

ALASKA LEGISLATURE COMMITTEE FILES 2007-2008 SL&C 12634

**Karen Lidster**

**From:** Sniffen, Clyde E (LAW) [ed.sniffen@alaska.gov]  
**Sent:** Saturday, March 15, 2008 3:00 PM  
**To:** Karen Lidster  
**Subject:** HB 65 . . .

*Page 17  
lines 22 - 26*

Here's the language for 45.48.400(b) [delete in brackets], **additions in bold:**

(1) is authorized by law to [request or collect] **communicate or otherwise make available to the general public** the individual's social security number; or

(2) [the request or collection] **communicating or otherwise making available** the individual's social security number is required for the performance of the person's duties or responsibilities as provided by law.

Muchas gracias! Only 28 days left!

Ed

**Dana Owen**

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**From:** Chris Christensen [cchristensen@courts.state.ak.us]  
**Sent:** Wednesday, March 12, 2008 2:49 PM  
**To:** Dana Owen  
**Cc:** 'kevin.brooks@alaska.gov'  
**Subject:** Magistrate Amendment

Dana,

I think that there are two problems not addressed by the amendment.

1. The term "judicial officers" on page 5, line 4 and page 5, line 11 technically includes justices, judges, magistrates, and standing masters (a variation of magistrate). It should be replaced with "justices and judges" to avoid confusion, if those are the only types of judicial officers who are to be denied a retroactive raise for FY 08 and longevity changes.

2. On page 5, line 16, there is a reference to AS 22.15.220(b), which is the statute that says how magistrates are compensated. When the change on page 5, line 14 is made to delete ", and magistrates," the reference to (b) must be deleted as well.

I would revise the amendment as follows:

**AMENDMENT**

OFFERED IN THE SENATE

BY SENATOR \_\_\_\_\_

TO: SB297

Page 5, line 3:

Following "employees"

Insert "and magistrates"

Page 5, line 4:

Following "than":

Delete "magistrates and judicial officers"

Insert "justices and judges"

Page 5, line 11:

Following "employees"

Insert "and magistrates"

Following "than":

Delete "magistrates and judicial officers"

Insert "justices and judges"

Page 5, line 14:

Following "courts":

Delete ",and magistrates"

3/12/2008

Page 5, line 16:

Following "AS 22.15.220":

Delete "(b) and"

Please let me know if you need anything more.

Chris

Chris Christensen  
Deputy Administrative Director  
Alaska Court System  
820 West 4th Avenue  
Anchorage, Alaska 99501  
907-264-8228  
907-264-8291 (fax)

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

**From:** Brooks, Kevin A (DOA) [mailto:kevin.brooks@alaska.gov]  
**Sent:** Wednesday, March 12, 2008 10:08 AM  
**To:** Dana Owen  
**Cc:** Chris Christensen  
**Subject:** Magistrate Amendment

Dana, per our discussion, the following language would address the magistrate issue that has been raised.

Let me know if you have any questions or require additional info.

KB

**AMENDMENT**

OFFERED IN THE SENATE

BY SENATOR \_\_\_\_\_

TO: SB297

Page 5, line 3:

Following "employees"

Insert "and magistrates"

Page 5, line 4:

Following "than":

Delete "magistrates and"

Page 5, line 11:

Following "employees"

Insert "and magistrates"

Following "than":

Delete "magistrates and"

Page 5, line 14:

following "courts":

Delete ",and magistrates"

**Dana Owen**

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**From:** Katherine Hansen  
**Sent:** Tuesday, March 11, 2008 5:24 PM  
**To:** Dana Owen  
**Subject:** RE: SB297/HB417 - nonunion state workers' salary adjustments

No problem! Thank you for your help and consideration. I will contact someone in House Finance to make them aware as well (their identical bill, HB417, goes to committee on Thursday). Let me know what you decide.

Kathy Hansen  
 Staff Attorney  
 Alaska Office of Victims' Rights  
 (907) 272-2678 (direct)

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**From:** Dana Owen  
**Sent:** Tuesday, March 11, 2008 12:24 PM  
**To:** Katherine Hansen  
**Cc:** kevin.brooks@alaska.gov; nicki.neal@alaska.gov  
**Subject:** RE: SB297/HB417 - nonunion state workers' salary adjustments

Katherine –

My apologies. I sent you on a wild goose chase, because I mistakenly thought the Office of Victim's Rights was an Executive Branch agency. I'm terribly sorry. My apologies also to Kevin and Nicki.

We don't plan on moving the bill out today, so there's time to consider the amendments.

Dana Owen  
 Office of Senator Johnny Ellis  
 Senate Labor & Commerce Committee  
 State Capitol, Room 9  
 Juneau, AK 99801  
 907-465-2906

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**From:** Katherine Hansen  
**Sent:** Tuesday, March 11, 2008 12:05 PM  
**To:** Dana Owen  
**Subject:** FW: SB297/HB417 - nonunion state workers' salary adjustments

Mr. Owen:

As we discussed, I am writing to inquire about removing "Step A" from the statutory language that sets the salary for the directors of the Ombudsman and Office of Victims' Rights in the legislative branch. I make this request to fall in line with similar changes proposed for executive branch agency heads. This morning I spoke to Skiff Lobaugh, the personnel director for the legislative branch. He indicated that these are the only two positions in the legislative branch that are locked in at "Step A" by statute. I have put a call in to Pam Vami but was not able to reach her on short notice. I have cited the statute and the recommended changes at the bottom of this email; for you to use as deemed appropriate. Thank you for your time.

Kathy Hansen  
 Staff Attorney  
 Alaska Office of Victims' Rights  
 (907) 272-2678 (direct)

3/12/2008

**From:** Neal, Nicki L (DOA) [mailto:nicki.neal@alaska.gov]  
**Sent:** Tuesday, March 11, 2008 11:05 AM  
**To:** Katherine Hansen  
**Subject:** RE: SB297/HB417 - nonunion state workers' salary adjustments

Kathy, to confirm the voice mail message I left you this morning – I spoke with Kevin Brooks, Deputy Commissioner for the Dept of Administration and he indicated that Pam Varney would be the appropriate individual to bring this proposal to.

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**From:** Katherine Hansen [mailto:Katherine\_Hansen@legis.state.ak.us]  
**Sent:** Monday, March 10, 2008 5:13 PM  
**To:** Neal, Nicki L (DOA)  
**Cc:** Kester, Victor (LAA); Lord-Jenkins, Linda R (LAA)  
**Subject:** SB297/HB417 - nonunion state workers' salary adjustments

Ms. Neal:

I spoke with you this afternoon about the possibility of including a provision in SB297/HB417 that would remove the phrase "Step A" from the statutes that set the salary for the directors of the Office of Victims' Rights and the Ombudsman. Below are the two statutes and possible suggested changes. The main concern is that the directors don't stay in Step A while their subordinates continue to receive merit increases. I noticed that range increases are proposed for various agency heads as well. If warranted (and I'm no expert on this), that would be a request as well. Thank you for your time.

Kathy Hansen  
Staff Attorney  
Alaska Office of Victims' Rights  
(907) 272-2678 (direct)

Sec. 24.55.060. Compensation.

The ombudsman is entitled to receive an annual salary equal to [Step A,] Range 27 [26] on the salary schedule set out in AS 39.27.011(a) for Juneau.

Sec. 24.65.060. Compensation.

The victims' advocate is entitled to receive an annual salary equal to [Step A,] Range 27 [26] on the salary schedule set out in AS 39.27.011(a) for Juneau.

**Dana Owen**

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**From:** Brooks, Kevin A (DOA) [kevin.brooks@alaska.gov]

**Sent:** Wednesday, March 12, 2008 10:08 AM

**To:** Dana Owen

**Cc:** Christensen, Charles S (ACS)

**Subject:** Magistrate Amendment

Dana, per our discussion, the following language would address the magistrate issue that has been raised.

Let me know if you have any questions or require additional info.

KB

**AMENDMENT**

**OFFERED IN THE SENATE**

**BY SENATOR \_\_\_\_\_**

**TO: SB297**

**Page 5, line 3:**

Following **“employees”**

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**Page 5, line 11:**

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Delete **“magistrates and”**

**Page 5, line 14:**

following **“courts”:**

Delete **“,and magistrates”**

**From:** Sen. Johnny Ellis  
**Sent:** Thursday, March 06, 2008 1:56 PM  
**To:** Dana Owen  
**Subject:** FW: Response to SB 297

**From:** Schulling, Stephanie K (DOA) [mailto:stephanie.schulling@alaska.gov]  
**Sent:** Thursday, March 06, 2008 1:23 PM  
**To:** Sen. Johnny Ellis; Sen. Gary Stevens; Sen. Bettye Davis; Sen. Lyman Hoffman  
**Subject:** Response to SB 297

I am a Paralegal for the Office of Public Advocacy and I am in the Supervisory Union (SU). I supervise the support staff for the 28 professional staff members in the Anchorage civil section. The SU has been in negotiations with the state since December '06. Their most recent offer included a 5.5%-3%-3% pay increase, which I am amenable to, but did not include the longevity steps we were requesting. Just days after the union put the ballots in the mail to vote on whether or not we approve of the state's offer, the administration brings forth SB 297 which offers a the same pay raise to political appointees as we were offered, but also included the longevity steps we were told we couldn't have.

