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STATE OF ALASKA  
THE LEGISLATURE

POUCHY - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY  
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Mary Van Nimwegen

HB 35

H. HESS

2/11/89



POSITION PAPER

ON

HOUSE BILL NO. 35

"An Act relating to entry of persons under age 21 to licensed premises"

The Department of Health and Social Services is highly supportive of HB 35. Further limitations on entry of persons under age 21 to licensed premises is an idea often supported by public safety officers, educators, health and social services personnel, and parent groups. At the June 1986 meeting of the Review Board on Alcoholism, the following action was recorded in the minutes of the meeting:

Whereas, persons under the legal drinking age are allowed to accompany their parents into facilities where alcoholic beverages are sold or dispensed;

Be it resolved that no one under the legal drinking age be allowed to accompany their parents into facilities where alcoholic beverages are sold or dispensed unless such facilities have dining facilities."

PASSED, 1 Opposed  
1 Abstention

Sociological studies show drinking attitude and habits are formed early in childhood through observation of significant adults in a child's life. Research has also demonstrated that drinking practices are firmly developed in the teen years and continue into adulthood.

Alaskans drink nearly four (4) gallons of absolute (pure) alcohol per capita. This makes Alaska one of the highest per capita consuming states. The heavy drinking in Alaska contributes to a variety of health and social problems. The attitude and experiences of young Alaskans will greatly determine if this devastation continues into the next generation. This legislation may serve notice to adult drinkers that young Alaskans need not be put at risk.

Recommended by:

*Matthew C. Felix*

Matthew C. Felix  
Coordinator  
Office of Alcoholism & Drug Abuse

*3/6/89*  
Date

Approved by:

*Myra M. Munson*

Myra M. Munson  
Commissioner  
Department of Health & Social Ser

3/13/89  
Date

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: "An Act relating to entry of persons under age 21 to licensed premises"  
Sponsor: Hudson  
Requestor: \_\_\_\_\_

Agency Affected: Health & Social Services  
BRU: Alcohol & Drug Abuse Services  
Components: Administration

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	2	0	0	0	0

CAPITAL	0	0	?	0	0	0
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REVENUE	0	0	0	2	0	0
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**FUNDING:** (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

**POSITIONS:**

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Matthew C. Felix  
Division: Office of Alcoholism & Drug Abuse

Phone: 586-6201

Date: 3/5/89

Approved by Commissioner: Hyra M. Hanson  
Agency: Department of Health & Social Services

Date: 3/13/89

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

FISCAL NOTE

REQUEST: \_\_\_\_\_

Revision Date: \_\_\_\_\_ Agency Affected: Department of Law  
 Title: "An Act relating to entry of  
persons under age 21 to licensed premises." BRU: Prosecution  
 Sponsor: Repr. Hudson Components: All  
 Requestor: House HESS

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Please see the attached analysis.

Prepared by: Richard I. Pegues, Director Phone: 465-3672  
 Division: Administrative Services 7 Date: March 14, 1989  
 Approved by Commissioner: Douglas B. Bailly, Attorney Gen. Date: March 14, 1989  
 Agency: Department of Law

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB 35

This bill would amend AS 04.16.049(2) so that a person under the age of 21 years may no longer enter or remain in a licensed premises when accompanied by a parent or a guardian. Heretofore, such entry has been permitted. Although there may be a small number of violations, until this change is fully understood, it is not expected that the bill will have a fiscal impact on the Department of Law.



ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
RESEARCH AGENCY

P.O. Box Y, State Capitol  
Juneau, Alaska 99811-3100  
Mail Stop 3100  
(907) 465-3991

February 9, 1987

MEMORANDUM

TO: Representative Bill Hudson

ATTN: Landa Holton

FROM: Karla Hart *KH*  
Legislative Analyst

RE: Children Allowed in Bars  
Research Request 87.120

You requested information on the number of states that do not allow children (anyone under 21 years of age) in bars. The National Alcohol Beverage Control Association recently completed a state-by-state study of alcohol control laws but did not address this question. After speaking with you, I contacted California, Montana, Oregon and Washington.

California does not allow minors under the age of 21 in bars, except persons 18-21 may be employed as musicians for entertainment purposes only. They are restricted by statute (attached).

