saving Teenage Lives: The Case for Graduated Driver Licensing. Washington, DC 1998

⁵ Grant, B. and Dawson, D., "Age at Onset of Alcohol Use and its Association with DSM-IV Alcohol Abuse and Dependence," Journal of Substance Abuse, 9:103-110, 1997

⁶ Snyder, H., Juvenile Arrests 1997. Washington, DC, U. S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 1998

⁷ Alaska Department of Education and Early Development/Alaska Department of Health and Social Services, Alaska Youth Risk Behavior Survey 1999, Juneau, AK, 1999

⁸ Substance Abuse and Mental Health Services Administration (SAMHSA), Summary of Findings from the 1992 National Household Survey of Drug Abuse, Rockville, MD, August 2000

⁹ Alaska Trauma Registry, unpublished data, Juneau, AK, 2000

¹⁰ Alaska Department of Transportation, 1998 Alaska Traffic Accidents, Juneau, AK, October 1999

through a number of different methods. Nationally, the primary law that impacts underage drinking is the Juvenile Justice and Delinquency Protection Act of 1974 (Public Law 93-415), which prohibits incarceration of minors in adult facilities and for offenses that are status offenses (offenses involving activity that is illegal only because of the status (age in this case) of the individual).

The central state statute addressing underage drinking in Alaska is Alaska Statute (A.S.) 04.16.050, which prohibits possession or consumption of alcohol by a person younger than 21 years of age. Other sections of A.S. 04.16 address issues such as providing alcohol to minors, minors on licensed premises, and renting rooms for the purpose of consuming alcohol. Violations of most sections of A.S. 04.16 are considered class A misdemeanors except A.S. 04.16.050, which is classified as a violation. Alaska Statute 04.16.050 is also unique among these sections because violations are disposed of in district court rather than in the juvenile justice system. For violation of other sections of the statute, the cases are disposed of in the juvenile justice system for persons under the age of 18, while violations for those ages 18 through 20 are handled as misdemeanors in district court. Violations of A.S. 04.16.050, also referred to as Minor Consuming Alcohol (MCA) cases, carry a maximum sentence of \$300. There are no provisions in the statute for referral of repeat offenders for mandatory alcohol abuse or dependency assessment or treatment. Alaska Statute 04.16.050 underwent a significant change in 1995 as the jurisdiction was moved from the juvenile justice system to district court. Prior to that, MCA cases for persons under age 18 had been handled through the juvenile justice system and the superior court with the latitude to require assessments and treatment as indicated.

In addition to the provisions of A.S. 04.16, A.S. 28.15.183 provides the authority for administrative revocation of a minor's driver's license for an MCA violation. This is significant because there is no requirement that the MCA violation be related to driving in any way. The amount of time for which the license is revoked is graduated depending on the number of violations in the individual's history, with a maximum time of one year. Since revocations run consecutively, however, individuals can lose their driver's licenses for periods significantly longer than one year if they have multiple violations within a relatively short period of time.

The final area of state statutes that relates to underage drinking is Title 47, which addresses health and social services issues. This is a broad title that includes the description of the juvenile justice system, child welfare and safety issues, and provision of substance abuse services in Alaska.

Local ordinances that relate to underage drinking are in place in various communities. One of the most common of types of ordinances relates to zoning restrictions and use permits that can be revoked if the establishment serves alcohol to minors. A local ordinance in Anchorage allows licensed establishments to file suit against minors in small claims court for entering the establishment. While investigators noted the existence of these types of ordinances, they did not find widespread or consistent use of the ordinances to combat underage drinking.

A detailed discussion of the relevant statutes and related case law is contained in Section III of the report. Appendix D to the report contains the entire text of key statutes.

E. Law Enforcement. At the national level, there is a growing recognition that successful strategies all share some common features. The overarching philosophy that describes

successful strategies is that they are proactive. Such strategies seek to limit the number of youth who are consuming alcohol rather than merely citing and punishing the ones who do. Proactive strategies include registration of beer kegs, use of undercover officers in licensed establishments, making the driver's licenses and other forms of official identification distinctive for persons under the age of 21. Another feature of successful approaches is the use of comprehensive strategies. This approach includes the following areas of focus:

1. Policy oversight and coordination;
2. Strategic and tactical planning;
3. Reactive and proactive enforcement;
4. Prosecution;
5. Adjudication and diversion;
6. Supervision and treatment;
7. Public education; and
8. Feedback and evaluation.

Finally, successful strategies involve partnerships. Organizations at the state and local level must work together to address issues where each has expertise and/or resources. Examples of community partners include the police, local judges and magistrates, substance abuse providers, political leaders, religious leaders, and advocates. By using a diversity of community resources focused on a common goal, community values can be impacted.

Enforcement of underage drinking laws in Alaska is accomplished through several different approaches. Most effort is at the community level with local law enforcement officers. While there are a variety of laws that are relevant and for which enforcement is required, the overwhelming majority of effort regarding underage drinking is targeted toward citations for violation of A.S. 04.16.050 (MCA). Enforcement is a function of the Alaska State Troopers, local police departments, village public safety officers (VPSO) and village police officers (VPO). With some exceptions, enforcement of underage drinking laws is an area of law enforcement that competes with every other law enforcement issue in a community for time and resources. Other such issues are violent crime, burglary, criminal mischief, etc. When law enforcement officers encounter underage drinking, they typically cite the individual for violation of A.S. 04.16.050 and hold the individual until a parent can be contacted to pick him or her up. Police are not allowed to incarcerate youth for minor consuming in either an adult or a juvenile facility. Additionally, police officers and members of the community (emergency) services patrol can pick up a minor who is incapacitated by alcohol and provide protective custody for up to 12 hours. This protective custody may be in a detoxification facility, a medical facility, or a youth detention facility for persons younger than 18. For persons 18 or older, they can be taken to an adult correctional facility for protective custody.

In addition to the efforts of law enforcement with regard to MCA cases, the ABC Board, in partnership with five different police departments, using a grant from the Division of Juvenile Justice, enforces laws relating to underage drinking through monitoring of licensed establishments. This is usually done through the use of "sting" operations in which a minor, under police supervision, attempts to purchase alcohol at a licensed establishment. In Anchorage, for example, youth successfully purchased from package stores about 35% of the time and, in a single weekend operation, were able to purchase alcohol in nine of 10 restaurants where attempts were made. Compliance was found to be much higher in bars. The five police departments operating in partnership with the ABC Board also use the grant funds to field additional, youth-specific patrols during periods when drinking parties are likely to occur such as on weekends and holidays such as New Year's Eve and the Fourth of July. Local police also collaborate with the state troopers. For communities on the road system, local and state law enforcement collaborate to acquire information on drinking parties and intervene. The Anchorage Police Department also purchased portable breath testers that allow patrol officers to test the alcohol level of subjects on site.

The ability of local law enforcement officials to respond to underage drinking and the extent to which they respond varies by type of community. Large urban centers such as Anchorage have well-staffed police forces with a variety of resources while some villages, such as Nanwalek, have no law enforcement presence at all beyond the state troopers who periodically fly in to provide services. The larger communities, however, also have greater populations to serve and a broader range of problems confronting them. According to the MCA data from the Alaska Court System, the rate of underage drinking law enforcement is not correlated to the population size of communities. Additionally, law enforcement officials who were interviewed consistently emphasized the role of community norms and values regarding alcohol as a driving force in underage drinking. While these norms and values do not necessarily preclude officials from enforcing underage drinking laws, they do describe the level of acceptance of underage drinking within the community. Key informants, particularly in rural areas, indicated that community support for enforcement of underage drinking laws as well as prevention efforts are driven in large part by tragic events. When a death or other catastrophic event occurs involving underage drinking, support increases temporarily but usually subsides. Another perception of law enforcement officials, which mirrors sentiment observed nationally, is that the disposition of the cases by the judicial system reflects a lack of seriousness with which underage drinking is viewed. In Alaska, the statute that prohibits underage drinking, A.S. 04.16.050, provides for a maximum penalty of only \$300 and no provisions for any other intervention such as mandatory screening or treatment.

Despite these barriers and perceptions, the number of MCA cases processed by the Alaska Court System increased 139.0% from 1995 to 1999 and the imposition of fines was generally a graduated approach with minimum fines awarded for first offenses and increased fines for subsequent offenses. Investigators did not find any consistent evidence of heightened law enforcement activity related to underage drinking between 1995 and 1999, however, the number of MCA court cases increased significantly each year. Numerous national and state surveys of students indicate that trends in alcohol consumption rates by minors were relatively flat through the 1990s. When examining some of the adverse consequences of underage drinking, such as

motor vehicle accidents involving underage drinking drivers and alcohol-related injuries, investigators found mixed trends, with some rising over the period and others falling. Because of the inconsistency of indicators, both qualitative and quantitative, investigators are unable to draw definitive conclusions regarding the primary driving forces behind the steady increase in MCA court cases. Because the system for MCA case disposition changed in 1995, some increase over the first two years could be expected as the system adapted to the change and law enforcement officials became more familiar with procedures. The increase, however, continued over the next three years indicating drivers other than system acclimation.

F. The Alaska Court System. The Alaska Court System is significant to the issue of underage drinking because, since 1995, MCA cases have been under the jurisdiction of district court. MCA cases are processed in accordance with local court procedures; however, the prevailing trend noted by investigators is that citations are written by law enforcement officers for offenders. Initial hearings on these citations are typically held in traffic court before a magistrate. Some communities, such as Juneau, have special judicial procedures for MCA cases, but the process is similar. At the initial hearing, the clerk reads the citation and the individual charged has an opportunity to either contest or not contest the charges. If the individual contests the charges, another hearing is scheduled in which the citing police officer presents the case to the judge. At this stage, the individual can either plead guilty or not guilty. If they plead not guilty, then the case goes to trial and a district attorney or municipal prosecuting attorney presents the case. Court data indicates that cases are disposed of with a finding of guilty or not guilty (indicating that a trial was held) about 3.7% of the time, which is consistent with information provided by key informants.

Cases involving youth and alcohol other than MCA cases are disposed of in different ways depending on the age of the offender. Youth ages 17 and younger are referred to the Alaska Division of Juvenile Justice and cases are disposed of through the juvenile justice system. Cases involving youth ages 18 through 20 are disposed of as class A misdemeanors in district court.

There have been several attempts by communities to dispose of MCA cases using alternative methods such as diversion programs. The idea behind such programs is to use other forums, such as youth courts or community councils to work with the offender, provide assessment and/or treatment and education, and community work service rather than having the case referred to court. This approach is more prevalent in small villages than in larger communities. Often the remoteness of the village is more conducive to a community council process where the individual faces immediate consequences involving people with whom he or she is familiar than disposition by a distant court. Beyond the use of these village councils, alternative approaches have been inconsistent and the statutory authority for such disposition is questionable.

Key informants within the judicial system echoed some of the same concerns as law enforcement officials. The statute relating to MCA cases, A.S. 04.16.050, limits the options open to a judge or magistrate with regard to disposition. The rigidity of the statute prevents proactive interventions such as assessments for alcohol abuse or dependency as a part of the case disposition. It caps the possible consequences at a fine of \$300. Although a separate statute, A.S. 28.15.183, allows for administrative revocation of driver's license for an MCA violation, the reality in rural areas is that other forms of transportation, such as snowmobiles, boats, and

four-wheelers, are often more prevalent and do not require a license. This limits the impact of the revocation in these areas.