To me, this really feels like a slap in the face from the Palin administration. I work very hard and very long hours because I love what I do. I know that I could go to the private sector and make substantially more as a paralegal, but I enjoy working on behalf of abused and neglected children. I have worked for the State of Alaska for 5 years and have been a supervisor for 4 1/2 of those years. My co-workers make sure to take steps to ensure that I and my staff feel appreciated for what we do. It is very unfortunate that the administration neglects to do the same. What's good for the political appointees should be good for us all. This bill should be amended so that the extra longevity steps for the non-unionized employees of the Executive Branch are applied to the Executive Branch unionized employees.

Thank you for your time and understanding,

Stephanie Schulling

**From:** Sen. Johnny Ellis  
**Sent:** Thursday, March 06, 2008 1:56 PM  
**To:** Dana Owen  
**Subject:** FW:

**From:** Pierce, Stefanie M (HSS) [mailto:stefanie.pierce@alaska.gov]  
**Sent:** Thursday, March 06, 2008 1:24 PM  
**To:** Sen. Johnny Ellis; Sen. Bettye Davis; Sen. Lyman Hoffman; Sen. Gary Stevens  
**Subject:**

Good afternoon,

I am a member of the Supervisory Unit (SU). I work for the Offices of Children's Services as a Supervisor in St. Mary's Alaska.

The SU has been in negotiations with the State since December of 2006.

The Administration refused to include longevity steps in our contract.

Four days after my union put ballots in the mail so I could vote on whether to approve my contract, the Administration put forth this bill offering a better deal for the political appointees. How would YOU feel about that if the situation was reversed? The Administration is basically slapping me in the face! The message: I am not valued as much as a political appointee! I am the one out here in the bush busting my tail every day doing the direct service while Politicians/ Appointees sit in their cushy offices. How dare the Administration pull this!! I am outraged!!!

I am asking for the bill to be amended so that the extra longevity steps for the non-unionized employees of the Executive Branch are contingent upon the same steps being applied to the unionized employees of the Executive Branch. Fair is fair!! Let's use some common sense here!

Sincerely,

Stefanie Pierce

*Stefanie M. Pierce  
Supervisor  
Office of Children's Services  
PO BOX 390  
St Mary's AK 99658  
1-877-987-6707 X 14*

**From:** Sen. Johnny Ellis  
**Sent:** Thursday, March 06, 2008 1:55 PM  
**To:** Dana Owen  
**Subject:** FW: SB 297

**From:** Mike and Sandi Branum [mailto:pyroknightrn@yahoo.com]  
**Sent:** Thursday, March 06, 2008 1:19 PM  
**To:** Sen. Johnny Ellis; Sen. Gary Stevens; Sen. Bettye Davis; Sen. Lyman Hoffman  
**Cc:** pwilcox@apea-aft.org  
**Subject:** SB 297

Dear Senators,

I am writing you as a member of the Supervisory Unit union. I am responsible for overseeing the emergency medical services (EMS) system for the state. This includes ensuring the licensure of most of the states emergency medical responders and all of the states ground and air ambulances.

As you are likely aware, our union has been in negotiations with the Department of Administration since December of 2006 prior to the end of our last contract on June 30, 2007. The department refused to include longevity steps in the offer to our union, but four days after our union issued ballots regarding the last state offer, they submitted SB 297 (which includes the very longevity steps that we requested) offering a better deal to political appointees within the executive branch than what they were willing to offer to the supervisors.

I feel that this is a slap in the face of the hardworking supervisors in this state. After protracted negotiations in which the administration's negotiators acted in a less than professional manner, this may very well be the last straw for Alaska's underappreciated supervisors. Many supervisors are changing their votes regarding the latest offer after this most recent insult.

Our union does not begrudge the political appointees a longevity increase, we are merely asking that WE not be overlooked in the process. I beseech you to amend SB 297 so that the steps for non-unionized executive branch employees are contingent upon the same steps being applied to the union employees.

Thank you for taking the time to review this correspondence and for your service to the State of Alaska.

Sincerely,  
Mike Branum, MPA, MICP, RN  
Juneau, AK

Never miss a thing. [Make Yahoo your homepage.](#)

**From:** Sen. Johnny Ellis  
**Sent:** Thursday, March 06, 2008 1:57 PM  
**To:** Dana Owen  
**Subject:** FW: SB297

**From:** King, Mary A (DFG) [mailto:mary.king@alaska.gov]  
**Sent:** Thursday, March 06, 2008 1:41 PM  
**To:** Sen. Johnny Ellis; Sen. Gary Stevens; Sen. Bettye Davis; Sen. Lyman Hoffman  
**Subject:** SB297

Senators,

I would like to provide you comments to SB 297. I have been a research biologist for the Department of Fish and Game in excess of 20 years. As such, I am also a member of the supervisory unit of the executive branch. As you know the state has been in contract negotiations with the SU since December 2006. The most recent offer by the state was 5.5%, 3%, 3% and they refused to offer longevity steps. While I am not particularly satisfied with the current salary offer, I find it particularly offensive and degrading to supervisors that the state is offering longevity steps to political appointees and not to us. If you wish to retain qualified staff and attract qualified people to vacancies, the state should begin to evaluate how they compensate their supervisors versus others in the executive branch as well as the pay scale offered in the private sector. Even the folks that we supervise get better contractual upgrades than us. The system is suffering from brain and drain due to poor salaries and benefits. It is part of your elected responsibility to assure qualified supervisory staff and that will only come if they are treated fairly and compensated appropriately. To date, we are not and failed recruitment demonstrates this!

I would ask that you carefully look at this bill and amend it so that longevity for non unionized employees of the Executive Branch are the same as those being applied to unionized member.

While I consider myself a professional and really do not wish to strike, the continuing lack of parity and injustices tempt me to take appropriate actions.

*Mary King*

Fisheries Biologist  
Alaska Department of Fish and Game  
43961 Kalifornsky Beach Rd., Ste. B  
Soldotna, AK 99669  
907-260-2934

**From:** Sen. Johnny Ellis  
**Sent:** Thursday, March 06, 2008 1:55 PM  
**To:** Dana Owen  
**Subject:** FW:

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**From:** Shorey, Joan M (DOL) [mailto:joan.shorey@alaska.gov]  
**Sent:** Thursday, March 06, 2008 1:21 PM  
**To:** Sen. Johnny Ellis  
**Subject:**

Dear Senator Ellis,

I am a member of the Supervisory Union employed by our State of Alaska as a supervisor of the employees who make up the Department of Labor Tax unit, Central Office.

The SU has been in negotiations with the State since December of 2006.

Days after I voted to accept the contract the administration put forth SB 297 offering a better deal to political appointees which appears to be a slap in the face to those of us who applied for our positions and work hard at them.

Please amend the bill to include the extra longevity steps for non-unionized Executive Branch employees be contingent on the same steps being applied towards those of us in the Executive Branch and in a Union.

Respectfully,

Joan Shorey  
Accounting Supervisor II

Department of Labor and Workforce Development  
(907) 465-5919 phone  
(888) 448-3527 toll free

Joan Shorey  
Accounting Supervisor II

Department of Labor and Workforce Development  
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*Confidentiality Notice: This email message including any attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited.*

<b>Supervisory Employees</b>	<b>13.7</b>
<b>Mt. Edgecumbe Teachers</b>	<b>6.76</b>
<b>Marine Engineers</b>	<b>9.64</b>
<b>General Government Employees</b>	<b>7.85</b>
<b>Excluded Employees</b>	<b>21.85</b>
<b>Confidential Employees</b>	<b>9.26</b>



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**Changes to Monthly Pension from 2007 Salary Changes**

TIER 1							
# of Participants	Average 2007 Monthly Salary Increase Over Average for Benefit Calc	Increased Monthly Pension w/3 yrs @ 2007 salary	Increased Pension Payout for 30 Yr. Retirement @ Midpoint *	Increase in Pension Liability per Year Worked**	Total Increase in Annual Compensation	Total Annual Cost to State and Municipalities	Total "Salary" Changes in Budget
1,301	\$327	\$100 to \$199	\$54,000	\$9,000	\$12,924	\$18,813,826	\$5,104,826
749	\$487	\$200 to \$299	\$90,000	\$15,000	\$20,849	\$15,616,004	\$4,381,004
349	\$640	\$300 to \$399	\$126,000	\$21,000	\$28,680	\$10,009,205	\$2,680,205
193	\$771	\$400 to \$499	\$162,000	\$27,000	\$36,254	\$6,996,941	\$1,785,941
275	\$650	\$500 to \$999	\$270,000	\$45,000	\$52,796	\$14,518,835	\$2,143,835
24	\$2,212	+\$1,000	\$360,000	\$60,000	\$66,548	\$2,077,141	\$637,141
<b>2,891</b>						<b>\$66,031,951</b>	<b>\$16,732,951</b>

**Changes to Monthly Pension from 2007 Salary Changes**

TIER 2							
# of Participants	Average 2007 Monthly Salary Increase Over Average for Benefit Calc	Increased Monthly Pension w/3 yrs @ 2007 salary	Increased Pension Payout for 25 Yr. Retirement @ Midpoint *	Increase in Pension Liability per Year Worked**	Total Increase in Annual Compensation	Total Annual Cost to State and Municipalities	Total "Salary" Changes in Budget
1,740	\$397	\$100 to \$199	\$45,000	\$7,500	\$12,265	\$21,341,773	\$8,291,773
633	\$630	\$200 to \$299	\$75,000	\$12,500	\$20,058	\$12,696,673	\$4,784,173
252	\$905	\$300 to \$399	\$105,000	\$17,500	\$28,358	\$7,146,336	\$2,736,336
113	\$1,124	\$400 to \$499	\$135,000	\$22,500	\$35,985	\$4,066,343	\$1,523,843
116	\$633	\$500 to \$999	\$225,000	\$37,500	\$45,095	\$5,230,976	\$880,976
15	\$2,933	+\$1,000	\$300,000	\$50,000	\$65,196	\$1,277,934	\$627,934
<b>2,869</b>						<b>\$51,760,035</b>	<b>\$16,745,035</b>

\* TIER 1 and TIER 2 Payouts will, of course, vary by individual actuarial circumstances; the 30 years for TIER 1 (retire @ 55) and 25 for TIER 2 (retire @ 60) are estimates.

