

SENATE BILL NO. 202

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

Introduced: 4/23/01

Referred: Labor and Commerce, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the employment of persons 14 years of age or older and under 21**
2 **years of age on licensed premises, including hotels, restaurants, or eating places; relating**
3 **to possession, control, or consumption of alcoholic beverages by a person under 21 years**
4 **of age; and relating to hours of work of minors under 16 years of age."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 *** Section 1.** AS 04.16.049(c) is repealed and reenacted to read:

7 (c) The board, with the approval of the governing body having jurisdiction and
8 at the licensee's request, shall designate premises that are considered hotels,
9 restaurants, or eating places for the purposes of this subsection. Notwithstanding any
10 other provision in this section, a person 14 years of age or older and under 21 years of
11 age may enter and remain within the licensed premises of a hotel, restaurant, or eating
12 place in the course of employment if

13 (1) the employment does not involve the serving, mixing, delivering,
14 or dispensing of alcoholic beverages;

1 (2) the licensee has notified the Department of Labor and Workforce
 2 Development as required by AS 23.10.355 that persons 14 years of age or older and
 3 under 21 years of age are employed on the premises; and

4 (3) in the case of a person 14 years of age or older and under 16 years
 5 of age, the person has the written consent of a parent or guardian.

6 * **Sec. 2.** AS 04.16.050(a) is amended to read:

7 (a) A person under the age of 21 years may not knowingly consume, possess,
 8 or control alcoholic beverages except

9 **(1) as permitted under AS 04.16.049(c); and**

10 **(2) those furnished persons under AS 04.16.051(b).**

11 * **Sec. 3.** AS 05.15.690(44) is amended to read:

12 (44) "vendor" means a business whose primary activity is not regulated
 13 by this chapter but that

14 (A) is engaged in the sale of pull-tabs on behalf of a permittee;

15 (B) holds a business license under AS 43.70; and

16 (C) is an establishment holding a

17 (i) beverage dispensary license under AS 04.11.090 that
 18 has not been designated by the Alcoholic Beverage Control Board
 19 under AS 04.16.049(a)(2) - (3), **is not required to notify** [HAS NOT
 20 BEEN EXEMPTED BY] the Department of Labor and Workforce
 21 Development under AS 04.16.049(c) and AS 23.10.355 **that the**
 22 **business is employing persons 14 years of age or older and under**
 23 **21 years of age**, and, if the establishment is a hotel, motel, resort, or
 24 similar business that caters to the traveling public as a substantial part
 25 of its business, does not allow the sale of pull-tabs in a dining room,
 26 banquet room, guest room, or other public areas other than a room in
 27 which there is regularly maintained a fixed counter or service bar at
 28 which alcoholic beverages are sold or served to members of the public
 29 for consumption;

30 (ii) package store license under AS 04.11.150;

31 * **Sec. 4.** AS 23.10.340(a) is repealed and reenacted to read:

1 (a) Except as provided in (c) of this section, employment of a minor under 16
2 years of age shall be confined to the following periods:

3 (1) outside school hours;

4 (2) not more than 40 hours in any one week when school is not in
5 session;

6 (3) not more than 18 hours in any one week when school is in session;

7 (4) not more than eight hours in any one day when school is not in
8 session;

9 (5) not more than three hours in any one day when school is in session;

10 and

11 (6) between 7:00 a.m. and 7:00 p.m. in any one day; however,
12 beginning June 1 and ending on Labor Day of that year, a minor may be employed
13 until 9:00 p.m.

14 * **Sec. 5.** AS 23.10.340 is amended by adding a new subsection to read:

15 (c) The department shall adopt regulations consistent with federal regulations
16 on the subject to permit the employment of a minor 14 years of age or older and under
17 16 years of age to

18 (1) perform sports-attending services at professional sporting events at
19 times not otherwise permitted by (a)(2) - (6) of this section;

20 (2) participate in a school-supervised and school-administered work
21 experience and career exploration program at times not otherwise permitted by (a) of
22 this section.

23 * **Sec. 6.** AS 23.10.355 is amended to read:

24 **Sec. 23.10.355. Persons under 21.** A person under 21 years of age may not
25 be employed or allowed to

26 (1) sell or serve alcoholic beverages **except as allowed in**
27 **AS 04.16.049(c);** or

28 (2) [TO] work on a licensed premises, except as **allowed in**
29 **AS 04.16.049(c) and, in the case of persons 14 years of age or older and under 21**
30 **years of age, only if the Department of Labor and Workforce Development is**
31 **notified as required by (b) of this section** [PROVIDED IN AS 04.16.049].

1 * **Sec. 7.** AS 23.10.355 is amended by adding a new subsection to read:

2 (b) A person licensed under AS 04 who employs a person 14 years of age or
3 older and under 21 years of age to work on licensed premises under AS 04.16.049
4 shall notify the Department of Labor and Workforce Development within 10 calendar
5 days after the licensee first begins employment of the person that the licensee is
6 employing a person 14 years of age or older and under 21 years of age on the licensed
7 premises. A licensee who ceases to employ any person 14 years of age or older and
8 under 21 years of age on licensed premises may notify the department that
9 employment of these persons on the licensed premises has ceased.

10 * **Sec. 8.** AS 04.16.049(d) is repealed.