In examining the court system response to underage drinking, investigators found that court cases for MCA have increased 139.0% between 1995 and 1999 with a total of 20,538 cases over that period of time. Even when converted to a rate per 100,000 population (which takes into account population increases), the increase over the relevant period was 131.5%. When examined on an annual basis, the rate jumped sharply between 1995 and 1996, which is not unusual given that the change in statute occurred in 1995. The rate dropped slightly in 1997 but increased over the next two years (1998 and 1999) by 24.4% and 15.7% respectively.

G. Substance Abuse Treatment Resources for Youth. One of the tools for addressing underage drinking is substance abuse treatment. In Alaska, substance abuse treatment is coordinated by the Alaska Division of Alcoholism and Drug Abuse and provided by private non-profit, private for-profit, and municipal treatment programs. The various programs offer a continuum of services in various locations.

1. Assessment. For individuals who appear to have a problem with alcohol that might be well served through treatment services, a comprehensive assessment is performed to determine (1) the extent of their problem, and (2) needed treatment services.

2. Alcohol Information School. While not formally a component of treatment, Alcohol Information School (AIS) is typically the first level of intervention in alcohol abuse (other than population-based prevention). It typically provides between eight and 20 hours of education and information on the effects of alcohol and other drugs.

3. Outpatient Treatment. Outpatient treatment services include one-to-one counseling, group counseling, and education. It is the least restrictive of the true treatment options. Treatment in outpatient programs, while designed to meet the needs of individuals, tends to last between three and six months.

4. Intensive Outpatient Treatment. Intensive outpatient treatment is a variation of outpatient treatment characterized by more frequent and longer sessions. Intensive outpatient treatment has much of the same activities as regular outpatient but the individual might receive services three to five times per week.

5. Day Treatment. Day treatment is a relatively rare program component in which individuals sleep at home but attend treatment activities all day every day. It is more common in large, urban areas where there is a high demand for rigorous treatment by individuals who have homes and supportive family or friends.

6. Residential Treatment. Residential treatment is provided to those individuals who are unable to progress in a less structured setting. It provides a form of "wrap-around" services in which virtually all of the individuals' daily affairs and activities are aggressively managed. The treatment services include individual and group counseling, case management,

education, recreation or activity therapy, nutritional assessment and monitoring, and medical care.

7. Detoxification. Detoxification is the process of managing the patient's withdrawal from alcohol or other drugs. This process, which typically lasts two to seven days, involves monitoring of the patient, particularly the vital signs, and administration of withdrawal management medication as indicated. The most common setting for detoxification is in a medical setting, however, social detoxification and even outpatient detoxification have been used with some success. Aside from assuring patient safety, another typical goal of the detoxification component of care is to conduct a thorough assessment of client needs and make a referral to an appropriate level of treatment.

8. Transitional Housing. Transitional housing is a housing service that provides a structured living environment appropriate for individuals in early recovery. One form of transitional housing is the "halfway house" common in many substance abuse programs. Transitional housing is typically sober housing with varying levels of built-in support such as ongoing case management, in-house 12-step meetings, and organized activities. Typical stays in transitional housing range from one month to more than a year, depending on community resources and patient needs.

9. Continuing Care. Also called "aftercare," continuing care is the component of care that provides the final transition from treatment to recovery. Continuing care provides a gradually decreasing level of intensity ranging from a once-a-week meeting to monthly check-in sessions. Outcome studies completed in Alaska over the past decade clearly indicate that ongoing participation in continuing care is one of the best indicators of treatment success.¹¹

Services for youth are more limited than for the general adult population. In considering adult and youth programs, however, it is important to note that, with regard to treatment, persons ages 18 and older are considered adults and receive services through adult programs. Youth treatment programs serve persons ages 17 and younger. Youth treatment programs differ from adult programs in a number of ways. First, staff are specifically trained to work with the special problems of youth. Second, program curricula and materials are specifically tailored to address problems from a youth perspective rather than using adult material. Finally, the course of treatment differs in that a significant amount of effort and energy in youth programs is targeted toward engaging the youths and helping them to recognize the problem and the need for change. In many rural areas, the only treatment services available to youth are outpatient services in adult programs where treatment plans are individualized to meet specific needs of the youth, but the general course of treatment is based on an adult model.

There are a wide variety of barriers to youth receiving needed treatment services. The first, and most obvious, is that many communities do not have substance abuse programs designed specifically for youth. The availability of residential beds for youth is another key barrier with the publicized waiting list for one of the three publicly funded programs averaging between three and six months. There is an adult assessment and referral system for individuals convicted of

¹¹ Division of Alcoholism and Drug Abuse, Chemical Dependency Treatment Outcome Study, Juneau, AK, December 1998

alcohol-related offenses, the Alcohol Safety Action Program (ASAP). There is no such program for youth despite the fact that MCA cases have been consistently increasing through the 1990s. Other barriers such as community norms and values, family use of alcohol, and transportation costs also serve to reduce the availability of treatment services to youth.

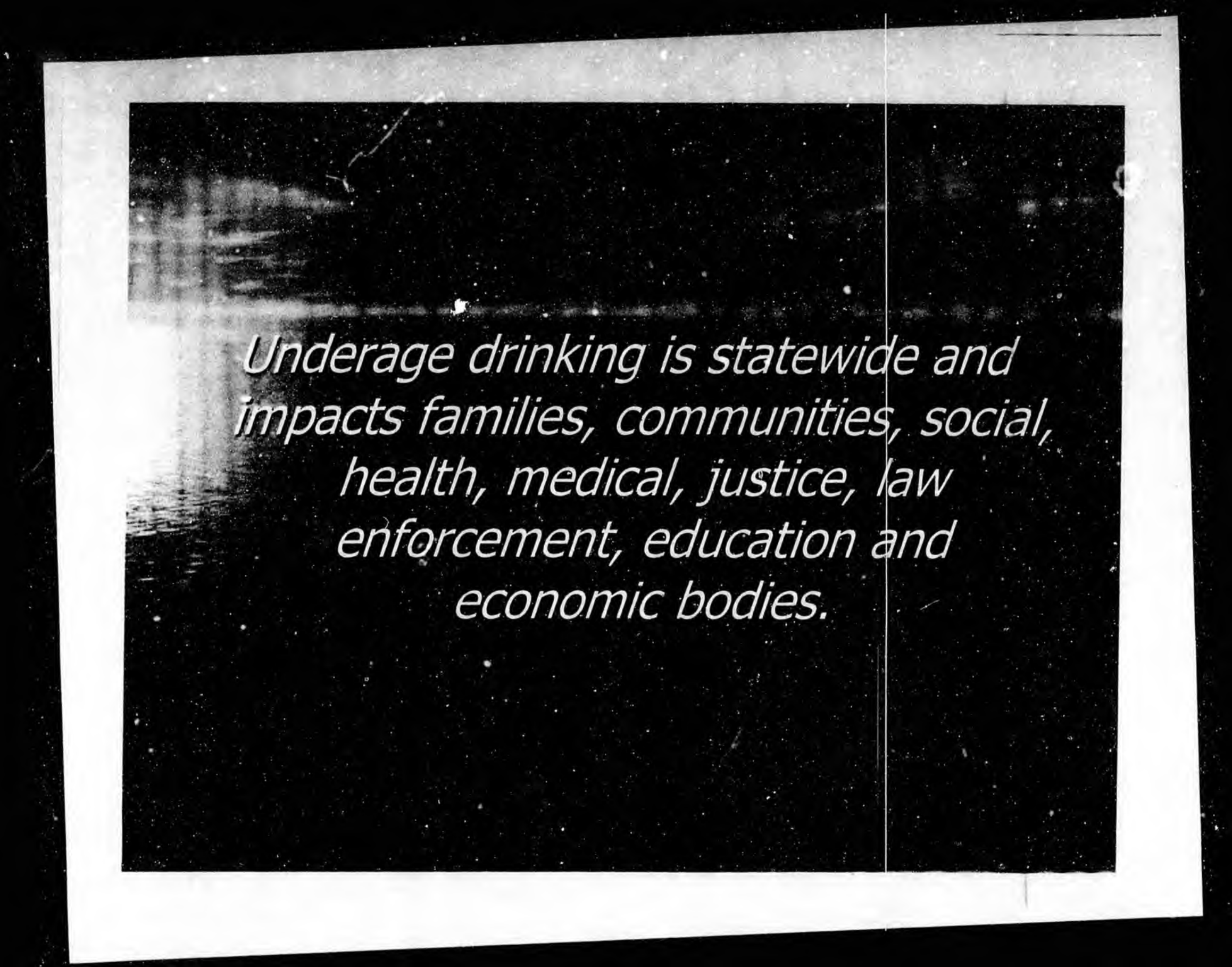
The following table provides a summary of treatment resources specifically designed and targeted to youth. A complete description of all treatment programs available in Alaska is provided in Section VI of the report.



Current Status of Underage Drinking in Alaska

From the Perspective of Alaska
Youth

REPORT TO AFN/FAI ELDERS AND YOUTH 2005



Underage drinking is statewide and impacts families, communities, social, health, medical, justice, law enforcement, education and economic bodies.

Purpose

- Previous studies show the percentage of underage drinking throughout all Alaska; however this is the only survey which reveals the perception of the severity of underage drinking in rural Alaska from the perspective of Alaska youth.

Results

- Demographics
- Survey Location
- Access to Alcohol
- Why, when and where youth drink
- Perception of Underage Drinking Problem

Results

- Who is drinking and what are the consequences
- Problems Caused by Underage Drinking
- What Works: Youth Perspective
- Youth Perspective on Prevention and Interventions