Montana has no regulations concerning minors in bars. Diana Coon, with the Montana State Liquor Division, said anyone of any age can enter a bar, children do not need to be accompanied at all, unless the bar owner chooses to restrict them. She explained that Montana is a rural state and in many communities the bar is the only place people can go for entertainment. The drinking age is 19 years and employees who serve alcohol must be 18 years old.

Oregon statute does not allow minors (under the age of 21) in bars, except a minor spouse may enter a bar if accompanied by a legal-aged spouse. The minor spouse may not possess or consume alcoholic beverages according to Mr. Rogers with the Oregon Liquor Control Commission.

Washington does not allow minors in bars except "professional minor musicians" and others over 18 years of age performing services as outlined in the statutes (attached).

If you require additional information, please call.

KH

Attachments

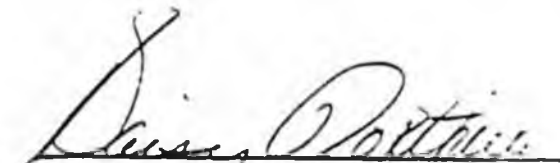
TANANA CHIEFS CONFERENCE, INC.  
Board of Directors  
Resolution No. 99-116

MINORS IN BARS

- WHEREAS, attitudes about alcohol and alcoholic behavior patterns at a very early age; and
- WHEREAS, it is not healthy for children to be in places where alcohol consumption is the primary activity; and
- WHEREAS, there are a variety of circumstances in rural Alaska when an adult may need to enter a bar for a variety of reasons other than to drink.
- NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference Board of Directors support legislation making it illegal for adults to bring children into bars while those same adults are drinking alcoholic beverages.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 16, 1989 at Fairbanks, Alaska and a quorum was duly established.

  
Daisy Northway  
Secretary-Treasurer  
Tanana Chiefs Conference, Inc

Submitted by: Alcohol Workshop

TANANA CHIEFS CONFERENCE, INC.  
Board of Directors  
Resolution No. 89-1

SUPPORTING NATIVE ELDERS IN THEIR FIGHT AGAINST ALCOHOL AND DRUGS

- WHEREAS, there are many problems which threaten our survival as a people, but none have such a devastating impact on our villages and families as does the problem of alcohol and drug abuse;
- WHEREAS, the use of alcohol and drugs offers nothing to our villages but broken spirits, broken families, pain, suffering and death; and
- WHEREAS, the use of alcohol and drugs never has been and never will be of any value to our Native culture and Native people; and
- WHEREAS, since its introduction from other cultures, Native elders have warned their villages that alcohol and drugs are the greatest threat to health, life and cultural values; and
- WHEREAS, as the keepers and teachers of Native culture, the elders today speak stronger than ever against alcohol and drugs and have committed themselves to bring their message against alcohol and drugs to their villages; and
- NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference Board of Directors request that Governor Steve Cowper and every Alaska State legislature and member of Alaska's delegation in Congress support the efforts of the Interior villages in their fight against alcohol and drug abuse; and
- BE IT FURTHER RESOLVED that the Tanana Chiefs Conference Board of Directors direct TCC to pursue state, federal, local, and private sector funding to institute comprehensive region wide alcohol and drug prevention programs utilizing elders, concerned village volunteers, village councils and youth in each village and that these concerned village teams be afforded training and ongoing support; and
- BE IT FURTHER RESOLVED that the Village Councils and village courts pass ordinances against alcohol and drugs and strictly enforce these ordinances through their village courts; and
- BE IT FURTHER RESOLVED to protect our children and families, Village Councils and courts strongly consider the use of traditional Native justice mechanisms and banish bootleggers and drug pushers from our village; and
- BE IT FURTHER RESOLVED each school in each village includes a comprehensive drug prevention to their curriculum and actively implements preventive education at every grade level; and
- BE IT FURTHER RESOLVED as an example to our children and to each other alcohol to be served at any TCC function from this day forward; and