\*\* Per year present value pension liability is estimated at 1/3 of 50% of nominal payouts.

<b>Increase to Annual Cost Including Pension Liability</b>	<b>2007 Salary minus Avg. Salary for Benefit Calc</b>
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**Total Tier 1 and 2**

**\$117,791,986**

**\$35,477,986**

**Marginal Pension to Salary Ratios**

TIER 1	295%
TIER 2	176%

**SB**

**305**

**SENATE COMMITTEE REPORT  
First Committee of Referral**

DATE: 3/21/08

FURTHER:

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Labor and Commerce Committee considered SENATE BILL NO. 305

**SB 305 RECORKING WINE SERVED WITH A MEAL**

"An Act relating to recorking, sealing, or packaging of wine served with a meal and removal of recorked, sealed, or packaged wine from licensed premises."

and recommends:

- be replaced with  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
<b>HOUSE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Index	Other
DPS	3/24			✓

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Index	Other	FN#

APPROPRIATION - no fiscal note

SIGNATURE	PRINT NAME	DATE	NO. OF	NO. OF
<i>Bundo</i>	Bundo			✓
<i>Davis</i>	DAVIS			✓
<b>CHAIR:</b> <i>Jy Ellis</i>	Ellis		✓	<i>Jy</i>

25th  
ALASKA STATE LEGISLATURE

Senator Johnny Ellis, Chair  
Senator Gary Stevens, Vice Chair  
Senator Betty Davis  
Senator Lyman Hoffman  
Senator Con Bunde



State Capitol, Room 9  
465-3704

## Senate Labor & Commerce Committee

### SB 305 Re-corking Wine Served with a Meal

#### SPONSOR STATEMENT

Senate Bill 305 would allow restaurant patrons to enjoy a bottle of wine with their meals without feeling compelled to consume the entire bottle. Unlike with food, diners cannot take leftover wine home with them. Wine must either be consumed at the table or the unconsumed portion must be left behind at the restaurant. Because wine served in restaurants is typically a costly item, diners have a strong incentive to consume the entire bottle before leaving, perhaps having consumed more than they should in order to safely drive home.

Senate Bill 305 would make it possible for restaurants to re-cork a partially consumed bottle of wine in such a manner as to require the use of a corkscrew to open it, thereby complying with open container laws. Bottles sealed by means other than a cork could be resealed under regulations adopted by the Alcoholic Beverage Control Board.

Enacting the re-sealing measures in SB 305 would provide another means of reducing DUI incidents by allowing restaurant patrons to enjoy wine with their dinner without the economic incentive to overindulge.



## State Regulations on Re-corking Wine from Restaurants

Compiled by the National Restaurant Association from state liquor authority, state restaurant association, and other sources. All information is believed to be accurate as of June 2005 and is provided with the understanding that the National Restaurant Association is not engaged in rendering legal or professional services. No warranty of accuracy is given. Please verify policies and appropriate procedures with your state and local alcohol beverage control department as other regulations may apply.

*34 states*

State	Rules on taking wine home from restaurants
<b>Arizona</b>	Patrons may re-cork and removed a partially consumed bottle of wine as long as it was purchased with a meal and the cork is replaced flush with the bottle.
<b>Arkansas</b>	Arkansas ABC Reg. 1.79(27) does provide that those establishments which hold an on premise permit that would allow the service of wine may allow a consumer who purchases an unsealed package of wine in conjunction with a food service and consumes a portion of the wine on the premises with the meal, to replace the cork and remove the partially filled package from the premise. Contact enforcement agency for compliance details.
<b>California</b>	Patrons are allowed to take wine home when purchased with a meal. Contact enforcement agency for compliance details.
<b>Colorado</b>	Patrons may take one 1 partially consumed bottle of wine up to 750 ml purchased from an establishment with a hotel/restaurant liquor license. Restaurants are not required to do so. Those restaurants who do extend this option to customers is urged to reseal and package the wine to protect against any open container violation. (enacted 2005)
<b>Connecticut</b>	Patrons are allowed to take wine home when purchased with a meal. Regulations pertaining to transportation of unsealed container apply.
<b>Delaware</b>	Patrons are allowed to take wine home when purchased with a meal. Contact enforcement agency for additional compliance details.
<b>Florida</b>	Patrons are allowed to take wine home when purchased with a meal. Contact enforcement agency for additional compliance details. (enacted 2005)
<b>Georgia</b>	Patrons are allowed to take wine home when purchased with a meal. Contact enforcement agency for additional compliance details.
<b>Hawaii</b>	Legislation enacted in 2002 allows county liquor commissions to permit many licensees (incl. restaurants) to allow patrons to remove re-corked/re-sealed wine from premises. Contact enforcement agency for compliance details.
<b>Idaho</b>	Patrons are allowed to take wine home when purchased with a meal. Regulations pertaining to transportation of unsealed container apply.
<b>Indiana</b>	Patrons are allowed re-cork and take home wine purchased with a meal. The cautionary statement is to avoid any violation of the open container laws in the area that the wine will then be transported in. Local law enforcement can provide that information.
<b>Iowa</b>	Patrons are allowed to take wine home when purchased with a meal if the restaurant or bar has the appropriate licensing in place.

<b>Louisiana</b>	Patrons are allowed to take wine home when purchased with a meal. Contact enforcement agency for compliance details.
<b>Maine</b>	Patrons are allowed to take wine home when purchased with a meal. Contact enforcement agency for compliance details.
<b>Michigan</b>	Patrons are allowed to take wine home when purchased with a meal. Contact enforcement agency for compliance details. <i>(enacted 2005)</i>
<b>Minnesota</b>	A restaurant with an on-sale or wine license may permit a person purchasing a full bottle of wine in conjunction with the purchase of a meal, to remove the bottle when leaving the license premises provided that the bottle has been opened and the contents partially consumed.
<b>Montana</b>	Re-corking is permitted in businesses with all-beverage licenses or beer/wine licenses. A restaurant beer/wine license may <u>not</u> sell alcohol to go. Contact enforcement agency for compliance details.
<b>Nevada</b>	Patrons are allowed to take wine home when purchased with a meal. Contact enforcement agency for compliance details.
<b>New Hampshire</b>	Unconsumed wine purchased with a full meal may be taken from premises, provided patron is not intoxicated, bottle is properly sealed/bagged, and transported in vehicle area inaccessible to the driver.
<b>New Jersey</b>	Patrons are allowed to remove partially consumed wine from the premise as long as it is re-corked and placed in the trunk of the car. Not having direct access to the wine would remove the chance of receiving an open container citation.
<b>New York</b>	State law does allow patrons to take home <u>one</u> bottle of wine purchased with full meal. Please contact enforcement agency for compliance details.
<b>North Carolina</b>	If the establishment has an <u>off-premises</u> permit, then they customer can take an opened bottle of wine home by corking it. If the establishment does <u>not</u> have an off-premises license, the customer cannot. Re-corked wine must be transported in a vehicle compartment inaccessible to the driver.
<b>Oklahoma</b>	Patrons are allowed to take wine home when purchased with a meal. Contact enforcement agency for compliance details.
<b>Oregon</b>	Patrons are allowed to take wine home when purchased with a meal. Contact enforcement agency for compliance details.
<b>Pennsylvania</b>	All hotel (H) and restaurant (R) licensees may now allow patrons who have purchased a bottle of wine in conjunction with a meal, to take the unconsumed portion of the bottle with them when they leave. The bottle <u>must be resealed</u> before leaving the premises. A "meal" is defined as food prepared on the premises sufficient to constitute breakfast, lunch, or dinner; a "meal" does not include snacks such as pretzels, popcorn, chips, or similar items. This does not apply to retail dispenser (beer only or E), club, (C) or catering club (CC) licenses.
<b>South Carolina</b>	Nothing in the S.C. law prevents a patron from removing the open container from the restaurant. It is also legal to have the open container in a car as long as it is in the trunk or luggage compartment. Contact enforcement agency for compliance details.
<b>Tennessee</b>	Patrons are allowed to take wine home when purchased with a meal. Contact enforcement agency for compliance details.