Results

- Cultural Activities as Protective Factors
- Who to Ask for Help
- Conclusions

Demographics

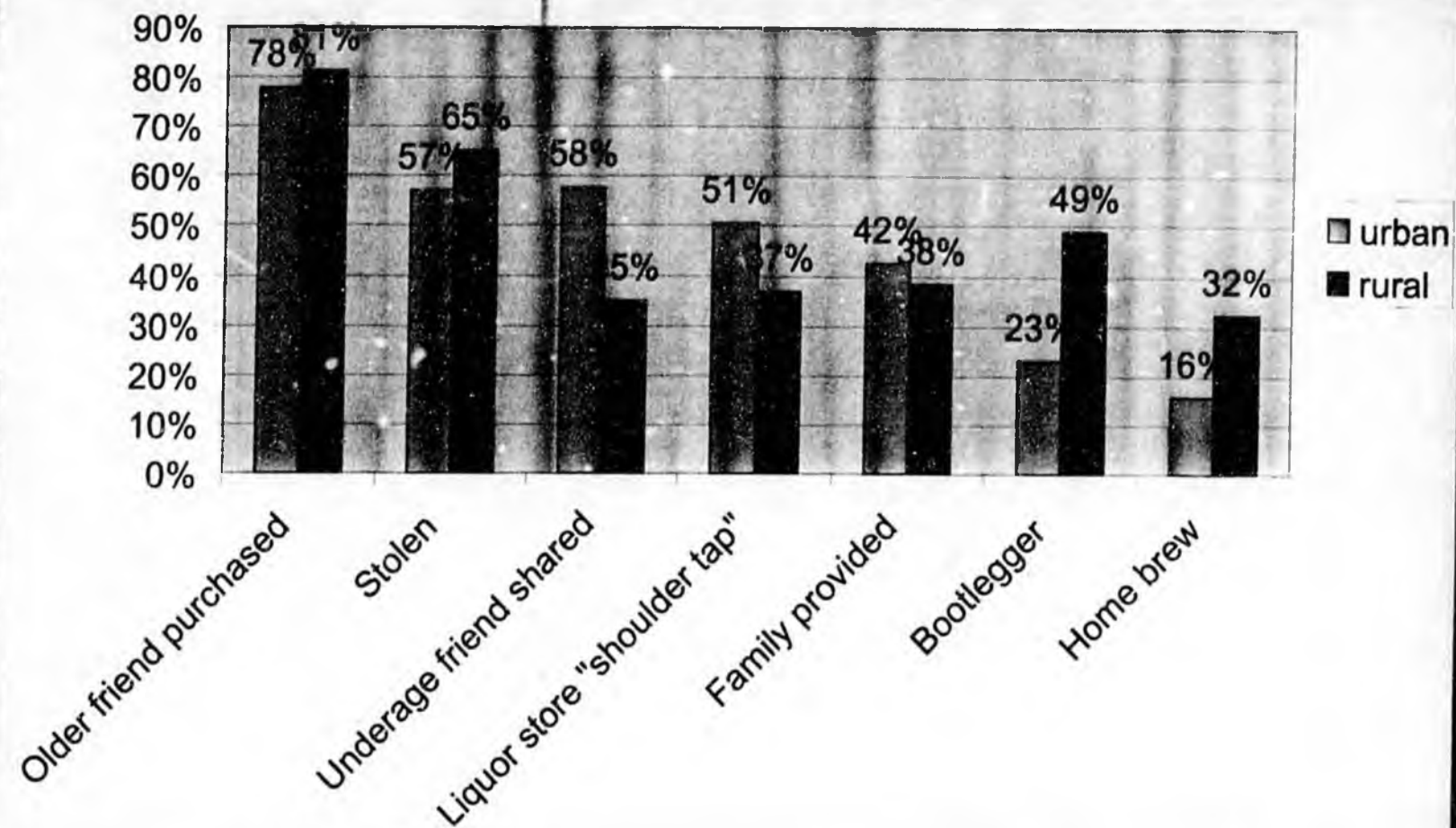
Participants: Urban/Rural and Cultural Groups	Number	Percent of total
Athabascan	74	15%
Yupik	112	23%
Inupiat	73	15%
Aleut	87	18%
Haida	7	1.5%
Cu'pik	7	1.5%
Tlingit	15	3%
Tsimpshian	3	.5%
Eskimo	115	23.5%

Survey Location and Gender

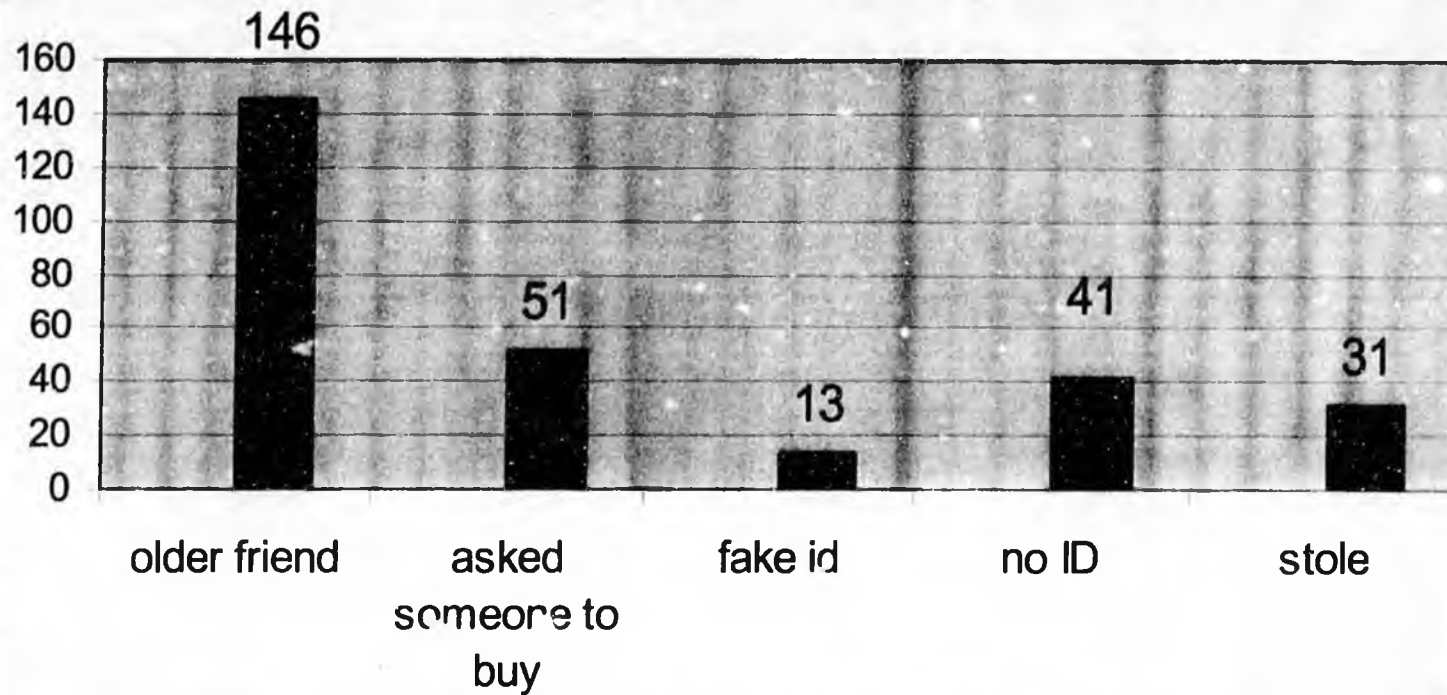
Male	Female
259	311

UAA	McLaughlin	AFN
93	112	365

Access to Alcohol



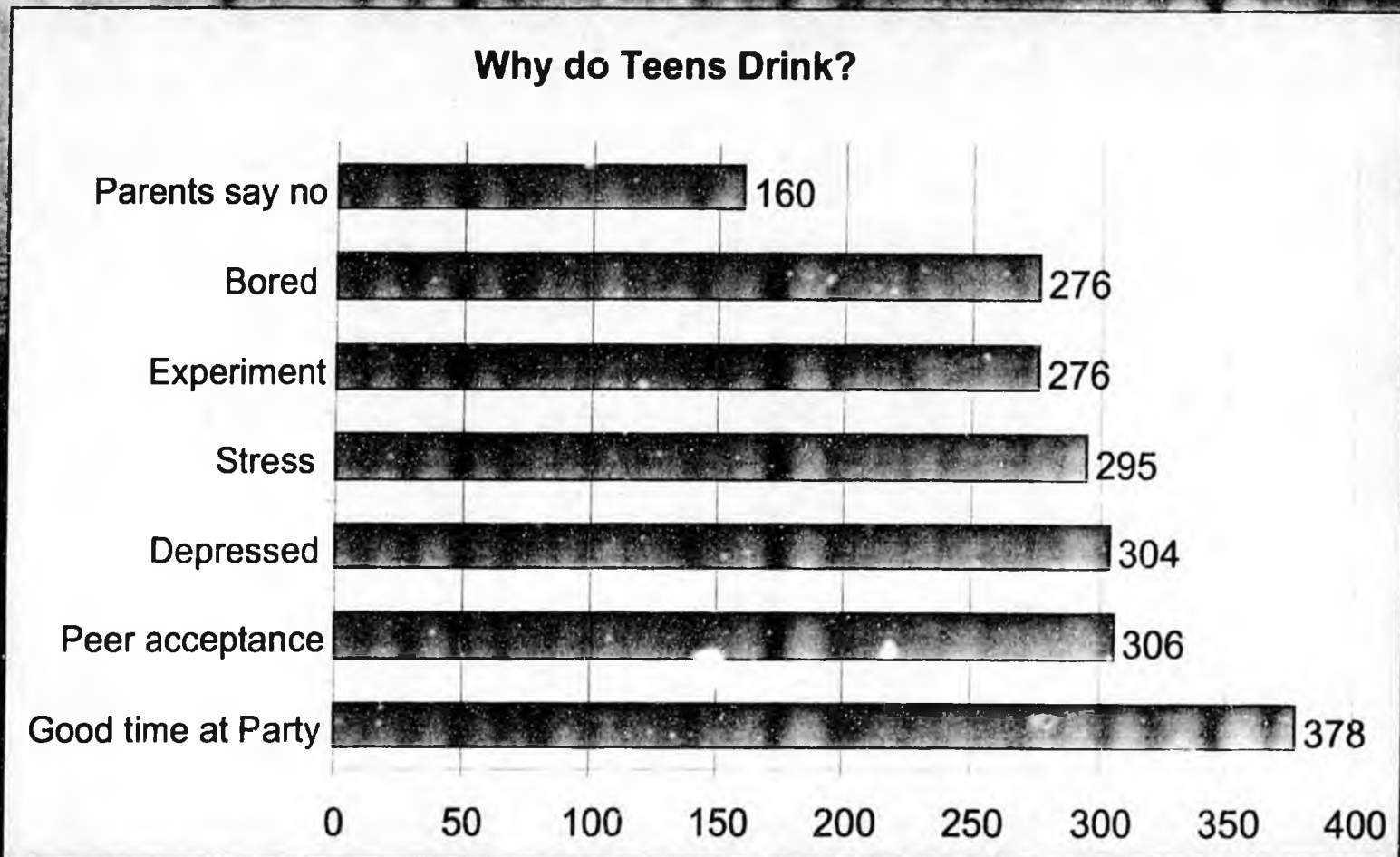
Access to Alcohol in Anchorage



91% of UAA students report having an older friend provide alcohol.

Why youth drink

"Alcohol costs a lot, and so if money is spent on it then they are really broke, and that makes them want to drink more."



When youth drink

- Summer is best because then you can drink outside and not get caught.
- It is easier to drink in the summer because you don't worry about being at school the next day. You won't get in trouble.
- Having a hangover at school is really bad.
- More likely to get caught if they were drinking on school days. The school personnel would catch them.

When Youth Drink, Cont'd.

