

Original sponsor: Rules Committee by
request of the Governor

Offered: 4/12/76
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 634

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the employment of minors; and pro-
7 viding for an effective date."

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

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

10 (d) Presence of minors on premises. It is unlawful for a person
11 under the age of 19 years to enter or remain upon licensed premises
12 unless he is accompanied by his parent, guardian or spouse who has
13 attained the age of 19 years. A [HOWEVER, A PERSON 18 YEARS OF AGE OR
14 OLDER MAY ENTER AND REMAIN UPON LICENSED PREMISES IN THE COURSE OF HIS
15 EMPLOYMENT AS A MUSICIAN, ENTERTAINER OR BUSBOY. IN ADDITION, A] person
16 under the age of 19 years may enter and remain upon licensed premises
17 which are also recognized as a restaurant for the purpose of dining or
18 dancing if accompanied by his parent, guardian, or spouse who has
19 attained the age of 19 years, or by the parent or guardian of any other
20 minor also present, or by any other adult with the consent of the
21 minor's parent or guardian. The Alcoholic Beverage Control Board, with
22 the approval of the city council if the premises are within the city or
23 with the approval of the borough assembly if the premises are outside
24 the city but within a borough, shall designate which premises are
25 restaurants for the purposes of this section. Licensed premises are
26 premises holding licenses under AS 04.10.020(a) - 04.10.020(d). The
27 Alcoholic Beverage Control Board shall promulgate regulations for the
28 designation of restaurants and the continuation or withdrawal of the
29 designation. No establishment may be designated as a restaurant for

1 purposes of dining without the consent of the licensee.

2 * Sec. 2. AS 04.15.020 is amended by adding a new subsection to read:

3 (h) Employment of minors on premises. A person 16 - 18 years of
4 age may enter and remain upon the licensed premises of a hotel or
5 restaurant in the course of his or her employment if the employment does
6 not require or involve the serving, mixing, delivering or dispensing of
7 alcoholic beverages and if the person has the written consent of a
8 parent or guardian and an exemption by the Department of Labor for the
9 employment.

10 * Sec. 3. AS 23.10 is amended by adding a new section to read:

11 Sec. 33.10.332. REPORTS TO DEPARTMENT. (a) Unless exempted by
12 (b) of this section, a person employing a minor under 18 years of age,
13 or allowing him to work without compensation, shall report that fact to
14 the department.

15 (b) A person employing a minor under 18 years of age, or allowing
16 him to work, need not report to the department under (a) of this section
17 if

18 (1) the minor is under the direct supervision of a parent in
19 a business owned and operated by the parent;

20 (2) the minor is working on a boat owned and operated by his
21 parent; or

22 (3) the minor is employed or allowed to work under conditions
23 for which the department has by regulation eliminated the employer's
24 duty to report under (a) of this section.

25 * Sec. 4. AS 23.10.350 is repealed and re-enacted to read:

26 Sec. 23.10.350. EMPLOYMENT OF CHILDREN UNDER 18. (a) No minor
27 under 18 years of age may be employed or allowed to work

28 (1) more than six days a week;

29 (2) in excavation, or in surface mining, or underground in

1 mines; or as hoisting engineer in mines; or in the operation of cranes,
2 derricks or hoists; or

3 (3) in an occupation dangerous to life or limb or injurious
4 to his health or morals.

5 (b) If the commissioner determines that the duties to be performed
6 by the minor would not unduly endanger the life, limb, health or morals
7 of the minor and if the employment meets the conditions of wages and
8 hours prevailing for the majority of the employees in the industry at
9 the time of employment, the commissioner may grant an exemption in
10 writing from (a) of this section for a minor 16 years of age to work at
11 those duties

12 (1) outside school hours, or while on school vacation, if the
13 minor is attending school; or

14 (2) if the minor is no longer attending school.

15 * Sec. 5. AS 23.10.355 is amended to read:

16 Sec. 23.10.355. PERSONS UNDER 19. No person under 19 may be
17 employed or allowed to sell or serve intoxicating liquors or to work
18 in any room or other place where intoxicating liquors are sold for
19 consumption on the premises, except as provided in AS 04.15.020(h)
20 [04.15.020(d)].

21 * Sec. 6. AS 23.10.360 is amended by adding a new subsection to read:

22 (c) The department shall, after notice and hearing, promulgate
23 regulations authorizing the employment of minors under 18 years of age
24 and exempting appropriate employers from the reporting requirements of
25 sec. 332 of this chapter.

26 * Sec. 7. AS 23.10.340(b) and 23.10.345 are repealed.

27 * Sec. 8. This Act takes effect immediately in accordance with AS 01.10.-
28 070(c).

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