<b>Texas</b>	Patrons who order wine with food and have a portion of the open container remaining may remove the open container of wine from the premises. Contact enforcement agency for compliance details.
<b>Utah</b>	Patrons are allowed to take wine home when purchased with a meal. Contact enforcement agency for compliance details.
<b>Vermont</b>	Vermont allows restaurants the discretion of allowing patrons to take home opened, bagged bottles of wine. **only in accordance with T 7 VSA § 222(1) Contact enforcement agency for compliance details.
<b>Virginia</b>	Patrons are allowed to take wine home when purchased with a meal. While it is not required to be in the trunk it is recommended that the bottle is inaccessible to the driver and passengers.
<b>Washington</b>	Washington law permits the unused portion of wine to be re-corked, packaged and carried out by the guest. Contact enforcement agency for compliance details.
<b>Wyoming</b>	Patrons are allowed to take wine home when purchased with a meal. Contact enforcement agency for compliance details. <i>(enacted 2005)</i>

**\*\* All states not mentioned do not allow the re-corking and removal of partially consumed wine that was purchased with a meal.**



## 2005 02 18: Michigan Considers a Wine Re-corking Bill

by Joseph McConnell

There's an old piece of internet humor that contrasts the Martha Stewart personality type with the attitudes and reactions of "the real woman." In one of its entries, it has the Martha-type saying that freezing in ice cube trays is a wonderful way of preserving leftover wine. The real woman's reaction is, "Leftover wine?"

We react in somewhat the same way to a bill introduced recently in the Michigan Senate by Sen. Jud Gilbert, which would permit restaurants and restaurant patrons to "re-cork" and take home wine left over at the end of a meal. Not a problem we often have. But although CII management will probably seldom take advantage of this capability, we still support it, for several reasons.

First, we applaud anything that encourages diners to order and restaurants to offer higher quality wines. The theory is, if you know that you'll be able to take home (and perhaps freeze in ice cube trays) the remains of that Chateaufort or Howell Mountain, you're more likely to order it instead of the Bonny Doon or even the Diet Slurpee. This is of particular interest when you consider people who often dine out alone; without a recorking law, dinner for one means a choice between the by-the-glass offerings, getting sloshed, or leaving good wine to the tender mercies of the kitchen staff.

And it's also argued that the bill will have some impact on drunken driving -- you won't feel economically pressured to finish your bottle, and therefore will drive more sensibly and safely on the way home. We admit that this is not the most convincing argument -- no statistics are collected here or anywhere else to show what an intoxicated driver was drinking, and consequently there's no basis to say that people pushing themselves to drain the last drop from a bottle of 1995 Brunello are subsequently laying waste the countryside. But if it makes the values voters happy, we're willing to play along, since the other benefits for the industry and the consumers are real enough.

The mechanics of it are not specified in the current bill's language -- presumably it would be necessary to do more than just pounding in the cork again. There's likely to be some kind of official re-seal process or something similar, letting Officer Friendly know that you're a fine upstanding oenophile who simply practices moderation, and not some Ripple-swilling Beatnik, cruising for babes with an open bottle of alcohol in your car.

In fact, if it becomes law, it might not be a bad idea for restaurants to provide a hang tag of some kind, citing the actual bill. And of course, there might be some incremental revenue to be made by selling preservation gear along with the re-corked bottle. A basic VacuVin kit, perhaps with the restaurant's label, might be a nice thing to stock and sell as an add-on.

Anyway, if you're a Michigan voter and you'd like to see the state follow the 30 other states that have similar laws, drop your Senator a line and encourage him or her to support Senate Bill 0199 2005.

Act No. 21  
Public Acts of 2005  
Approved by the Governor  
May 19, 2005  
Filed with the Secretary of State  
May 19, 2005  
EFFECTIVE DATE: May 19, 2005

**STATE OF MICHIGAN  
93RD LEGISLATURE  
REGULAR SESSION OF 2005**

Introduced by Senators Gilbert, Hammerstrom, Sanborn, McManus, Jelinek, Goschka, Bishop, George, Barcia and Switalski

**ENROLLED SENATE BILL No. 199**

AN ACT to amend 1998 PA 58, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," by amending section 1021 (MCL 436.2021), as amended by 2002 PA 725.

*The People of the State of Michigan enact:*

Sec. 1021. (1) The commission shall not require a licensee to sell or serve food to a purchaser of alcoholic liquor. The commission shall not require a class A hotel or class B hotel to provide food services to registered guests or to the public.

(2) Except as otherwise provided in subsection (3), a purchaser shall not remove alcoholic liquor sold by a vendor for consumption on the premises from those premises.

(3) A vendor licensed to sell wine on the premises may allow an individual who has purchased a meal and who has purchased and partially consumed a bottle of wine with the meal, to remove the partially consumed bottle from the premises upon departure. This subsection does not allow the removal of any additional unopened bottles of wine unless the vendor is licensed as a specially designated merchant. The licensee or the licensee's clerk, agent, or employee shall reinsert a cork so that the top of the cork is level with the lip of the bottle. The transportation or possession of the partially consumed bottle of wine shall be in compliance with section 624a of the Michigan vehicle code, 1949 PA 300, MCL 257.624a.

(4) This act and rules promulgated under this act do not prevent a class A or B hotel designed to attract and accommodate tourists and visitors in a resort area from allowing its invitees or guests to possess or consume, or both, on or about its premises, alcoholic liquor purchased by the invitee or guest from an off-premises retailer, and does not prevent a guest or invitee from entering and exiting the licensed premises with alcoholic liquor purchased from an off-premises retailer.

This act is ordered to take immediate effect.

*Carol Mory Viventi*

Secretary of the Senate

*Sam E. Randall*

Clerk of the House of Representatives

Approved \_\_\_\_\_

\_\_\_\_\_  
Governor

wine making supplies, beer making supplies, winemaking supplies, homebrewing, home wine making supply, home brewing supply, wine making, beer making



**Wine making supplies and beer making supplies for home wine or home brewing.** We stock only quality Wine Cellar Supply and Beer Supply in Elkhart just outside of Goshen, South Bend, Chicago or Indianapolis. Use our great selection of high quality wine making and beer making equipment, wine making kits, beer making kits a supplies for making your favorite homebrew and home made wine and beer kits at everyday low prices. Kegging equipment, grape p corks, wine bottles, beer bottles and more in stock and ready to a wide today. Cheers and Salute from Quality Wine and Ale Supply.  
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## Wine Corks, Wine Corkers

corks, wine corks, bottle corks, wine making kits, wine making supply, home wine making supplies, winemaking supply wine making supplies...



**Item # 17421**  
**Champagne Floor Corker by Ferrari**  
 Corks Champagne bottles and standard wine bottles. Uses our 1 champagne corks or any straight wine cork. Very good quality all frame and legs. Corks all standard size wine bottles including 37 1.5 ltr. and 750ml champagne bottles. Caps beer bottles too with adaptor for crown caps #17530 sold below.

\$93.95 Quantity



**Item # 17530**  
**Adaptor for Crown Caps - Use with Corkers Listed**  
 For use with our #4040 La Dio Padre or our #17421 Champagne cap your beer bottles with any metal crown cap. Makes your wine versatile and capping could not be easier.

\$9.95 Quantity

**Item # 4036**  
**Italian Twin Lever Corker**  
 Deluxe, adjustable push rod for regulating depth of cork insertion favorite corker.

\$19.95 Quantity

Carboys  
Chemicals - Wine  
Clarifiers - Wine  
Corks  
Corkers  
Crushers - Grapes  
Destemmers -  
Grapes  
Demi-Johns  
Fermentors  
Filters and Pads  
Foils - Champagne



Fruit Flavoring  
Labels and Paper  
Presses - Grapes  
Shrink Caps  
Spigots - Wood  
Sterilizing - Wine  
V-Vessel System  
Wine Storage  
Racks  
Wine Accessories  
Wine Glasses  
Yeast - Dry - Wine  
Yeast - Liquid  
 Coming Soon:  
 • Stainless Tanks



Item # 4037  
**Easy Twin Lever Corker**  
 Nylon body with spring that helps secure bottle from sliding while duty then our Italian twin lever corker.

\$24.95

Quantity

Beer Making  
Supplies  
BYO Brew Your  
Own Magazine  
Beer Equipment  
Kits  
Beer Ingredient  
Kits:  
 • Brewers Best  
Kits  
 • Brew House Kits  
 • Malt Extract Kits  
 • Barons Beer Kits



Item # 4039  
**Portuguese Twin Lever Corker**  
 Good quality corker.

\$13.95

Quantity

Additives - Beer  
Books - Beer  
Bottles - Beer  
Brewers Garden  
Herbs  
Brewing / Boiling  
Pots  
Cardi & Sugars  
Caps & Cappers  
Carboys  
Chemicals - Beer  
Cleaners - Beer  
Fermentors  
Filters and Pads  
Flakes & Adjuncts  
Fruit Flavors  
Oregon Fruit  
Press



Item # 4040  
**Italian Floor Corker - 'La Dio Padre' by Ferrari**  
 'La Dio Padre' of floor corks. Brass crimping jaws. If you are lo this is it! Handle breaks down into two sections for easier storage standard size wine bottles including 375ml, 750ml and 1.5 ltr. Co too with the optional adaptor for crown caps #17530 sold above.