- If they had a job then they wouldn't be out drinking so much they would worry about being there the next day.
- If you drink during school teachers might catch on, some parents don't care because they drink too.
- Parents don't know how to confront their children and tell them to quit – not putting consequences on them. Getting caught and facing consequences is more likely to happen at school

Where youth drink

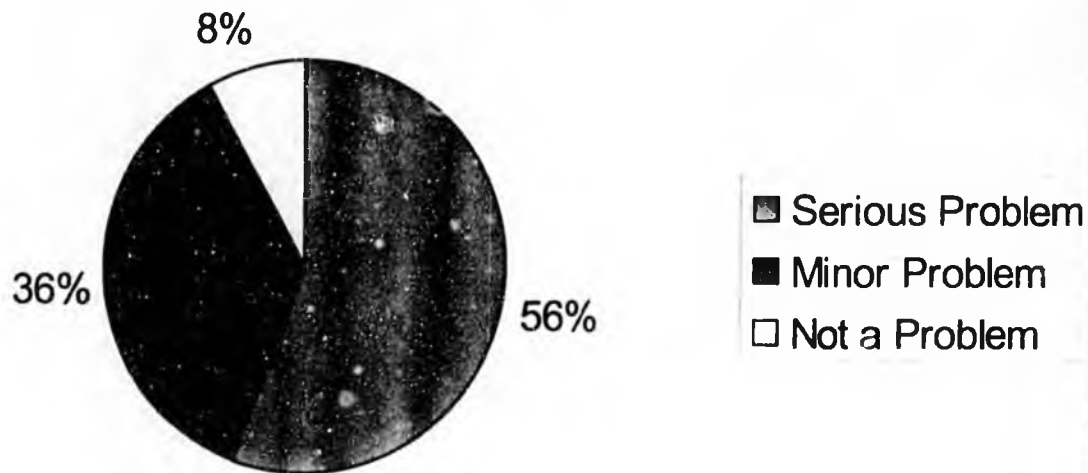
- Most common places to drink:
 - at a friend's house,
 - an older friend's house,
 - or one where there either isn't supervision or no adults are at home.

Where Youth Drink, Cont'd.

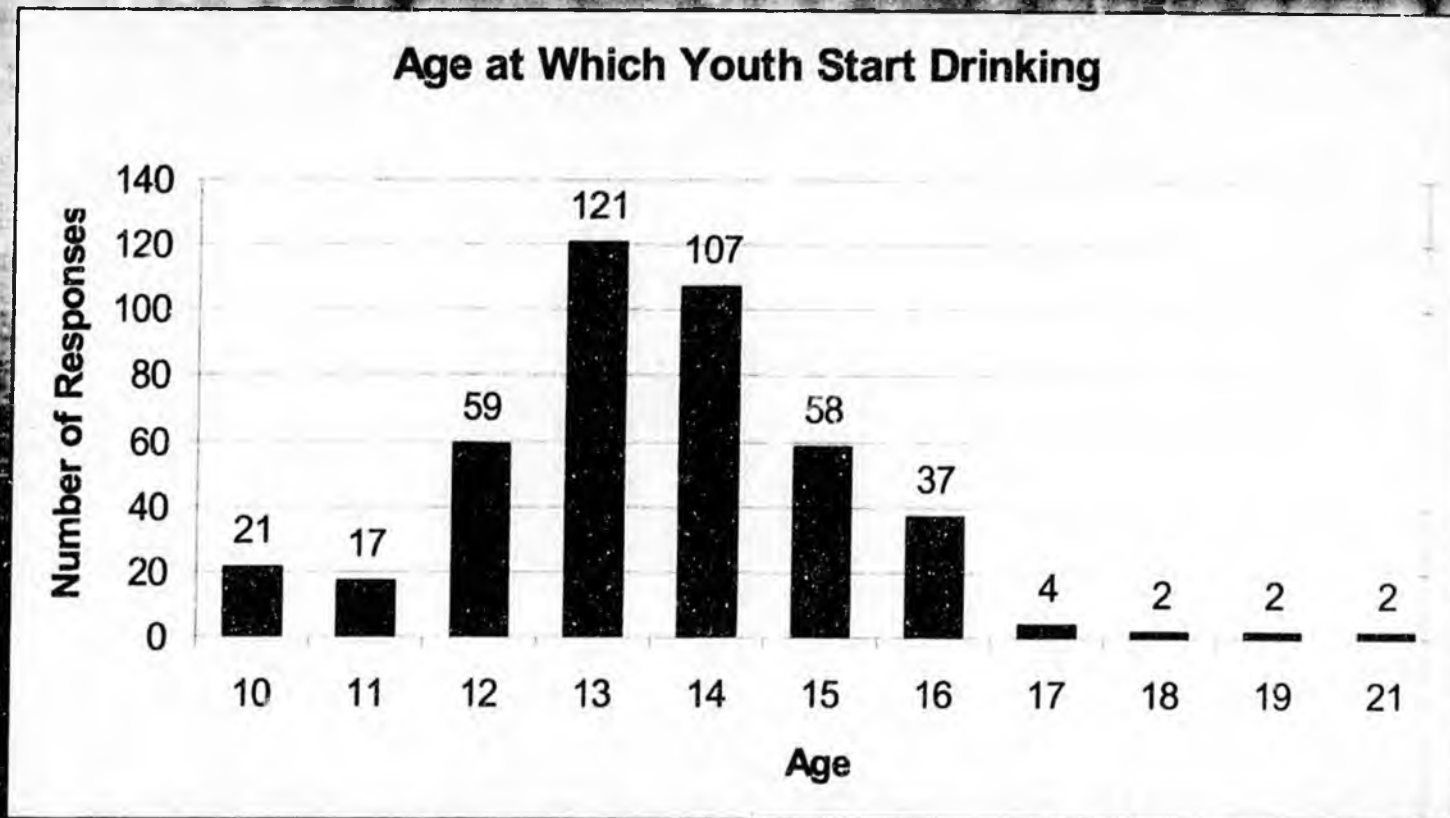
- Isolated places:
 - the beach,
 - the woods,
 - the park,
 - abandoned houses and buildings, other assorted hiding places
- **Anywhere alcoholics are,**
- **Anywhere older people aren't.**

Perception of the Underage Drinking Problem

Severity of Under-Age Drinking Problem as Perceived by All Youth



When do Youth Start Drinking



College Students

- 89% report having had alcohol
- Age of first drink reported 15-18
- 72% report binge drinking
- 30% have thought about quitting

How often do you drink alcohol?

	Percent
Daily	4
Once a week	24
Once a month	25
< once a month	34
Don't drink anymore	14

What are the Consequences

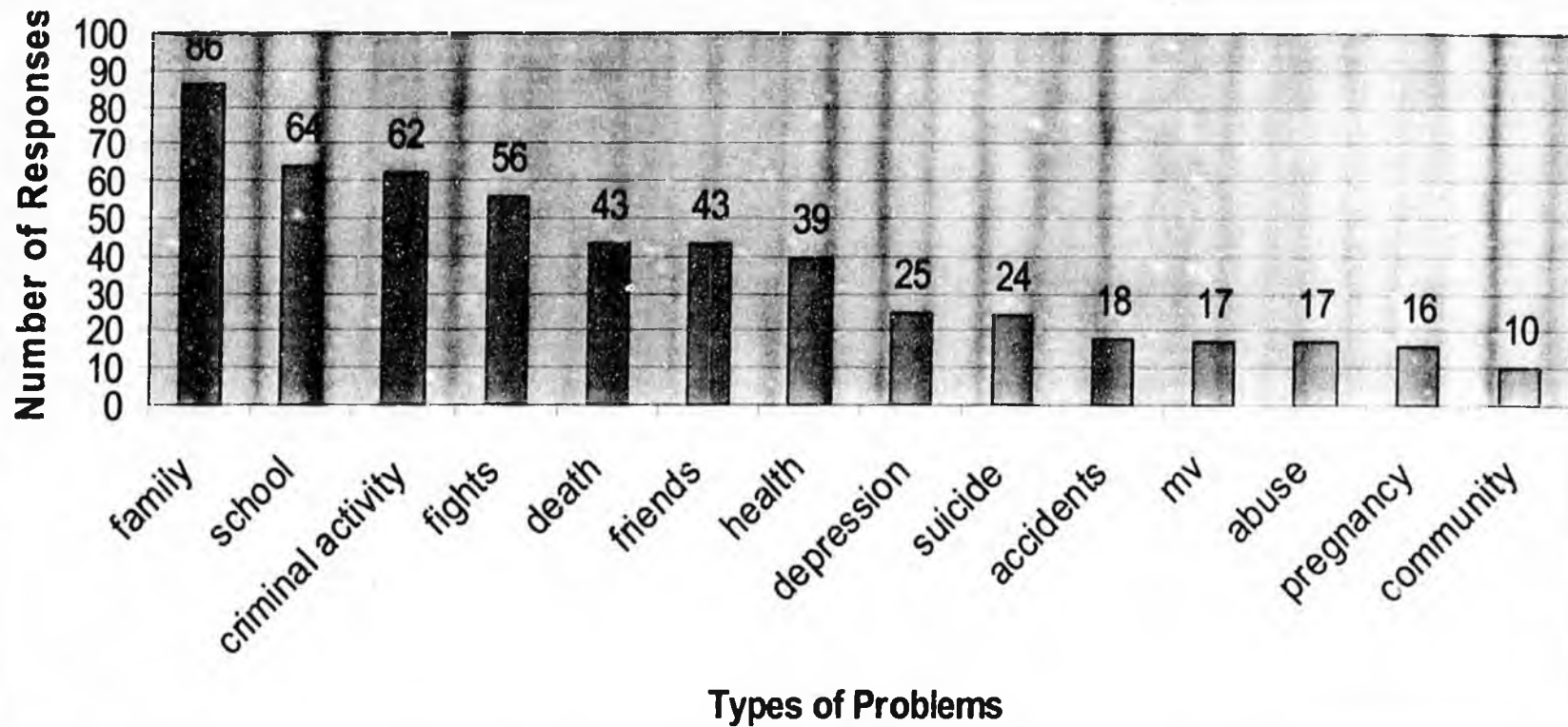
- Getting Grounded
- Yelling
- Eliminating contact with Friends