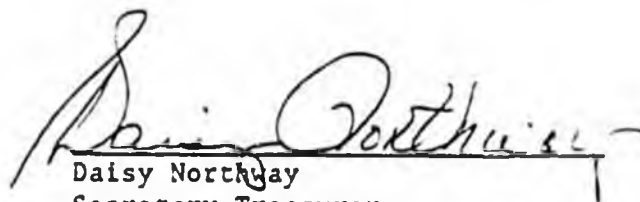
BE IT FURTHER RESOLVED any TCC employee determined to have a drug or alcohol problem be given the option to receive treatment or be immediately terminated from employment; and

BE IT FURTHER RESOLVED each Native person of strong body and mind lend a hand to help their elders and village leaders in this most serious task; and

BE IT FURTHER RESOLVED for the spiritual well being of our children and families and for the survival and strengthening of our villages from this day forward, let it be known that the elders of the Athabascan Nation have declared war on all those who are associated with alcohol and drug abuse.

C E R T I F I C A T I O N

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 16, 1989 at Fairbanks, Alaska and a quorum was duly established.



Daisy Northway  
Secretary-Treasurer  
Tanana Chiefs Conference, Inc.

Submitted by: Executive Board

TANANA CHIEFS CONFERENCE, INC.  
Board of Directors  
Resolution No. 89-104

EDUCATION ABOUT ALCOHOL AND DRUGS

WHEREAS, the Elders of the Tanana Chiefs region have declared war on alcohol and drugs; and

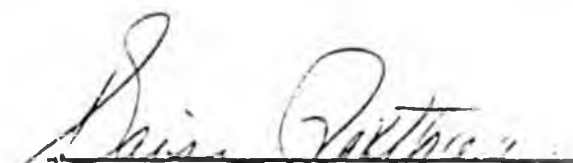
WHEREAS, education is an important element in solving the problems of alcohol and drug abuse in Alaska; and

WHEREAS, education about alcoholism and drug abuse must begin at an early age and continue through adolescence to be as effective as it can be in preventing alcohol and drug abuse.

NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference Board of Directors support legislation that directs and requires the Department of Education to begin alcohol and drug abuse education in kindergarten and continue through high school.

C E R T I F I C A T I O N

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 16, 1989 at Fairbanks, Alaska and a quorum was duly established.

  
Caisy Northway  
Secretary-Treasurer  
Tanana Chiefs Conference, Inc.

Submitted by: Alcohol Workshop

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: An Act relating to entry of persons under age 21 to licensed  
 Sponsor: Representative Hudson  
 Requestor: House Judiciary

Agency Affected: Health & Social Services  
 BRU: Alcohol & Drug Abuse Services  
 Components: Administration

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

<b>CAPITAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
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<b>REVENUE</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
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**FUNDING:** (Thousands of Dollars)

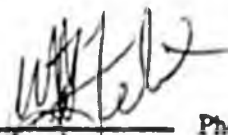
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

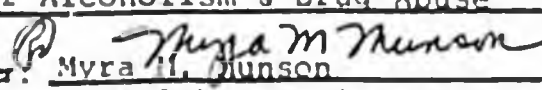
**POSITIONS:**

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

**ANALYSIS :** (Attach a separate page if necessary)

FY 90 Fiscal Impact is "0."

Prepared by: Mathew Felix, Coordinator  Phone: 536-6201  
 Division: Office of Alcoholism & Drug Abuse Date: \_\_\_\_\_

Approved by Commissioner: Myra M. Munson  Date: 1-22-90  
 Agency: Department of Health & Social Services

- Distribution (by preparer):
- Legislative Finance
  - Legislative Sponsor
  - Requestor
  - Office of Management and Budget
  - Impacted Agency(ies)

## FISCAL NOTE

**REQUEST:**

Revision Date: January 17, 1990  
Title: "An Act relating to entry of persons under age 21 to licensed premises."  
Sponsor: House HESS  
Requestor: House Judiciary

Agency Affected: Department of Law  
BRU: Prosecution  
Components: All

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

CAPITAL						
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REVENUE						
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**FUNDING:** (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Please see the attached analysis.