\$89.95

Quantity

Item # 4042

Harvest Fruit  
Bases  
Grains - Brewing  
Herbs - Dried  
Hops  
Keoging  
Equipment  
Labels and Paper  
Malt-Liquid  
Malt-Spray Dry  
Malt-Whole Grain  
Sanitizers - Beer  
Sugars and  
Adjuncts  
V-Vessel System  
Yeast - Dry  
Yeast - Liquid

Common  
Equipment  
Air Locks  
Better Bottles  
Bottle Caps  
Bottle Drainers  
Bottle Rinsers  
Brushes  
Bungs - Rubber  
Carboys  
Cleaning  
Chemicals  
Cleaning  
Equipment  
Demi-Johns  
Fermentors  
Fermenting  
Accessories  
Filters and Pads  
Funnels  
Gallon Jugs  
Hydrometers  
Labels and Paper  
Racking  
Equipment  
Sanitizers  
Screw Caps  
Siphon Equipment  
Thermometers  
Test Equipment  
Test Kits  
Spoons - Paddles  
Sterilizing  
Chemicals  
V-Vessel System

Miscellaneous  
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Certificates



**Portuguese Floor Corker**

Excellent, heavy duty floor corker with high quality crimping jaws and 1.5ltr bottles. Corks 375ml bottles with small block of wood placed on bottle holder. Makes a great gift!

\$49.95

Quantity

Our No. 7 first quality corks are made of natural cork, prewashed natural products, greatly improving their appearance. The corks : decorative grape leaf pattern and are chamfered. Recommended stopper for table wine only, non-wine liquid or bottle closures. Ca hand so they are tight but NOT airtight. NOT recommend for lay any liquid but upright storage is ok. Great when using wine bottle with red hots, M&M's or when sending wedding or party invitation

**First Quality Corks / #7 x 1-3/4**

Selected Item #4080

**(A) First Quality Corks / Bag of 30 / No. 7 x 1 3/4**

\$3.49

Quantity

1-3/4 inch long corks provide up to 3-5 years of protection for agi quality corks are made of natural cork, prewashed and filled with greatly improving their appearance. The corks are printed with a leaf pattern and are chamfered. Best choice when using a twin le any hand corker. Floor corkers too.

**First Quality Corks / # 8 x 1-3/4 Corks**

Selected Item #4080

**(A) First Quality Corks / Bag of 30 / No. 8 x 1 3/4**

\$3.95

Quantity

1-1/2 inch long corks provide up to 2 years of protection for aging corks are made of natural cork, prewashed and filled with natura improving their appearance. The corks are printed with a decora pattern and are chamfered. Recommended for use with floor cor

**First Quality Corks / # 9 x 1-1/2 Corks**

Selected Item #4082

**(A) First Quality Corks / Bag of 30 / No. 9 x 1 1/2**

\$3.95

Quantity

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1-3/4 inch long corks provide up to 3-5 years of protection for aging. Quality corks are made of natural cork, prewashed and filled with a special wax greatly improving their appearance. The corks are printed with a leaf pattern and are chamfered. Recommended for use with floor corks.

**First Quality Corks / # 9 x 1-3/4 Corks**

Selected Item #4084

(A) First Quality Corks / Bag of 30 / No. 9 x 1 3/4

\$4.25

Quantity



Quality Wine and Ale Supply and Nomacorc® have joined forces to bring you the #1 synthetic cork on the market! "What's so special about these corks? The answer is the manufacturing process. Other types of synthetic corks are injection molded which is a batch process that produces corks with inconsistent density and cell structure size resulting in inconsistent protection. Nomacorc® are made by a unique, patented, co-extrusion process. The interior and exterior sections of the cork are bonded together by heat adhesion. Extrusion is a continuous process that provides a very consistent quality, and each cork is exactly the same. Nomacorc® is simply a better closure because its closed cell structure creates a better barrier from oxygen and prevents the loss of your wine. They have made for us a 9 x 1 1/2 cork, printed with a leaf logo. We've tested the corks and they work best with floor corks and hand corks too. These corks seal instantly and the bottle can be stored directly after corking. You can also use any common corker on your wine bottles. This is modern technology that preserves your wine. We are pleased to be able to offer it to you. Recommended for use with floor corks and also for twin lever corks. These corks will provide at least 3 years of protection during aging.

**Nomacorc® Synthetic Corks / # 9 x 1-1/2**

Selected Item #4086

(A) Nomacorc® Synthetic Corks / Bag of 30 / No 9 x 1-1/2

\$6.75

Quantity



1-3/4 inch long corks provide up to 5 years of protection for aging. Quality corks are agglomerated and non-chamfered. You will find minimal defects in high quality corks. Use with floor corks only.

**Premium Twin Disc Wine Corks / #9 x 1-3/4**

Selected Item #4102

(A) Premium Corks / Bag of 30 / No 9 x 1 3/4

\$6.25

Quantity

**APM Premium Quality Wine Corks - 1000 Count Bags Only**



Selected Item #4119

(A) 9 x 1-1/2 Agglomerated Superior Wine Corks - Per 1000

\$49.95

Quantity

This is a ridiculously unbelievable sale, a real super Superbuy! / cork supplier has closed their doors and auctioned off their left over just happened to be at the right place at the right time and score There is no compromise on quality here as all the corks are wine want to act fast because quantities are limited and when the cork are gone for good. Choose your style and length. 1000 count

**Some types of corks:**

**Agglomerate Corks: (#4119)**

This type of cork closure is produced from cork granules that are cork oak resins using heat treatment while under pressure. They are formed by a single molding or by extrusion. Agglomerate cork has high resins for a good seal. A mixture of clean cork granules that are pressed and formed into wine corks are used to produce agglomerate stoppers. Agglomerate wine corks are the ideal economically produced stoppers to be used which will be consumed within two or three years.

**Twin Top (Disc) or One by One Corks: (#4117 & #4111)**

This is a new generation of cork stoppers, economically priced as well as high quality natural straight corks. It is comprised of a mixture of agglomerate cork, and a disc of natural cork at each end.

(Below is for customer information only for other types of corks)

**Natural Straight Wine Corks:**

This is a cylindrical stopper which has been punched directly from 100% natural cork. Once the stopper has been punched it is sorted into various qualities by computerized sorters, washed and sterilized. For added assurance, a final quality sort is done manually and random samplings are sent for laboratory testing for microorganisms, moisture control, etc. There are different grades and treatments available depending on the type of bottle, bottling method.

**Ice Wine Natural Corks:**

These are the highest quality corks specifically sized and treated for neck ice wine bottles and to withstand high sugar content.

**Colmated or Pore-Filled Corks:**

This is a natural cork which goes through an extra operation of pore filling inherent to all corks. This treatment improves the cork's mechanical strength. Usually the filling of the pores is performed on lower grades since they are of a quality high enough not to require pore filling. The filling is done using a mixture of cork particles of a granulometry and natural resin approved by the FDA. Colmated corks are a very good functional stopper.

Item # 4208

Tapered Wine Corks / Bag of 25 / No. 8

Tapered cork with 7/8 inch top, 11/16 inch bottom.



Quantity

## Restaurateurs toast wine 'doggie-bagging' laws

By Leeann Cannon

When it comes to promoting alcoholic beverage sales, restaurateurs sometimes are forced to choose between making a profit and making sure their customers are acting responsibly.

With an increasing number of states passing "recorking" bills on partially consumed bottles of wine, many restaurateurs around the country are singing the praises of the law that they see as a blessing to their businesses. There are approximately 30 states at present, including Colorado, Connecticut, Louisiana, Michigan, New York and Texas, which allow restaurants to reseal wine for customers to take home.

While the National Restaurant Association has "not paid a great deal of attention" to the so-called wine doggie-bagging measures, according to NRA spokesman Brad Dayspring, several state-level groups have shown a devoted interest.

Andy Deloney, director of public affairs for the Michigan Restaurant Association, said the MRA believes that recorking wine will encourage sales of bottles of wine at restaurants, adding, "That's something our members are interested in." The MRA represents more than 4,500 foodservice establishments.

In May Michigan became the latest state to pass the recorking ordinance. Dubbed the "Merlot-to-go" bill by the MRA, the bill passed through the state's Senate and House on a unanimous vote.

"We really believe the law is going to have a positive impact on drunk driving," Deloney said. "Some people go into a restaurant and can't finish a whole bottle. But if they spend \$50 on it, they're going to want to get their money's worth. This is where we've created a problem. Now, rather than risking impairing oneself, customers can take the bottle home."

Although the passage of the Merlot-to-go bill was unanimous, the Michigan Legislature employed a nonpartisan Senate staff called the Senate Fiscal Agency to analyze the proposed recorking law before the final decision was made.

The bill analysis committee noted that any recorking of partially consumed bottles of wine would have to comply with Michigan's Vehicle Code, which prohibits drivers and passengers from transporting open containers of alcohol unless they're in the trunk or a separate compartment. Open container laws proved to be a concern for many states when they were considering whether or not to pass similar recorking measures.

According to Michigan legislative analyst Suzanne Lowe: "Michigan has an open container law on the books for a reason: to discourage drinking and driving. ... Reportedly 41 percent of fatal car accidents involve alcohol. The bill might contribute to this problem by creating an opportunity for people to transport opened bottles of wine."

In response to Lowe's concerns, Michigan legislature made sure the bill required that the top of the cork was even with the lip of the bottle when it was resealed, therefore making a corkscrew necessary to reopen the bottle.

In support of the bill, Lowe said that "diners who ordered a bottle instead of a glass would have a selection that was both wider and of higher quality, since most restaurants offer only limited choices by the glass, and those tend not to be the finest wines."