- Absent from School
- Doing poorly in School
- Arrested

- MCA
- Kicked off Campus
- DWI

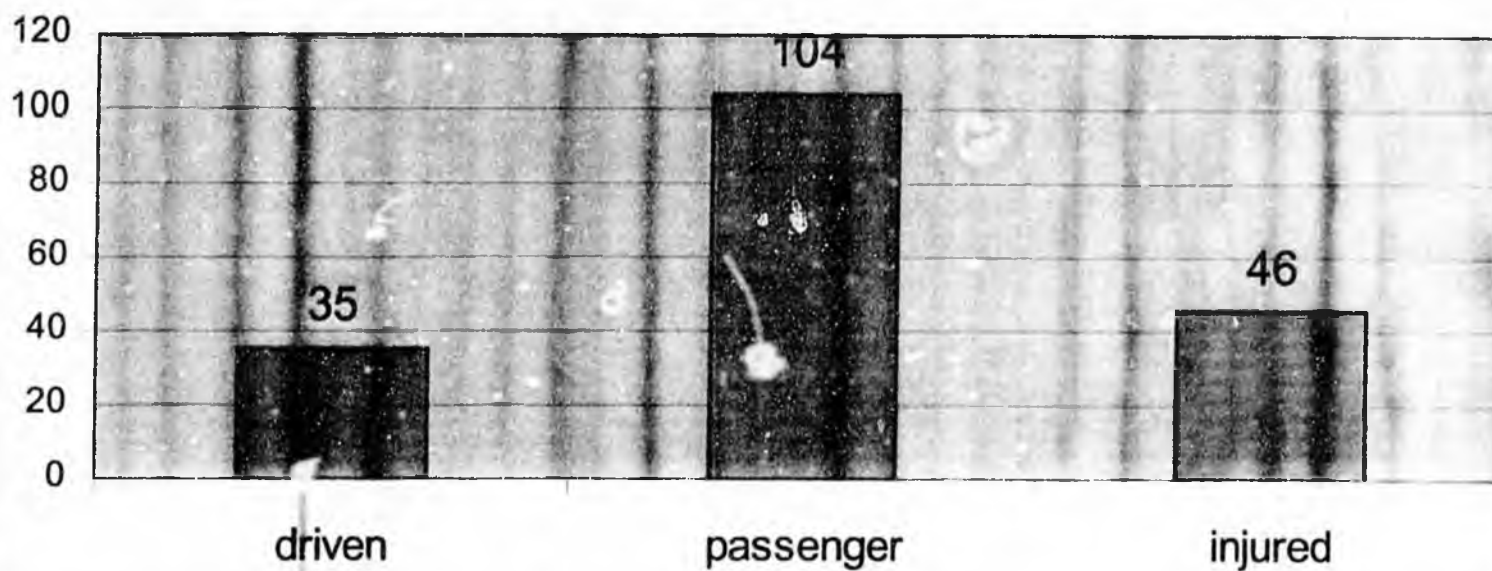
Problems Caused by Underage Drinking

Youth Perception of Problems Caused by Underaged Drinking

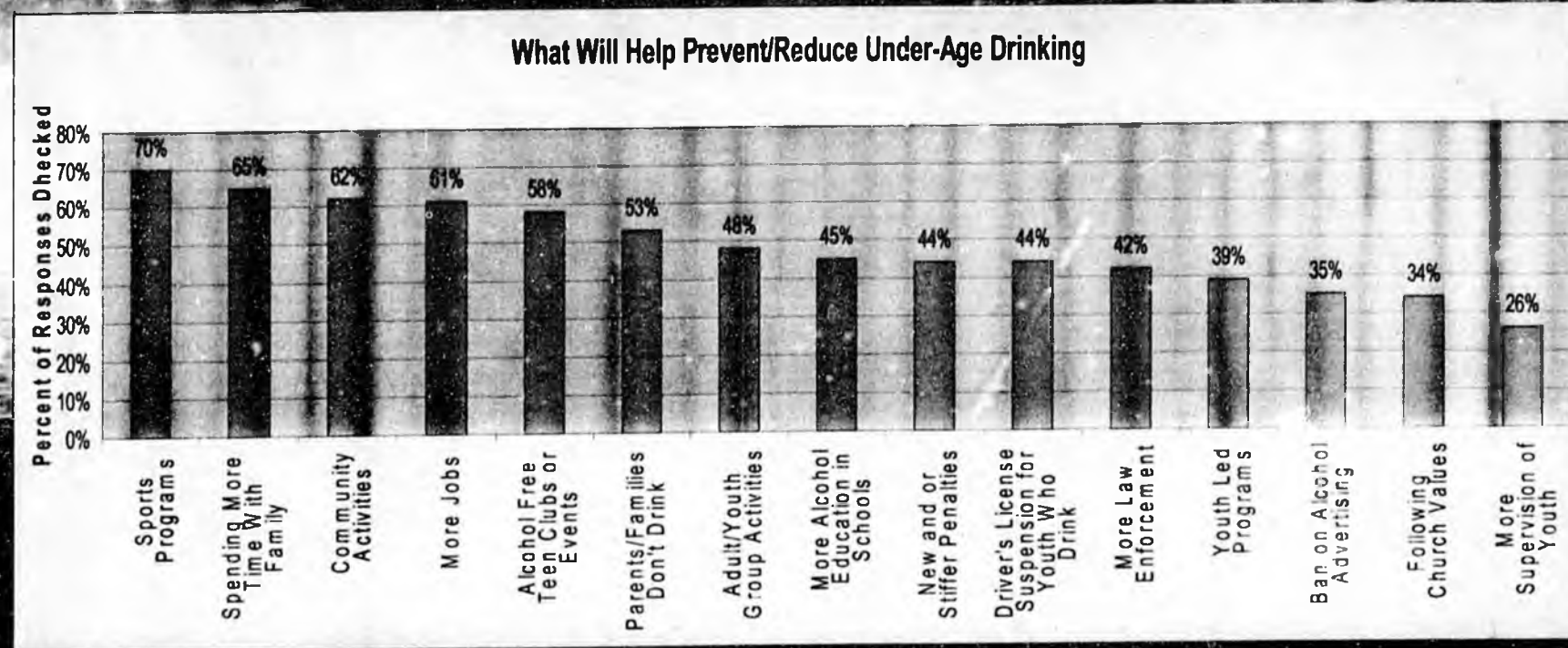


Drunk Driving

Risky Behavior



What Works: Youth Perspective

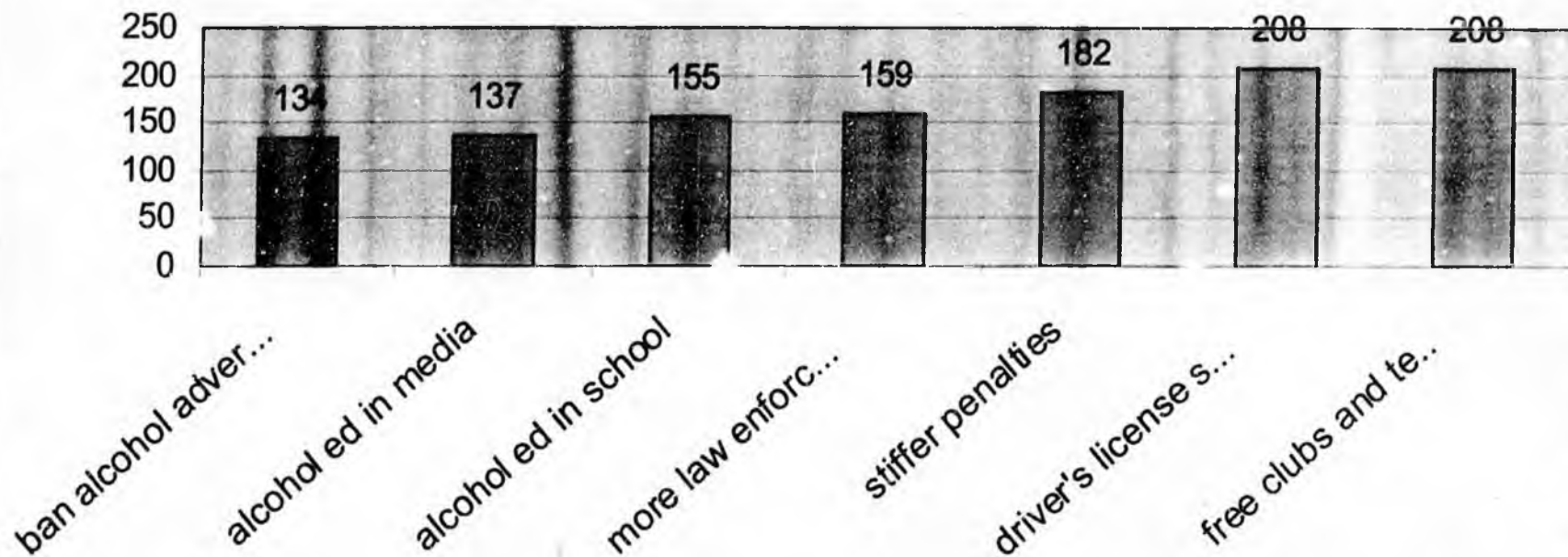


UAA Students Top 3 answers were tied

- Spend More Time with Families
- More Community Activities
- Parents/Families Who Don't Drink

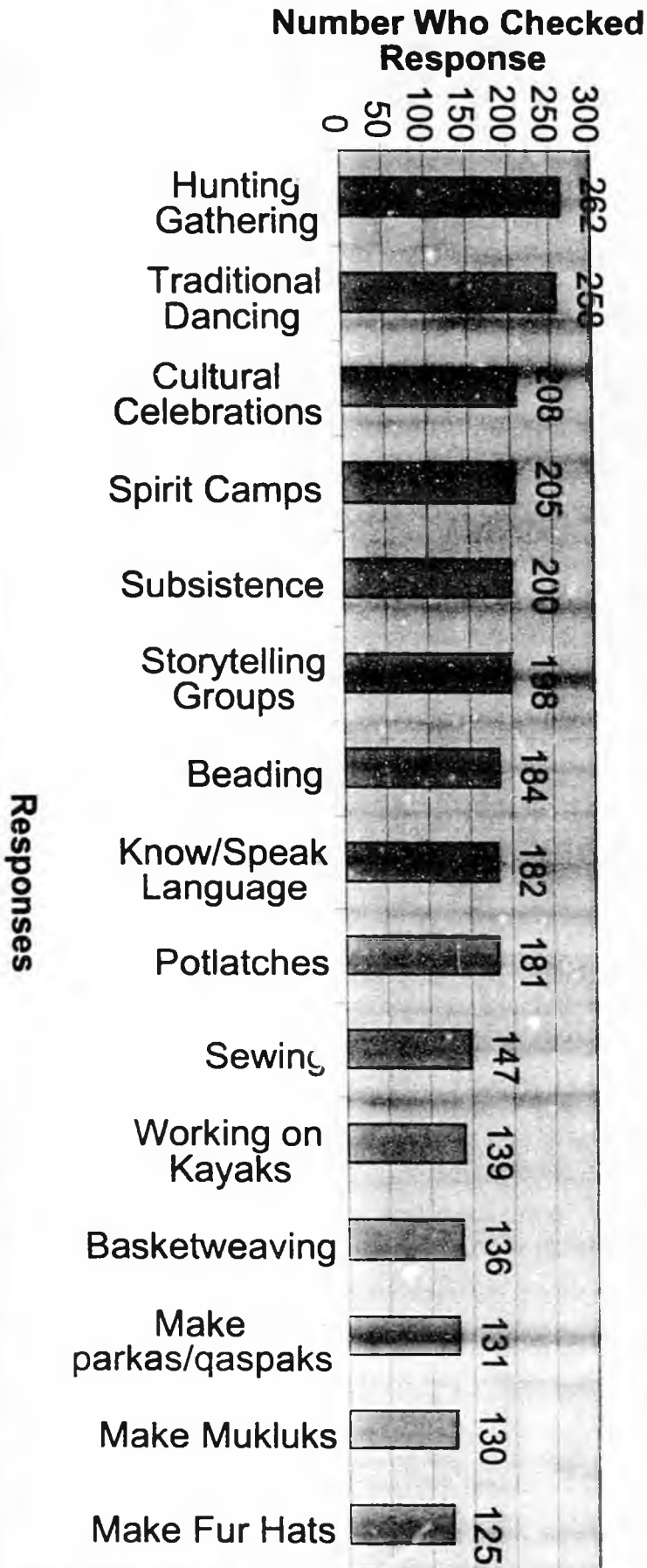
Anchorage Youth Solutions

What approaches will reduce teen drinking?



