

Original sponsor: Rules Committee
by request

Offered: 5/15/78
Referred: Rules

1 IN THE SENATE

BY THE LABOR AND MANAGEMENT
COMMITTEE

2 CS FOR SENATE BILL NO. 548 am(failed S)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to waiter and waitress permits."

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

8 * Section 1. AS 04.15 is amended by adding new sections to read:

9 Sec. 04.15.115. PERMIT REQUIRED. No person may serve, sell or
10 barter, offer for sale or barter, possess for sale or barter, traffic
11 in, exchange for goods, take orders for, give, furnish or deliver, nor
12 permit the giving, selling, bartering or drinking of intoxicating liquor
13 on licensed premises excluding premises licensed as a bottling works,
14 brewery, wholesaler, distillery or winery unless authorized by a permit
15 issued under sec. 120 of this chapter.

16 Sec. 04.15.120. ISSUANCE OF PERMITS. A permit shall be granted to
17 a person after successful completion of instruction on state law,
18 regulations, and policy regarding alcohol, developed by and conducted by
19 the board, and compliance with such other requirements as the board may
20 prescribe by regulation. The board shall provide for temporary permits.

21 * Sec. 2. AS 04.05.040(10) is amended to read:

22 (10) providing for the issuance, renewal, reissuance, revoca-
23 tion and suspension of licenses and permits including permits required
24 under sec. 115 of this chapter;

25 * Sec. 3. AS 04.10.040(b) is amended to read:

26 (b) A person who holds a permit issued under AS 04.15.120 and is
27 [CITIZEN OF THE UNITED STATES,] over the age of 19 years and of good
28 moral character, may be regularly employed as a waiter or waitress in an
29 establishment operating under a beverage dispensary license. The duties

1 of waiters and waitresses employed in such an establishment [THEREIN]
2 shall be confined to taking orders and serving beverages, alcoholic or
3 otherwise, and food. Waiters and waitresses employed under this section
4 may not solicit or encourage the purchase of beverages, alcoholic or
5 otherwise, by the patron of the premises, whether the beverage is for
6 the patron or for another. No waiter or waitress may accept any
7 beverage, alcoholic or otherwise, purchased for him or her by a patron
8 of the establishment.

9 * Sec. 4. AS 04.15.100(b) is amended to read:

10 (b) Upon conviction of a licensee or a holder of a permit for a
11 violation under (a) of this section, or for violation of a municipal
12 ordinance adopted by a municipality in conformity with sec. 70 of this
13 chapter, the judge having jurisdiction shall send a notification of
14 conviction together with a certified copy of the record of conviction to
15 the board. The board may, upon the direction of a majority of its
16 members, thereupon suspend the license or permit as hereinafter provided
17 for the first and second violations and upon a third violation may
18 revoke the license or permit and declare any [THE] bond required under
19 this chapter forfeited. For the purpose of this section, the terms
20 "second violation" and "third violation" include only those violations
21 which occur within five years of the first violation, but are not
22 limited to repeated violations of the same statutory provision or muni-
23 cipal ordinance.

24 (1) First violation. The license of the premises involved
25 may be suspended for not less than 10 nor more than 45 days;

26 (2) Second violation. The license of the premises involved
27 may be suspended for a period of not less than 30 days nor more than 90
28 days.