Many restaurateurs agree with Lowe and are counting on the bill to increase not only bottle sales in

general, but also sales of more expensive wines.

Chuck Hunt, executive vice president of the New York State Restaurant Association, said that without a doubt the recorking laws would help promote more expensive purchases of wine. "If you know you're not going to finish a bottle, you're not going to order it," Hunt added. "Now that customers can keep whatever they don't drink, they have nothing stopping them from ordering a \$40 bottle."

The New York State Legislature, which passed a recorking bill in September 2004, requires that establishments put the resealed wine bottle in a tamper-proof bag to ensure that the open container law is obeyed, according to Hunt.

"One of the big problems that arose when the law was first passed was that no one knew where to get a suitable bag," he said. "We actually got our hands on one here at the New York State Restaurant Association and sent it on to the state liquor authority. Once we got it approved, I ordered about 10,000 of them for our members."

The NYSRA boasts the membership of approximately 7,000 restaurants.

Hunt also pointed out that with the tamper-proof bags, liquor liability for restaurants is no longer a concern. "Once a restaurant seals the bag, they are not responsible," he said. "As long as the standards of proper alcohol service are met, there is no issue [with liquor liability]."

Cindy Wlending, executive vice president of the Colorado Restaurant Association, said Colorado in May 2004 passed its "cork-and-carry" law pertaining only to restaurants with a hotel/restaurant liquor license. In April of this year, the state expanded the bill to other types of liquor licenses including brewpubs.

"We lobbied to pass the cork-and-carry law in conjunction with the state's lowering of its blood alcohol concentration standard for defining drunkenness to 0.08 percent from 0.10 percent," Wlending said. "Our major concern with the lower BAC was that customers — especially couples — wouldn't want to order a whole bottle of wine out of fear that they might not be able to drive home safely. The recorking law mitigated some of that concern."

In addition, the CRA offers recommendations to restaurants and consumers to ensure that taking home resealed bottles of wine doesn't conflict with the Colorado statewide open container law that was passed earlier this year. The open container law does provide that recorked bottles of wine are acceptable in vehicles as long as the bottles are in the trunk or in a sealed compartment, according to Wlending.

"The CRA suggests that restaurateurs not only recork the partially consumed bottles of wine so that the cork is even with the lip of the bottle but also apply tap to the seal and place the bottle inside a bag or box," Wlending added. "The Colorado liquor association said that by following our recommendations, even if the driver of a vehicle didn't put the wrapped bottle in the trunk, he or she would still have a strong defense against the open container law."

According to a published report, Colorado police thus far have not reported a great increase of open-container arrests.

## Restaurants Applaud State "Recorking" Laws

With recent Supreme Court decisions helping to improve sales in the wine industry, it may not be long before lawmakers tackle another issue important to both wine producers and restaurateurs: wine recorking in restaurants.

A Michigan law passed last month now allows restaurant patrons to take home unfinished bottles of wine they have purchased, provided that the wine has been recorked. Michigan joins approximately 30 other states, including California, New York, Texas and Washington, that also allow opened bottles of wine to be taken home from restaurants. The Michigan Restaurant Association, which lobbied heavily for the measure, said that recorking laws would be a boost for the restaurant industry's wine sales, since customers would be inclined to purchase entire bottles of wine instead of individual glasses.

Some lawmakers, however, are worried that recorking laws might interfere with states' drinking and driving policies, especially with open-container policies. Even the states that allow wine recorking have strict policies on transporting open containers of alcohol. Most often, wine must be completely recorked, with the cork's edge touching the lip of the bottle, or the wine bottle must be placed in a tamper-proof container. In some states, the wine must be placed in an area of the car inaccessible to the driver, such as the trunk.

Despite these concerns, many restaurants have applauded recorking measures, saying that these laws have increased sales of wine bottles—especially for their higher-priced wines. Restaurant owners say customers are more inclined to buy expensive wines if they know they can take them home.

Even so, recorking laws are not meant to supersede responsibility. Restaurant owners, who still have liability in preventing patrons from abusing alcohol, have the final say in whether opened wine bottles may be taken home.



25th  
ALASKA STATE LEGISLATURE

Senator Johnny Ellis, Chair  
Senator Gary Stevens, Vice Chair  
Senator Bettye Davis  
Senator Lyman Hoffman  
Senator Con Bunde



State Capitol, Room 9  
465-3704

## Senate Labor & Commerce Committee

**SB 305**

**Re-corking Wine Served with a Meal**

### NOTES FOR FLOOR DEBATE

- It's a safety issue. Senate Bill 305 would allow restaurant patrons to enjoy a bottle of wine with their meals without feeling compelled to consume the entire bottle.
- 34 states allow recorking.
- Because bottles would be recorked in such a way that one could not open them without a mechanical device, they would not violate Alaska's open container law.
- Non-corked bottles could be resealed (under regulations adopted by the Alcoholic Beverage Control Board) thereby not violating the open container law.

**SJR**

**4**

# SENATE COMMITTEE REPORT

## First Committee of Referral

DATE: 3/12/07

FURTHER: Resources

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Labor and Commerce Committee considered SENATE JOINT RESOLUTION NO. 4

### SJR 4 NATURAL GAS FOR STATE RESIDENTS

Urging the attorney general, the producers of natural gas in the Cook Inlet region, and the Regulatory Commission of Alaska to work to secure long-term and affordable supplies of natural gas for the people and businesses of the state.

and recommends:

- be replaced with  SCS or  CS SJR 4 (LTC)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>	
<input checked="" type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
<b>HOUSE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

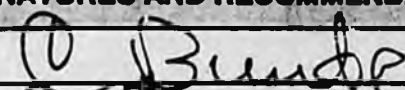
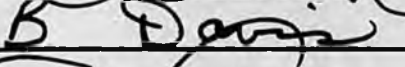

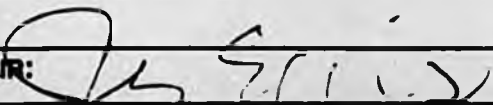
**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
LEGISLATURE	3/19/07			✓	

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Bunde		✓		
	PAULS	✓			
				X	
CHAIR: 	ELLIS	✓			

# ALASKA STATE LEGISLATURE

*Session*  
State Capitol, Rm. 115  
Juneau, AK 99801  
(907) 465-2435  
Fax: (907) 465-6615

*Interim*  
716 W. 4<sup>th</sup> Ave, Ste. 540  
Anchorage, AK 99501  
(907) 269-0120  
Fax: (907) 269-0122



Co-chair  
Joint Armed Services Committee

Member  
Resources Committee  
Judiciary Committee  
Transportation Committee

Senator Bill\_Wielechowski@legis.state.ak.us

## SENATOR BILL WIELECHOWSKI

### SPONSOR STATEMENT SJR 4

**"A resolution urging the attorney general, the producers of natural gas in the Cook Inlet region, and the Regulatory Commission of Alaska to work to secure long-term and affordable supplies of natural gas for the people and businesses of the state."**

This winter has been particularly difficult for many Alaskans who are struggling to pay heating bills that have more than doubled in the past five years. The average cost to heat a home in Southcentral Alaska using natural gas jumped from \$660 in 1996 to \$1,188 in 2006. Prices rose an additional 30% on January 1.

Enstar Natural Gas Company says the culprit is dwindling gas supplies in Cook Inlet. "We are moving from a market with excess deliverability to an environment where deliverability does not meet demand," the company recently said.

The increases are exacting a heavy toll on many Alaskans, particularly those with low and fixed incomes. Many don't understand how prices of gas from nearby Cook Inlet could rise so sharply year after year. They are also asking why more than a third of the gas produced in the Inlet each year is being exported to Tokyo. ConcocoPhillips and Marathon Oil Company recently applied for a two-year extension of their license to export Liquefied Natural Gas (LNG) to Japan.

Senate Joint Resolution 4 urges Alaska's Attorney General to evaluate the needs of local consumers before an extension of the Kenai Liquefied Natural Gas export license is approved. The U.S. Department of Energy is currently soliciting comments on the renewal request. Federal law requires that export of gas must be in the public interest.

The resolution also calls on the producers of natural gas in Cook Inlet to work with local utilities to provide more affordable gas for Alaskans. In addition, it urges the Regulatory Commission of Alaska to expedite review of any contract that will provide long-term affordable gas for Alaskans.

I urge you to join me in supporting SJR 4.