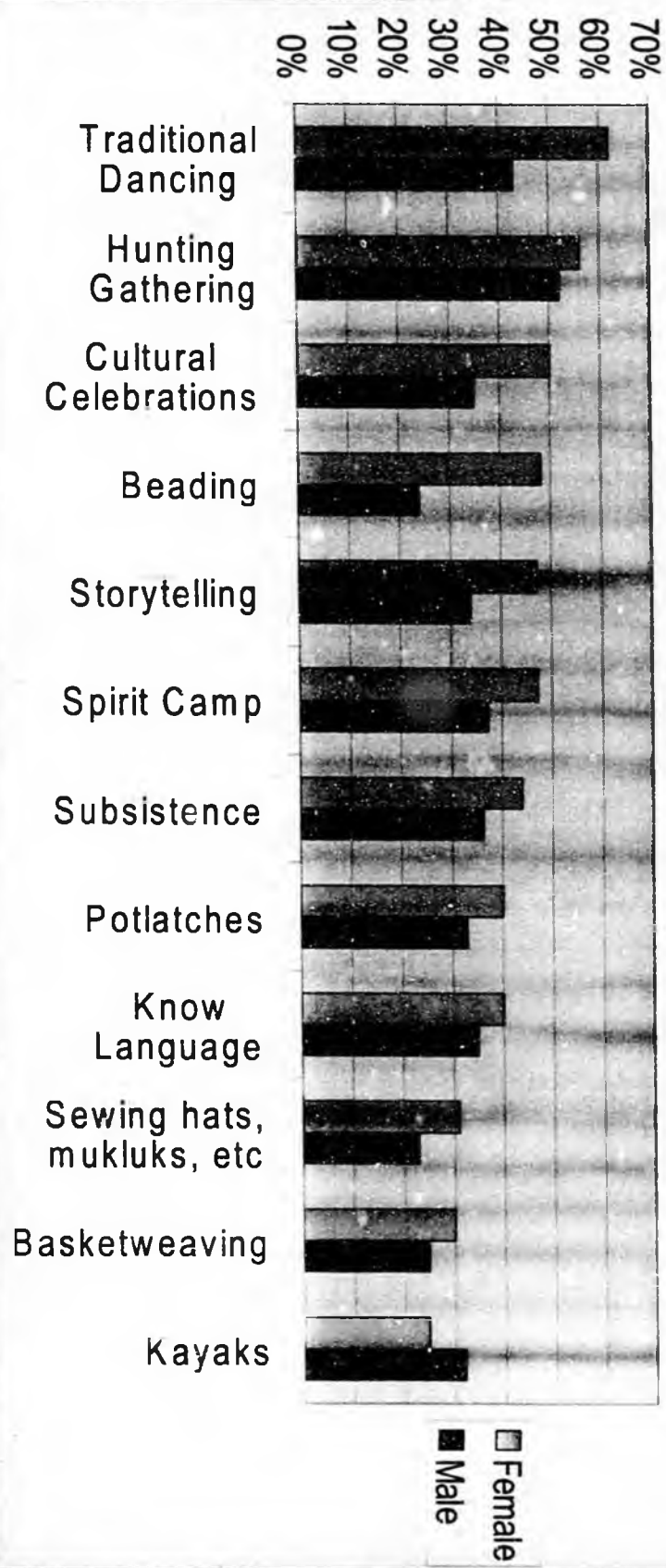
Prevention and Interventions

Which Cultural Activities Keep Youth From Drinking



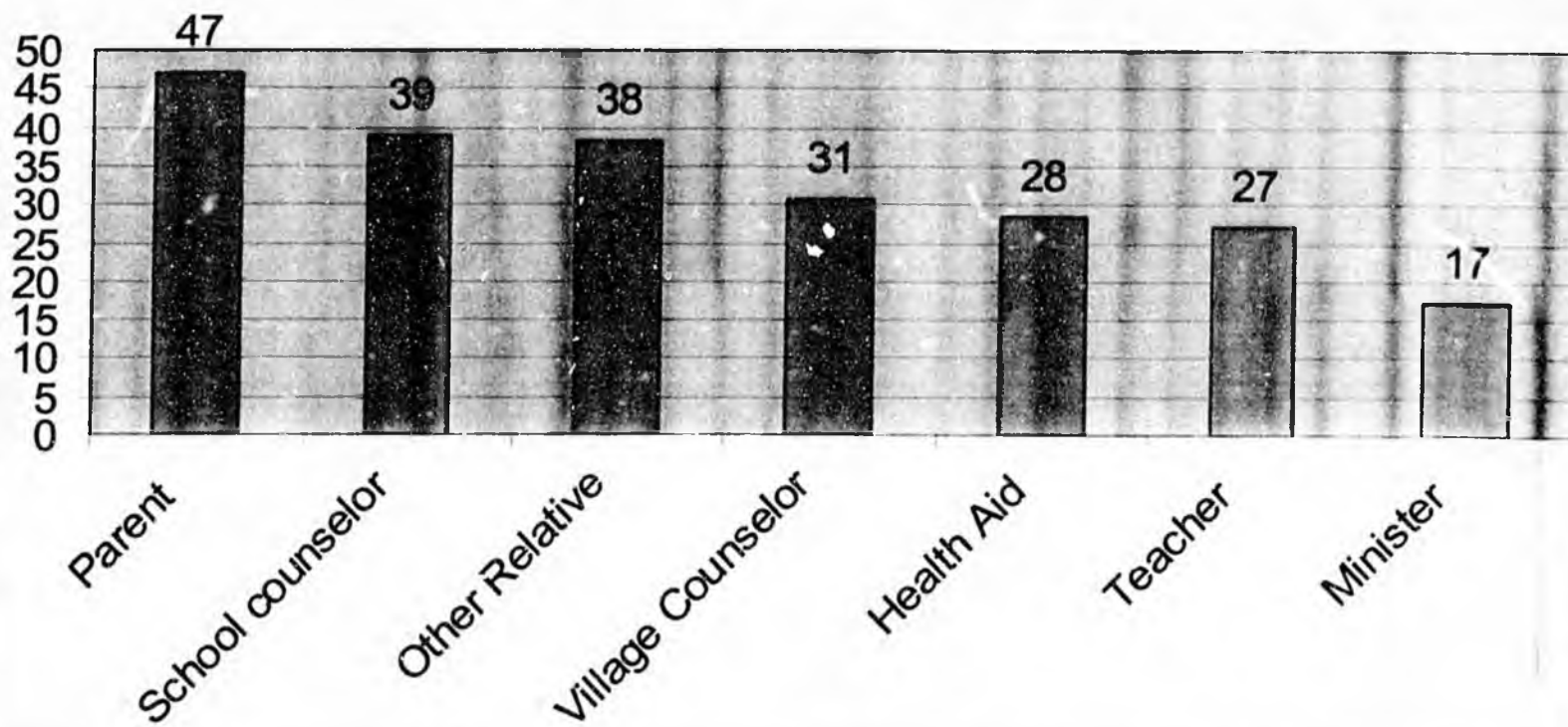
Cultural Activities - Protective

Cultural Activities by Gender



Who to Ask for Help

Percent of Responses



Conclusions

- Youth perceive that underage drinking is a problem
- There are multiple ideas for solutions
- Listen to youth and use adult knowledge

Recommendations

- Change the perceived norm
- Listen and Act
- Insure that help is available
- Advocate for funding of prevention programs

Youth Residential Program	Adult Residential Programs that also Serve Youth	Youth Outpatient Programs
<p>Southeast Alaska Regional Health Consortium (SEARHC) (Raven's Way) – Outdoor, adventure-based program, 11 treatment slots, 5 week length of stay (Sitka)</p> <p>Volunteers of America (Adolescent Residential Center for Help (ARCH)) – 12 beds, four-month length of stay. (Anchorage)</p> <p>Fairbanks Native Association (Graf Rheeneerhaajii – The Healing Place) – 12 beds, three to four-month length of stay. (Fairbanks)</p>	<p>Southcentral Foundation (Dena A. Coy) (No fixed number of youth beds) – serves pregnant women and women with small children. (Anchorage)</p> <p>Arc of Anchorage (Bryn Mawr) (No fixed number of youth beds) – serves clients who have developmental disabilities, mental health disorders, and substance abuse disorders (must have all three). (Anchorage)</p>	<p>Starting Point (Anchorage)</p> <p>Gateway Center for Human Services (Ketchikan)</p> <p>Salvation Army Booth Memorial (Anchorage)</p> <p>Volunteers of America – Assist Intensive Outpatient (Anchorage)</p> <p>Breakthrough (Anchorage)</p> <p>Mat-Su Council on Alcoholism and Drug Abuse (Wasilla)</p> <p>Ralph Perdue Center (Fairbanks)</p> <p>The Unloading Zone (Fairbanks)</p> <p>Life Givers (Fairbanks)</p> <p>Graf Rheeneerhaajii (Fairbanks)</p> <p>Jake's Place (Dillingham)</p> <p>Sitka Prevention and Treatment Services (Sitka)</p> <p>Kuskokwim Native Association Outpatient (Aniak)</p>

Table 1 – Substance Abuse Treatment Resources for Adolescents in Alaska; Source – Key Informant Interviews

H. Prevention, Education, and Advocacy. Underage drinking is an issue that is receiving considerable attention in the areas of prevention, education and advocacy. Substance abuse prevention in Alaska, of which underage drinking prevention is a sub-set, is targeted primarily toward youth. The Division of Alcoholism and Drug Abuse is administering a \$9 million, three-year prevention grant that provides funding to communities throughout Alaska. These grants are combined with other Division prevention grants that are ongoing to provide an extensive prevention effort. The Division of Juvenile Justice also provides some funding through prevention grants for communities to address underage drinking.

Substance abuse prevention has, in the past decade, begun to emerge as a scientifically based discipline. Most prevention effort is ultimately driven by SAMHSA, Center for Substance Abuse Prevention (CSAP), through grants to individual states and organizations. Some prominent prevention principles worth noting include:

1. Best Practices/Promising Practices. Best practices are those practices considered to be proven by research. Promising practices are those that initially appear to meet the criteria for best practices but need additional research and evaluation. Many of the SAMHSA/CSAP grant opportunities are now limited to organizations that will implement existing best practices. There is limited support for organizations to “re-invent the wheel.”

2. Risk and Protective Factors. Risk factors are those conditions that exist in the environment that have been proven to increase the probability that youth will engage in high risk behavior or otherwise experience problems associated with high risk behavior. Protective factors, by contrast, are those factors in the environment that build resiliency among youth and help to prevent the destructive behavior. SAMHSA and the Alaska Division of Alcoholism and Drug Abuse have adopted risk and protective factors as a means of assessing need and measuring progress.

3. Developmental Assets Model. This model, developed by the Search Institute of Minneapolis and adapted for use in Alaska by the Association of Alaska School Board and the Alaska Department of Health and Social Services, concentrates on assessing and taking advantage of assets present in youth to help prevent high-risk behavior. This model has proven effective in front-line service delivery but has had limited use in the strategic planning process.

4. CSAP Strategies. CSAP categorizes the various approaches to prevention into discrete strategies. These strategies include environmental strategies, education and information, alternative activities, etc. The most effective approach to prevention has been found to include multiple strategies delivered consistently.¹²

Since prevention is, by its very nature, population-based, results usually take years to manifest themselves. This makes evaluation a long-term process. The Division of Alcoholism and Drug Abuse has integrated a rigorous evaluation process coordinated by the Institute for Circumpolar Health Studies into their prevention program. This effort will provide a sound research base for future prevention planning.