Prepared by: Richard I. Peques, Director Phone: 465-3672  
 Division: Administrative Services Date: January 17, 1990  
 Approved by Commissioner: Douglas R. Bally, Attorney General Date: January 17, 1990  
 Agency: Department of Law

**Distribution (by preparer):**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSHB 35 (HESS)

This bill would amend AS 04.16.049(a) so that a person under the age of 21 could no longer enter or remain in most licensed premises that serve and sell alcoholic beverages when accompanied by a parent or guardian. The bill provides that a person under 21 years of age may enter and remain on certain premises if:

- (1) the person is at least 16 years of age, the premises are designated as a restaurant, and the person enters and remains only for dining and;
- (2) the person is under the age of 16 years, is accompanied by a person who is 21 years of age or older, the parent or guardian of the underaged person consents, the premises are designated by the board as a restaurant, and the person enters and remains only for dining.

The bill does provide that, when accompanied by a parent or guardian 21 years of age or older, a person under 21 years of age may enter and remain in premises that are:

- (1) licensed as a club under AS 04.11.110, the club does not discriminate on the basis of race or sex, and the person under the age of 21 years enters and remains only during club functions appropriate for persons under 21 years of age;
- (2) licensed as a package store under AS 04.11.150;
- (3) licensed as a common carrier dispensary under AS 04.11.180; and
- (4) entered for the purpose of touring a bottling works, winery, brewery, wholesale warehouse, or distillery.

Lastly, the bill also provides that a person under 21 years of age may not knowingly enter and remain in premises licensed under Title 04, unless accompanied by a parent or guardian who is 21 years of age or older and the parent or guardian is licensed to sell or serve alcoholic beverages for consumption on the licensed premises.

Heretofore, entry of minors, on all licensed premises, while accompanied by a parent or guardian, has been permitted. Although some small number of violations will undoubtedly occur, until this change is finally understood by the public, it is not expected that the bill will have a fiscal impact on the Department of Law.



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# HOUSE COMMITTEE REPORT

4/20  
JUDICIARY

(7)  
Date Referred: January 9, 1989

FURTHER REFERRALS: JUDICIARY

Date of Committee Action: 4/19/89

The HEALTH, EDUCATION & SOCIAL SERVICES Committee recommends that: **HB 35**

HOUSE BILL NO. 35 [ACCESS TO LICENSED PREMISES BY MINORS]  
"An Act relating to entry of persons under age 21 to licensed premises."

be replaced with CSHB 35 (HESS)  the same title  
 a new title

have attached amendment(s)

- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of intent

ATTACHES NEW FISCAL NOTE(s):

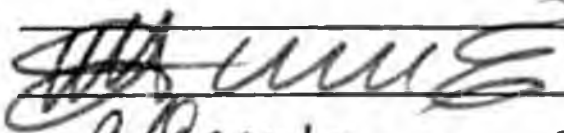
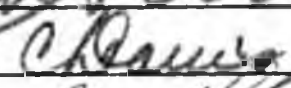
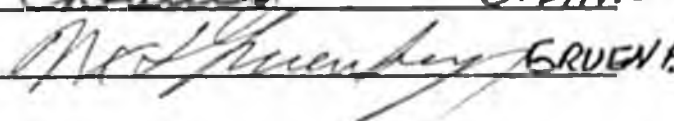
- fiscal impact
- zero fiscal note DH35
- zero with analysis LAW

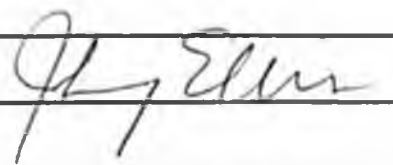
APPROVES PREVIOUS:

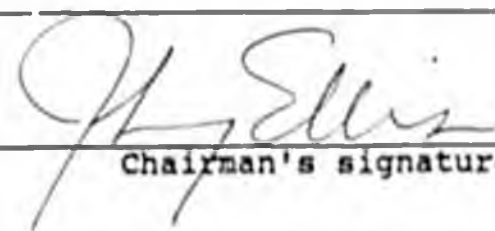
- fiscal note(s) published: \_\_\_\_\_
- zero fiscal notes(s) published: \_\_\_\_\_

SIGNING DO PASS:

SIGNING OTHER THAN DO PASS:  
(Do Not Pass, No Recommendation, Amend)

\_\_\_\_\_  
 FURNACE  
 C. DAVIS  
 GRUENBERG

\_\_\_\_\_  
 no rec ELLIS

\_\_\_\_\_  
  
 Chairman's signature