25-LS0739E

Bullock

3/21/07

**CS FOR SENATE JOINT RESOLUTION NO. 4( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FIFTH LEGISLATURE - FIRST SESSION**

**BY****Offered:****Referred:****Sponsor(s): SENATORS WIELECHOWSKI, Ellis, Davis**

**A RESOLUTION**

1 **Urging the attorney general, the producers of natural gas in the Cook Inlet region, and**  
2 **the Regulatory Commission of Alaska to work to secure long-term and affordable**  
3 **supplies of natural gas for the people and businesses of the state.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **WHEREAS** approximately 340,000 people in the state rely on natural gas from Cook  
6 Inlet to heat their homes; and

7 **WHEREAS** approximately 473,000 people in the state rely on natural gas from Cook  
8 Inlet to generate electricity for their homes and businesses; and

9 **WHEREAS** these people live in communities from Fairbanks to the Kenai Peninsula,  
10 including Anchorage and the Matanuska-Susitna Borough; and

11 **WHEREAS** ConocoPhillips and Marathon Oil Corporation have jointly filed for a  
12 two-year extension of the Kenai Liquefied Natural Gas facility's export license with the  
13 United States Department of Energy; and

14 **WHEREAS** the Kenai Liquefied Natural Gas Plant currently exports about 1,300,000  
15 metric tons of liquefied natural gas annually to buyers in Tokyo, representing approximately

1 36 percent of the natural gas produced in the Cook Inlet region; and

2 **WHEREAS** the Kenai Liquefied Natural Gas Plant plays an important role in the  
3 local and state economy, employs approximately 58 residents, and generates revenue for the  
4 state and the Kenai Peninsula Borough; and

5 **WHEREAS** the supply of natural gas in Cook Inlet relative to the demand has  
6 declined significantly in recent years, and production is forecasted to decline precipitously  
7 over the next decade; and

8 **WHEREAS** the decline in supply relative to demand has resulted in skyrocketing  
9 prices for local consumers, increasing home heating costs by 97 percent in the last five years  
10 and causing hardship for many low-income and middle-income families; and

11 **WHEREAS**, although the renewal of the license to export liquefied natural gas offers  
12 many benefits to the state, the state must have as a priority the availability of affordable  
13 natural gas to meet the needs of its people;

14 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests the  
15 attorney general, in coordination with the Department of Natural Resources, to evaluate  
16 whether the extension of the Kenai Liquefied Natural Gas Plant's export license is in the best  
17 interest of local consumers and the state and whether nonrenewal of the license would result  
18 in lower prices for businesses and residents of the state; and be it

19 **FURTHER RESOLVED** that the Alaska State Legislature urges natural gas  
20 producers in the Cook Inlet region to work with local utilities to ensure an adequate and  
21 affordable long-term supply of natural gas for Alaskans; and be it

22 **FURTHER RESOLVED** that the Alaska State Legislature urges the Regulatory  
23 Commission of Alaska to expedite review of any utility contract that will provide long-term  
24 and affordable supplies of natural gas for the people of the state.

25 **COPIES** of this resolution shall be sent to the Honorable Samuel W. Bodman, United  
26 States Secretary of Energy; the Honorable Talis J. Colberg, Alaska Attorney General; the  
27 Honorable Tom Irwin, Commissioner, Department of Natural Resources; the Honorable Emil  
28 Notti, Commissioner of the Department of Commerce, Community, and Economic  
29 Development; the Honorable Kate Giard, Chair of the Regulatory Commission of Alaska; Jim  
30 Bowles, President, ConocoPhillips Alaska, Inc.; John Barnes, Alaska Asset Team Manager,  
31 Marathon Oil Company; John Zager, General Manager, Chevron.

**Barbara Williams  
Alaska Public Interest Research Group  
P. O. Box 101093  
Anchorage, Alaska 99510  
907-278-3661**

**March 20, 2007**

**RE: SJR 4, High Cost of Heating for Consumers**

**We appreciate the invitation to speak to you. We have heard from consumers that they are having a hard time adjusting to the high cost associated with natural gas. I know of one family in Palmer who has had no natural gas all winter and have resorted to other heating measures because they cannot afford to heat their home. They have been forced to make the choice of rent and food or natural gas. We have heard from disabled, impoverished, and seniors. The general message is that the high cost of gas is making many people and families make choices between food, rent, medicines, and other needs and sometimes resort to juggling expenses just to be able to afford the current heating costs.**

**Many people are not qualifying for the heating assistance programs that are disabled and poor. Welfare does not cover high fuel costs, and if they offer money for utilities it is on an emergency basis, and more red tape. We have had reductions in or longevity bonuses for the seniors, fluxations in our permanent funds and other income sources. Many people who live paycheck to paycheck are struggling to keep up with the higher energy cost.**

**My own experience has been that my heating bills have doubled since last year. We live on a small income and we have also had to adjust our expenses to deal with our own costs doubling. Last year our bill was \$250.00 in the winter months and this year it has run well over \$500.00 per month most of the winter. It is true that our state needs to make money exporting the gas but we need to take care of our own supply and demand first before going to the market.**



March 20, 2007

The Honorable Johnny Ellis, Chair  
Senate Labor and Commerce Committee  
Alaska State Capitol, Room 9  
Juneau, AK 99801-1182

RE: SJR 4 (Wielechowski)--Support

Dear Chair Ellis:

On behalf of the members of AARP in Alaska, we encourage you and your colleagues on the Senate Labor and Commerce Committee to support SJR 4, authored by Senator Bill Wielechowski and co-sponsored by you and your Committee colleague Bettye Davis.

AARP claims no expertise in the sale of natural gas. What we do know is that many of our members are very concerned about increases in their utility bills. They are very aware that more rate "adjustments" are pending before the RCA and that those bills are likely to go even higher.

Utility costs for retirees are often higher than for younger people. Workers can turn down their thermostats when they leave the house. Retirees, on average, spend 90% of their time in the house and, for health reasons, should not be lowering the temperature of their homes. Older persons are also more likely to live in older homes with less insulation and suffer higher utility costs because of it.

Over the past fifteen years we turned the corner on the exodus of Alaskans upon retirement. They are now staying here and remaining close to their families and bringing substantial income to the state in the form of Social Security and pensions. We don't want to return to losing our retirees because they cannot afford utility costs with our Alaskan winters.

It is the intent of SJR 4 to help bring stability to utility costs, possibly even to reduce them or to minimize future increases. We certainly support that goal.

**We urge an "AYE" vote on SJR 4.**

**Should you have any questions about our position, please feel free to contact me (586-3637) or Patrick Luby, AARP Advocacy Director (907-762-3314).**

**Thank you for your consideration.**

**Sincerely,**

*Marie Darlin*

**Marie Darlin, Coordinator  
AARP Capital City Task Force  
415 Willoughby Avenue, Apt. 506  
Juneau, AK 99801  
586-3637 (voice)  
463-3580 (fax)**

**CC: Senator Gary Stevens  
Senator Bettye Davis  
Senator Lyman Hoffman  
Senator Con Bunde  
Senator Bill Wielechowski**



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586-3637 (voice)  
463-3580 (fax)**

**CC: Senator Gary Stevens  
Senator Bettye Davis  
Senator Lyman Hoffman  
Senator Con Bunde  
Senator Bill Wielechowski**

# **Energy Supply in South Central Alaska**

**Presentation by:**

**ENSTAR Natural Gas Company**

**Curtis Thayer**

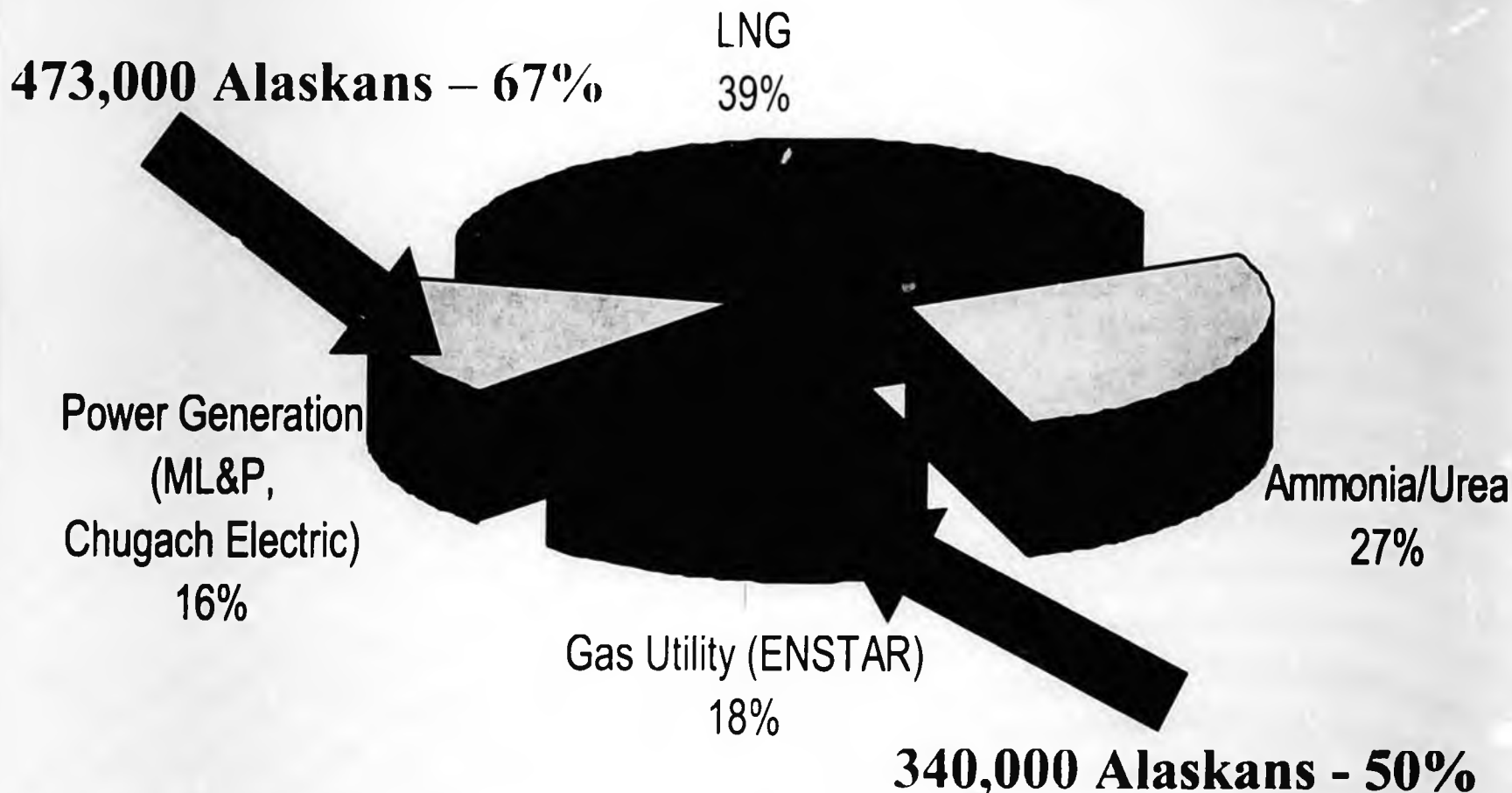
**Director of Corporate & External  
Affairs**

