

# Senator Peter A. Micciche

## Alaska State Legislature

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## HCS CSSB 165(L&C) Sectional Summary

**Section 1** – Repeals and reenacts AS 04.06.020, relating to the appointment, reappointment and qualifications of members of the Alcoholic Beverage Control Board; and establishing definitions.

**Section 2** – In AS 04.06.030, *Terms of office; chair* - changes “chairman” to “chair”.

**Section 3** – In AS 04.06.050, *Meetings* - changes “chairman” to “chair”.

**Section 4** – Amends AS 04.16.049(a), relating to *access by minors to licensed premises*; adds a reference to 04.11.110 permitting access to club premises by a person under 21 years of age if no alcoholic beverages are present or if the person has an active duty military card; changes “age of 21 years” to “21 years of age” to conform to current drafting style, and; identifies circumstances under which minors may be employed on licensed premises.

**Section 5** – Amends AS 04.16.049(b), changing “age of 21 years” to “21 years of age” to conform to current drafting style.

**Section 6** – Amends AS 04.16.049(c), allowing juveniles, 16 & 17 years of age, to be employed on golf course licensed premises as long as they are not serving alcohol, have written consent of guardian or parent, and an exemption granted by the Department of Labor.

**Section 7** – Amends AS 04.16.049(d), to allow minors, 18 – 20 years of age, to be employed within the licensed premises of a golf course as long as they do not sell, serve, deliver, or dispense alcoholic beverages.

**Section 8** – Adds a new subsection (g) to AS 04.16.049 to permit access by minors to golf courses for the purpose of playing golf. Adds new subsections making unauthorized presence by a minor on licensed premises a violation, punishable by a fine of \$500, which must be charged and filed with the court as a separate case. The fine may be reduced by a court to \$50 for a person who has not more than one previous violation or to \$250 for a person who has two

or more previous violations if the minor supplies proof of completion of an alcohol safety action program or a community diversion panel.

**Section 9** – Repeals and reenacts AS 04.16.050 to make minor consuming a violation, punishable by a fine of \$500, which must be charged and filed with the court as a separate case. The fine may be reduced by a court to \$50 for a person who has not more than one previous violation or to \$250 for a person who has two or more previous violations if the minor supplies proof of completion of an alcohol safety action program or a community diversion panel.

**Section 10** – Modifies the required language for warning signs on licensed or designated premises in AS 04.21.065(b).

**Section 11** – Adds a new provision in 04.21.078 barring the court system from publishing on a publicly available website the record of a violation of AS 04.16.049 or 04.16.050, or a similar municipal ordinance, if the violation was charged separately and was not joined with another minor offense or criminal charge.

**Section 12** – Amends 04.21.080(b) *Definitions*, add definition for “community diversion panel”

**Section 13** – Amends AS 12.62.400(a) *National criminal history record checks for employment, licensing, and other noncriminal justice purposes* authorizing Department of Public Safety to obtain a criminal history record check of a person applying for a license to operate a marijuana establishment, as is currently required for alcohol beverage licensees.

**Section 14** – Amends 17.38.200(a) requiring applicants for registration to operate marijuana establishments to submit to a criminal history record check.

#### **Section 15**

Amends AS 21.36.210(a) *Limits on cancellation*, to remove a reference to AS 21.96.027 due to repeal and reenactment of AS 04.16.050.

**Section 16** – Amends AS 28.15.057(a) *Restrictions on driver’s license issued to person under 18*, to reflect the repeal and reenactment of AS 04.16.050.

**Section 17** – Amends AS 28.15.191(a) *Court and parole board reports to department* removes court requirement to forward to DMV a record of a minor consuming alcohol violation conviction within five working days.

**Section 18** – Amends AS 28.15.211(g) removes reference to DMV not issuing or reissuing a driver’s license to a person whose license was revoked for an offense under 04.16.050.

**Section 19** – Amends the uncodified law of the State of Alaska, adding a new section describing a Direct Court Rule Amendment to Rule 17(a), Alaska Rules of Minor Offense Procedure, providing an exception to when a prosecutor may join a minor offense with a related criminal offense.

**Section 20** - Amends the uncodified law of the State of Alaska, adding a new subsection (g) to Rule 17, Alaska Rules of Minor Offense Procedure, providing that a prosecutor may not join a minor offense for a violation of AS04.16.049 or AS 04.16.050 with a related criminal offense.

**Section 21** – Repeals various sections that have to do with denial, cancelation or non-renewal of insurance for minor consuming violations, court revocation of a driver’s license for minor consuming alcohol, and Health & Social Services agreements under Delinquent Minor rules to revoke a driver’s license for minor consuming alcohol offenses.

**Section 22** – Applicability provisions.

**Section 23** – Transition provisions relating to membership on the ABC Board.