¹² Western Region Center for the Application of Prevention Technology (WESTCAP), “Best and Promising Practices,” Reno, NV, 1999

The education system is concerned with underage drinking primarily as it relates to consumption of alcohol in the education setting. Although alcohol and other substance abuse issues are integrated into the health education curricula within the schools, the primary focus is on alcohol or other substances in the schools. The primary effort of the education system is through the Safe and Drug-Free Schools program, with funding originating from the U. S. Department of Education and administered by the Alaska Department of Education and Early Development. Activities funded through the Safe and Drug-Free Schools program include prevention content for health classes, student assistance counselors, local prevention programs, and collaboration with community prevention efforts. The Association of Alaska School Boards is also active in substance abuse prevention statewide through provision of training and technical assistance.

Advocacy refers to efforts to change community norms and values - in this case, regarding underage drinking. This is accomplished through targeted information dissemination, efforts to impact policy, and monitoring of activities of law enforcement and the court. Examples of highly successful advocacy efforts include Mothers Against Drunk Driving and Alaskans for Drug-Free Youth. On a local level, grassroots organizations that create partnerships in communities to focus attention on the problem of underage drinking are best represented by the efforts of Choices for Teens, Inc., in Homer. Advocacy activities in Homer are characterized by a network of organizations; each with its own mission and objectives, focusing coordinated and appropriate efforts on underage drinking. Advocacy efforts, like prevention, show results over long periods of time.

A detailed discussion of Alaska prevention, education, and advocacy programs and efforts, including a summary by community, is provided in Section VII of the report.

I. Data Trends and Resources. A significant portion of this inquiry was devoted to gathering data relating to underage drinking. A complete description of methodology, results, and validity is included in Section VIII of the report.

1. Alaska Court System Data. The Alaska Court System provided the data for all MCA cases from 1995 through June 30, 2000. From this data, investigators were able to describe the trends in numbers of cases, characteristics of offenders, and disposition of cases.

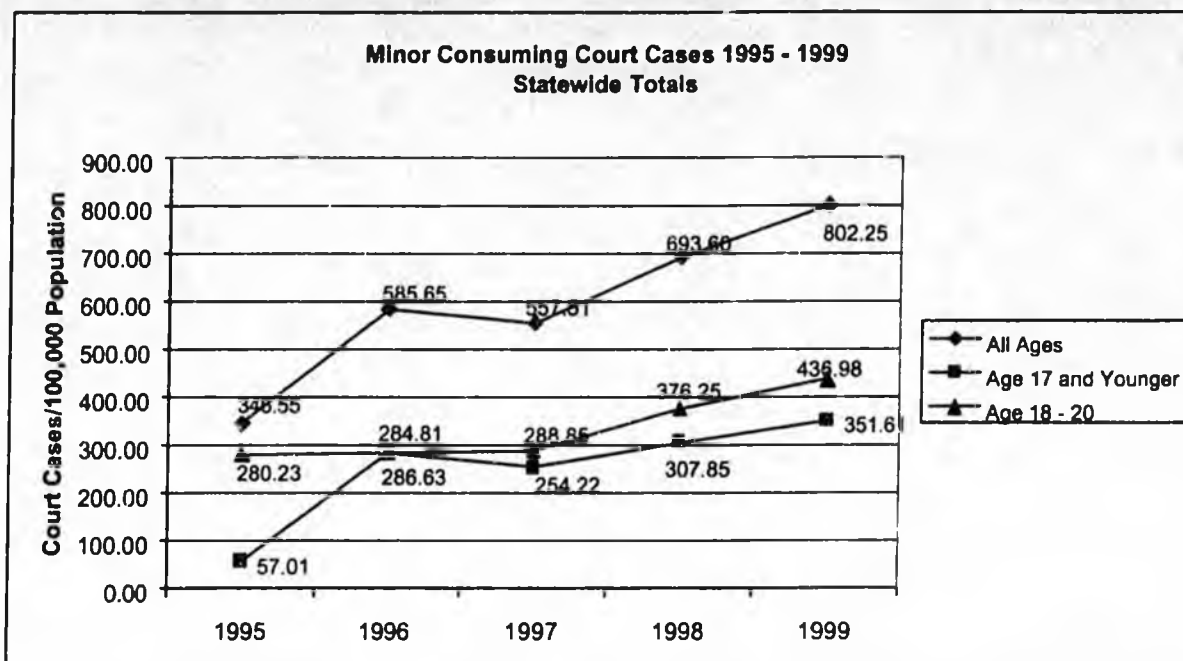


Figure 1 – Minor Consuming Cases 1995 – 1999; Data Source: Case Data – Alaska Court System; Population Data – Alaska Department of Labor and Workforce Development

In the above chart, the cases for all ages (20 and younger) are plotted in addition to the two age sub-groups (17 and younger, 18 through 20) as rates per 100,000 population. The age sub-groups are important because, in comparing pre-1995 MCA data, the pre-1995 data source was the Alaska Division of Juvenile Justice (previously Division of Family and Youth Services (DFYS)) and includes only those youth ages 17 and younger.

The following table provides raw numbers for district court cases as well as the Division of Family and Youth Services data for cases prior to 1995.

Data Description	1993	1994	1995	1996	1997	1998	1999	2000
Court Data – All Ages			2085	3553	3397	4300	4983	2220
Court Data – <= 17 YOA			376	1787	1614	1937	2219	1037
Court Data – 18-20 YOA			1709	1766	1783	2363	2764	1183
DFYS Data – <= 17 YOA	856	924	1111	432				

Table 2 – District Court and DFYS MCA Case Data; Data Source: Court Data – Alaska Court System; DFYS Data – Alaska Division of Juvenile Justice

The most relevant comparison in the above raw data is the court data for ages 17 and younger with the Division of Family and Youth Services data. The chart below shows the minor consuming case trend for youth 17 and younger for both Division of Family and Youth Services and the court system. While the time periods are too short to draw conclusions, the overall trend line seems to be continuous with the court case increases reflecting an upward trend that is noticed in the Division of Family and Youth Services data, particularly in the years 1994 and 1995.

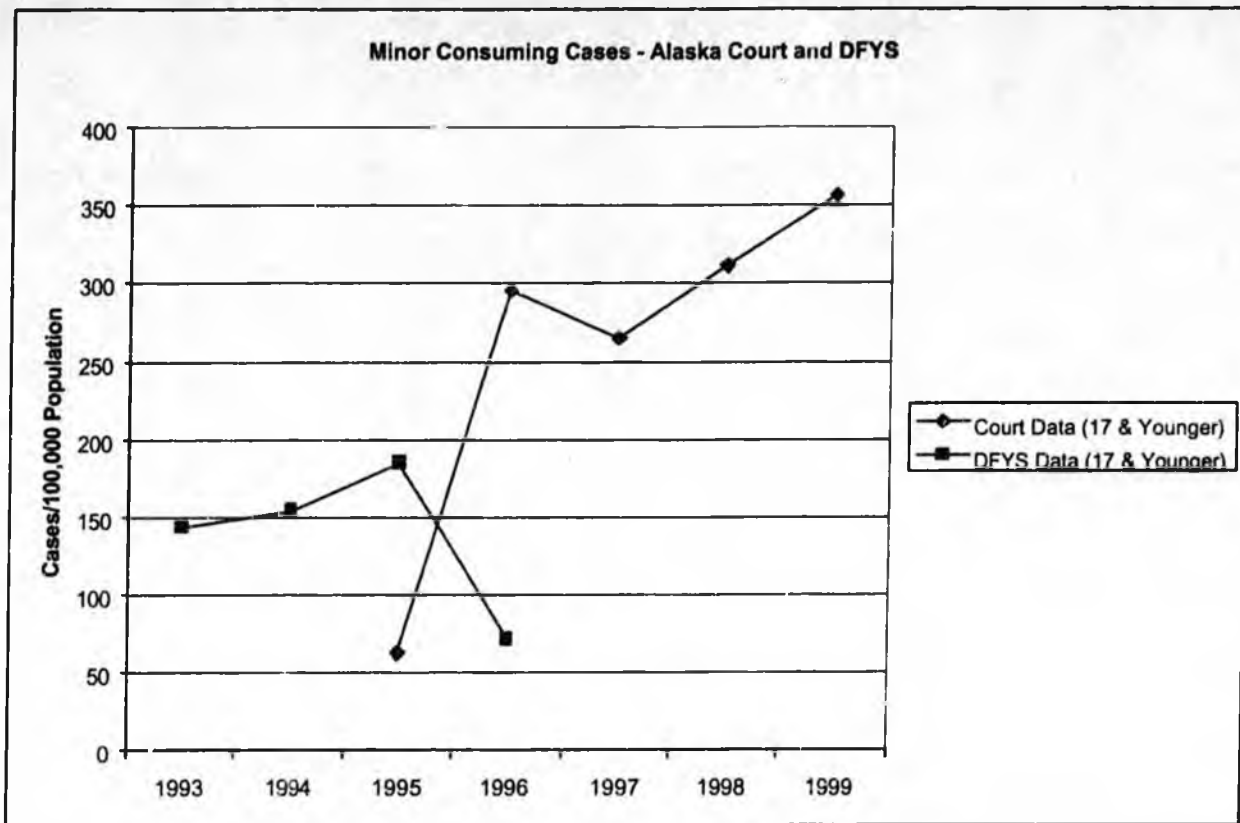


Figure 2 – Minor Consuming Cases – Alaska Court and DFYS; Data Source: Court Case Data – Alaska Court System; DFYS Case Data – Alaska Division of Juvenile Justice; Population Data – Alaska Department of Labor and Workforce Development

There were 31 communities with courts for which data was provided. The following chart shows the rate of court cases (1995 – 1999) for each of the communities as well as the statewide rate. Computing rates based on population was accomplished by considering the location of the court with regard to communities served. In most cases, the investigators found that the location of the courts closely corresponded with census areas and sub-regions.

In examining the rates for the courts in different communities, it is clear that some dispose of minor consuming cases at a far greater rate than others. Since this inquiry focused only on a core of 17 communities, there was no systematic inquiry into the practices and utilization of each individual court. The courts with the highest rates of MCA cases are in rural hub communities (Kotzebue, Ketchikan, Homer, and Bethel have the highest rates). Other hub communities, such as Sitka and Kenai, have substantially lower rates. Of the urban areas, Anchorage has a low rate of cases while Fairbanks and Juneau have relatively moderate rates.