**Anchorage Chamber of Commerce**

**January 8<sup>th</sup>, 2007**



# Cook Inlet Natural Gas Usage by %

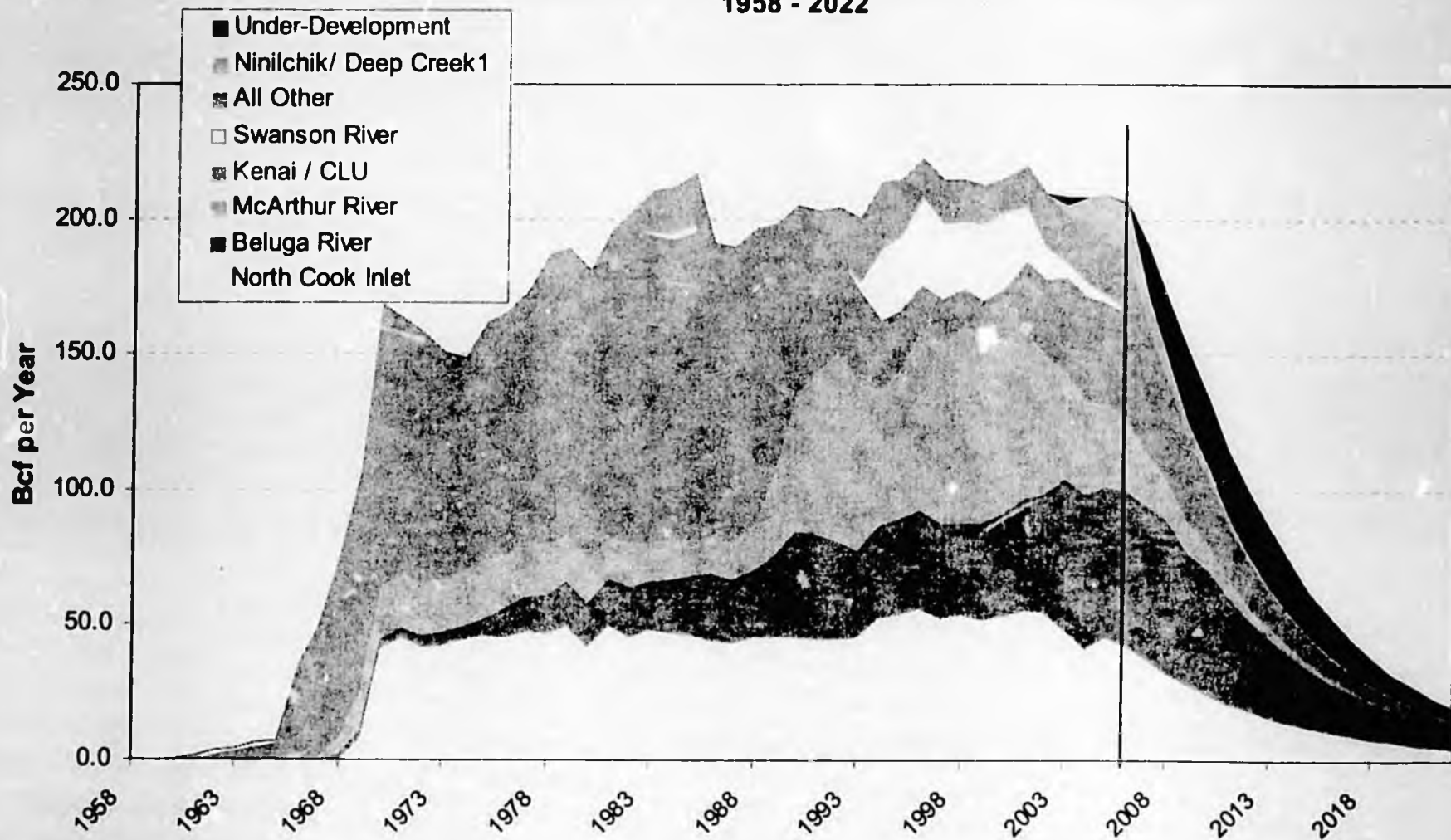


South Central Alaska Natural Gas Study. Prepared for US Dept of Energy, June 2004

*All Our Energy Goes Into Our Customers*



**Cook Inlet Historic and Projected Natural Gas Production  
1958 - 2022**



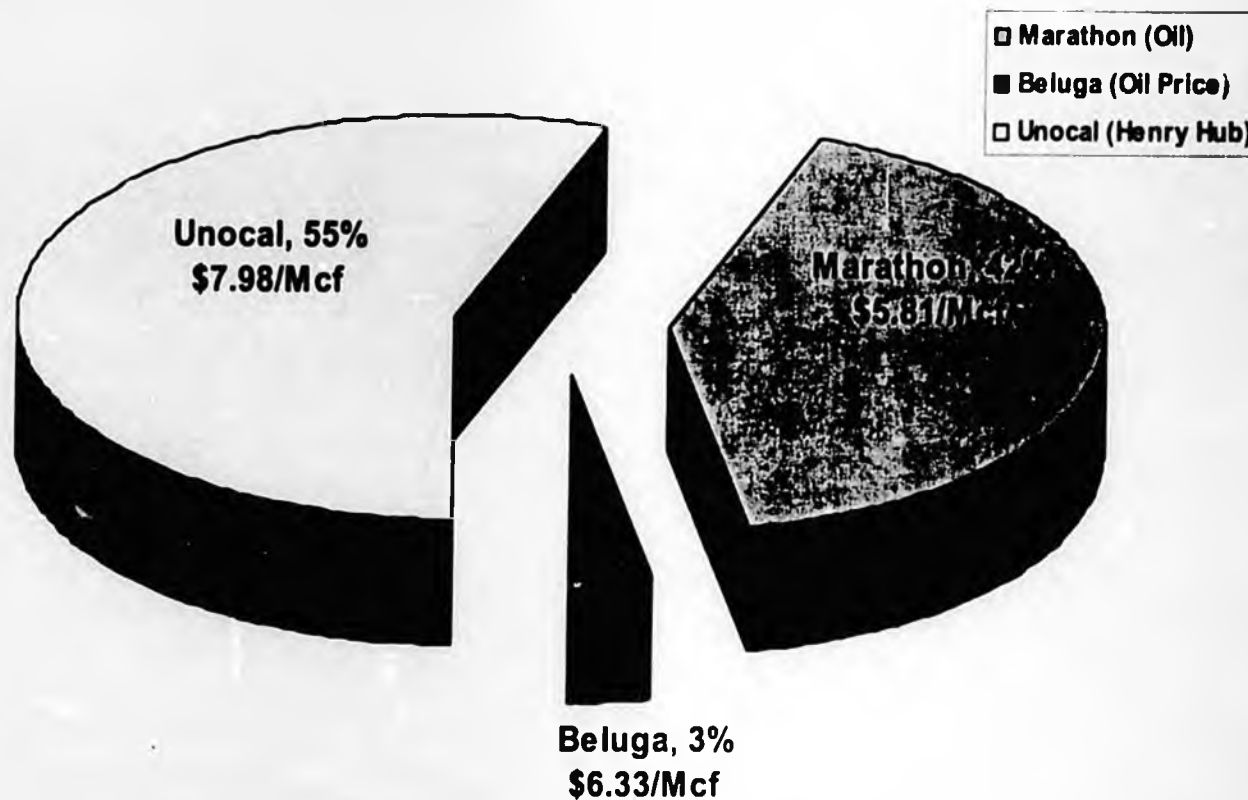
Division of Oil & Gas 2006 Report

***All Our Energy Goes Into Our Customers***



# Natural Gas Cost and Supply

Weighted Cost @ \$7.03/mcf  
Price/Mcf as of Nov. 2006



*All Our **Energy** Goes Into Our Customers*

**ENSTAR**  
Natural Gas Company

# Future of Supply

- We have moved from an “Excess Supply” market to a “Supply & Demand” market
  - Cost of Natural Gas will go up
  - More supply contracts are needed and will likely be for smaller volumes
  - Supply contracts will likely be more complicated
  - Pipeline system will be more complicated to operate
- We are working to identify and evaluate options to meet future demand
  - We have achieved Federal support for an in-depth DOE study of In-State demand and for conceptual engineering of a spur pipeline to Nenana Basin/Fairbanks.
  - Storage options are being explored for peaking purposes.
  - LNG Imports may be economic at some point.

*All Our **ENERGY** Goes Into Our Customers*

