

Introduced: 2/14/69  
Referred: Health, Welfare  
and Education and State  
Affairs

1 IN THE SENATE

BY BLODGETT

2 SENATE BILL NO. 151

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act reducing the age for legal consumption of in-  
7 toxicating liquors to 19 years of age.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 04.15.020(a) is amended to read:

10 (a) Sale to minors or intoxicated persons. It is unlawful to  
11 give, barter or sell any intoxicating liquors, including beer and wine,  
12 to a person under the age of 19 [21] years or to an intoxicated person,  
13 and it is unlawful for a licensee to permit the giving, selling,  
14 bartering or drinking of any intoxicating liquor within the premises  
15 covered by a license to or by either of the forbidden classes, nor  
16 shall the licensee permit the drinking of hard or distilled liquors by  
17 any person upon the premises covered by his license, unless it is  
18 permitted under the classification of his license.

19 \* Sec. 2. AS 04.15.020(d) is amended to read:

20 (d) Presence of minors on premises. It is unlawful to permit a  
21 person under the age of 19 [21] years to enter licensed premises unless  
22 the minor is accompanied by his parent, guardian or spouse who has  
23 attained the age of 19 [21] years. [HOWEVER, A PERSON WHO IS 19 OR 20  
24 YEARS OF AGE MAY ENTER LICENSED PREMISES WHICH ARE ALSO RECOGNIZED AS  
25 A RESTAURANT FOR THE PURPOSE OF DINING.] A person under the age of 19  
26 years may enter licensed premises which are also recognized as a  
27 restaurant for the purpose of dining if accompanied by the parent or  
28 guardian of any other minor also present, or with any other adult with  
29 the consent of the minor's parent or guardian. The Alcoholic Beverage

1 Control Board, with the approval of the city council if the premises  
2 are within the city or with the approval of the borough assembly if the  
3 premises are outside the city but within a borough, shall designate  
4 which premises are restaurants for the purposes of this section.

5 Licensed premises are premises holding licenses under AS 04.10.020(a) -  
6 04.10.020(d). The Alcoholic Beverage Control Board shall promulgate  
7 regulations for the designation of restaurants and the continuation or  
8 withdrawal of the designation. No establishment may be designated as  
9 a restaurant for purposes of dining without the consent of the licensee

10 \* Sec. 3. AS 04.15.060 is amended to read:

11 Sec. 04.15.060. PURCHASE BY MINORS. (a) It is unlawful for a  
12 person under the age of 19 [21] years to solicit the purchase of or in  
13 any other way to attempt to purchase or otherwise secure any intoxicat-  
14 ing liquor. A person violating the provisions of this section is guilty  
15 of a misdemeanor, and upon conviction is punishable as provided in sec.  
16 100 of this chapter.

17 (b) A person who influences or attempts to influence the sale,  
18 giving or serving of intoxicating liquor to a person under 19 [21]  
19 years of age, by misrepresenting the age of that person, or who orders,  
20 requests, receives, or procures intoxicating liquor from a licensee,  
21 employee, or other person, for the purpose of selling, giving, or serv-  
22 ing it to a person under 19 [21] years of age, is guilty of a misde-  
23 meanor.

24 (c) A person under the age of 19 [21] years who enters a licensed  
25 premises where intoxicating liquor is sold and who offers or presents  
26 to a licensee or his employee a fraudulent or false certificate of  
27 birth or other written evidence of age, which is not actually his or  
28 her own, or who otherwise misrepresents his or her age, for the purpose  
29 of inducing the licensee or his employee to sell, give, serve, or

1 furnish intoxicating liquor contrary to law, is guilty of a misdemeanor

2 (d) A licensee or his employee who questions, or has reason to  
3 question, whether a person entering upon licensed premises, or ordering  
4 purchasing, attempting to purchase or otherwise procuring or attempting  
5 to procure the serving or delivery of intoxicating liquor, has attained  
6 the age of 19 [21] years, shall require that person to sign a statement  
7 that he is over the age of 19 [21] years. This statement shall be made  
8 upon a form prepared by and furnished to the licensee by the board. If  
9 a licensee, or his employee, in good faith, secures the signed state-  
10 ment he shall not be subject to criminal prosecution for violation of  
11 the provisions of [SUBSECTIONS] (b) and (c) of this section.

12 (e) A licensee, or his employee, who allows to remain upon li-  
13 censed premises where intoxicating liquor is sold, a person under the  
14 age of 19 [21] years not in company of his parent or legal guardian or  
15 spouse who has attained the age of 19 [21] years, or sells, gives, or  
16 serves intoxicating liquor to a person under the age of 19 [21] years  
17 without having procured the signature of the person upon a statement  
18 as provided in this section, or who knowingly sells, gives, or serves  
19 intoxicating liquor to or allows the person to remain on licensed  
20 premises where intoxicating liquor is sold, is guilty of a misdemeanor.

21 \* Sec. 4. AS 04.15.065 is amended to read:

22 Sec. 04.15.065. DRIVER'S LICENSE AS PROOF OF AGE. A valid Alaska  
23 driver's license shall be acceptable as proof of age when used for  
24 identification in the purchase of liquor and for presence in establish-  
25 ments where liquor is sold if the license is made of or encased in  
26 plastic and contains a photograph of the license holder and a statement  
27 of his age or date of birth. The liquor licensee may not be held  
28 liable for any of the penalties imposed for serving minors or permitting  
29 minors on the premises when such a driver's license indicates that the

1 owner and possessor of the license is 19 [21] years of age or over.

2 \* Sec. 5. AS 04.15.080 is amended to read:

3 Sec. 04.15.080. GIVING OF INTOXICATING LIQUOR TO PERSONS UNDER  
4 THE AGE OF 19 [21] YEARS. (a) A person or firm, company, corporation  
5 or an employee thereof who sells, barter, gives or delivers to a  
6 person under the age of 19 [21] years, any intoxicating liquor is  
7 guilty of a misdemeanor, and upon conviction is punishable by im-  
8 prisonment of not more than one year, or by a fine of not more than  
9 \$500, or by both.

10 (b) The term "person" as used in this section does not include  
11 a parent as to his own child, a guardian as to his ward or a licensed  
12 physician or nurse in giving medical treatment.

13 \* Sec. 6. (a) Secs. 1 - 5 of this Act take effect 30 days after the  
14 secretary of state certifies a majority of the voters in the general election  
15 of 1970 answer in the affirmative the following question which shall be  
16 placed before the voters in that election:

17 Shall the provisions of Chapter of the Session Laws of Alaska,  
18 1969, which lower the legal age for drinking alcoholic beverages  
19 from 21 to 19, be approved?

20 [ ] Yes

21 [ ] No

22 (b) The secretary of state shall fill in the blank in (a) of this  
23 section designating the chapter number of this Act and shall make copies of  
24 this Act available to voters in the primary and general elections of 1970.  
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