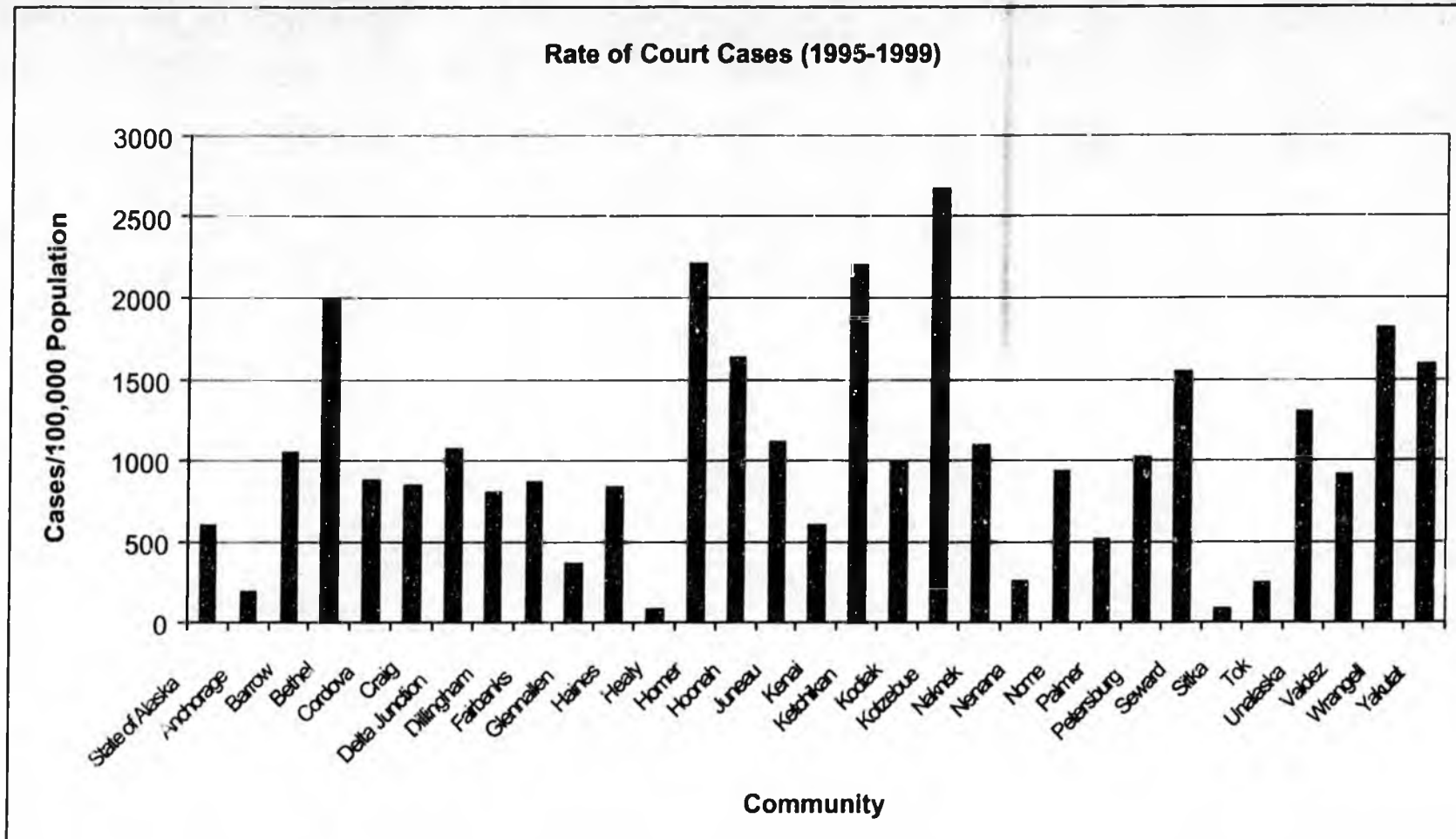


Figure 3 – Rate of Court Cases by Community (1995 – 1999); Data Source: Court Case Data – Alaska Court System; Population Data – Alaska Department of Labor and Workforce Development

The mean age of offenders during the period was 18.1 with a standard deviation of 1.85 years. Individuals also varied in the number of offenses they had on their records. Of the 12,902 unduplicated individuals with MCA cases, 72.1% had only one offense. The maximum number of offenses for any one individual was 20. In examining disposition trends, the predominant case dispositions are:

a. **No Contest (52%);**

b. **Dismissed (18%).** Case dismissed based either on the merits of the case or on an agreement between the parties to resolve outside the court system (i.e., community work service, writing essays, other conditions);

c. **Pled Guilty (12.6%);**

d. **Default Judgment (6.8%).** Where the offender does not show up for the hearing or otherwise contact the court to arrange for rescheduling and the maximum fine is typically awarded; and

e. **Other dispositions.** Other dispositions include Found Guilty, Found Not Guilty, Case Transferred, etc., all of which occurred at much lower frequencies.

During the period 1995 through 1999, the case disposition trends reflected a decrease in the number of dismissals and an increase in the number of default judgments. The average fine imposed increased over the period from \$81.46 in 1995 to \$180.47 in 2000 with repeat offenders receiving higher fines.

2. **Alcohol-Related Injuries.** Data on alcohol related injuries requiring hospitalization was obtained from the Alaska Trauma Registry. It represents all injuries recorded in emergency rooms or trauma centers where the patient was admitted to the hospital. There has been a slow, but steady increase in the alcohol-related injuries to youth recorded between 1991 and 1998, as indicated in the following graph.

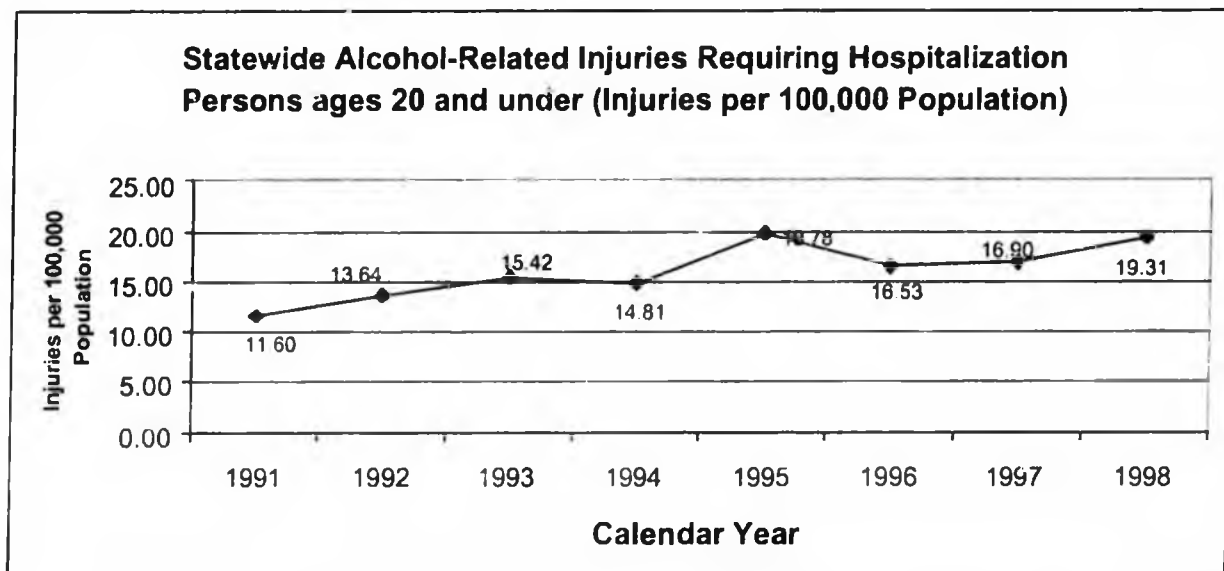


Figure 4 – Statewide Alcohol-Related Injuries Requiring Hospitalization (Ages 20 and Younger); Data Source: Injuries Data – Alaska Trauma Registry; Population Data – Alaska Department of Labor and Workforce Development

3. Alaska Department of Transportation – Highway Traffic Accident Data. The Alaska Department of Transportation keeps detailed records on highway accidents in Alaska. Within this data set are data on the number of accidents in which the driver had been consuming alcohol, as well as the age of the driver.

The rate of traffic accidents involving underage drinking drivers decreased through 1994 and has varied up and down since then. Statewide, the rate has decreased from nearly 32 per 100,000 population in 1990 to just over 19 per 100,000 population in 1998, a decrease of 40.6%. This trend is consistent with national trends that show the rates of traffic accidents involving underage drinking drivers decreasing.¹³

Like the data from the Alaska Trauma Registry, this data is impacted both by the number of accidents that occur and the assessment of the on-site law enforcement officer handling the case. The data can also be impacted for minor, single-vehicle accidents by the failure of the driver to immediately contact law enforcement officials after the accident allowing time for the alcohol to clear from the driver's body. The following graph represents the number of traffic accidents involving underage drinking drivers per 100,000 population statewide from 1990 through 1998.

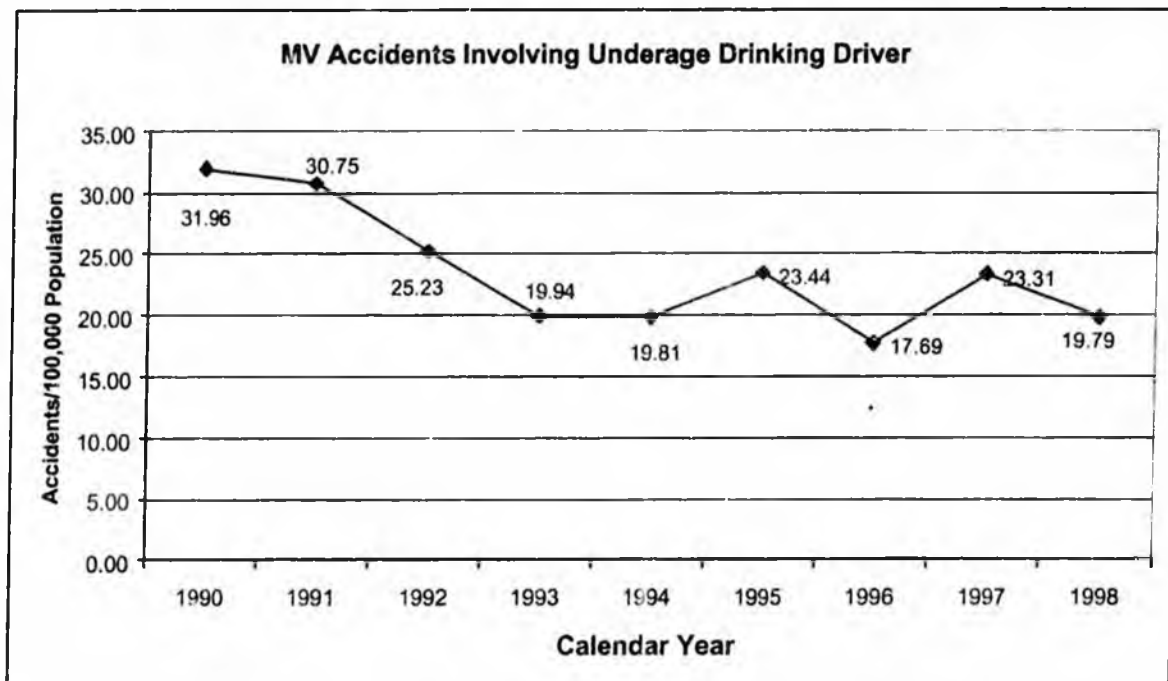


Figure 5 – MV Accidents Involving Underage Drinking Drivers; Data Source – MV Accident Data – Alaska Department of Transportation; Population Data – Alaska Department of Labor and Workforce Development

¹³ National Highway Traffic Safety Administration/National Institute on Alcohol Abuse and Alcoholism, Sentencing and Dispositions of Youth DUI and Other Alcohol Offenses: A Guide for Judges and Prosecutors, Washington, D.C., 2000