

**SB**

**106**

CS FOR SENATE BILL NO. 106(JUD)  
 IN THE LEGISLATURE OF THE STATE OF ALASKA  
 NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 3/20/95  
 Referred: Rules

Sponsor(s): SENATORS MILLER, Pearce, Salo, Lincoln, Torgerson, Green, Kelly, Leman, Frank, Halford, Phillips

A BILL

FOR AN ACT ENTITLED

1 "An Act prohibiting minors from patronizing businesses that offer adult  
 2 entertainment and prohibiting the employment of minors at businesses offering  
 3 adult entertainment."

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

5 \* Section 1. AS 11.66 is amended by adding a new section to read: *— article?*

6 *Attach* ARTICLE 3. ADULT ENTERTAINMENT BUSINESS.

7 Sec. 11.66.300 PROHIBITING MINORS FROM BEING PRESENT AT AN  
 8 ADULT ENTERTAINMENT BUSINESS. (a) The owner or an agent or employee  
 9 of the owner of a business that offers adult entertainment may not with criminal  
 10 negligence allow a person under the age of 18 years to enter and remain within  
 11 premises where adult entertainment is offered.

12 (b) A person who violates this section is guilty of a class A misdemeanor.  
 13 Each violation is a separate offense.

14 (c) In this section, "business that offers adult entertainment" has the meaning

*Check this*

given in AS 23.10.350(f).

\* Sec. 2. AS 23.10.330(b) is amended to read:

(b) Notwithstanding AS 23.10.335 - 23.10.350, a minor of any age may be employed as a performer in the entertainment industry. The provisions of AS 23.10.335 - 23.10.350 and AS 23.10.360(a) and 23.10.360(c) concerning times, hours, or days of work do not apply to the employment of a minor as a performer in the entertainment industry. The department may adopt regulations to implement this subsection. In this subsection, a "performer in the entertainment industry" means a performer in advertisements and television, film, radio, and theater productions but does not include employment on the premises of a business offering any form of adult entertainment under AS 23.10.350(f) regardless of the nature of the work performed by the minor.

\* Sec. 3. AS 23.10.350 is amended by adding a new subsection to read:

*Work*

(f) A minor under the age of 18 may not be employed or allowed to work in any capacity on the premises of a business that offers adult entertainment. In this subsection, "business that offers adult entertainment" means a business in which one or more individuals are employed or contracted to, wholly or in part, or permitted to entertain others by

- (1) removing clothes or other items that clothe or hide the person's body;
- (2) dancing or in any other manner exhibiting the individual's body in a completely or almost completely unclothed state;
- (3) participating in an actual or simulated illegal, indecent, or lewd exhibition, act, or practice including
  - (A) sexual penetration;
  - (B) the lewd exhibition or touching of a person's genitals, anus, or breast; or
  - (C) bestiality.

*clear  
know*

*Topless  
Dancing  
Does not  
fit any  
of these  
definitions*

\* Sec. 4. AS 23.10.370 is amended to read:

Sec. 23.10.370. PENALTY. (a) Except as provided in (b) of this section,

a [A] person who violates a provision of AS 23.10.325 - 23.10.370 is guilty of a

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misdemeanor and upon conviction is punishable by a fine of not more than \$500, or by imprisonment for not more than 90 days, or by both.

\* Sec. 5. AS 23.10.370 is amended by adding a new subsection to read:

(b) A person who employs a minor in violation of AS 23.10.350(f) is guilty of a class A misdemeanor for the first offense and a class C felony for the second and each subsequent offense.

# FISCAL NOTE

No. 1  
 Bill Version: SB 106  
 (S) Publish Date: 3/20/95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

BILL NO. \_\_\_\_\_

Revision Date: \_\_\_\_\_  
 Title: Prohibit employ minors at  
strip tease  
 Sponsor: Senator Miller  
 Requestor: Senate Judiciary

Department Affected: Labor  
 BRU: Labor Standards & Safety  
 Component: Wage and Hour  
 COMPONENT SERIAL NO. 345

**EXPENDITURES/REVENUES:**

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0

<b>CAPITAL</b>						
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<b>CHANGE IN REVENUE</b>						
<b>FUND SOURCE #</b>						

**FUNDING:**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ None

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

SB 106 would prohibit minors under the age of 18 from working at a striptease business. This bill would have no fiscal impact on the Division of Labor Standards & Safety.

Prepared by: John Absshire, Director Phone: 269-4914  
 Division: Labor Standards & Safety Date: 3/14/95

Approved by Commissioner: Tom Cashen, Commissioner  
 Agency: Department of Labor Date: 3/14/95

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# FISCAL NOTE

No. 2

Bill Version: SB106

BILL (S) Publish Date: 3/20/95

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Dept. Affected: Department of Law  
 Title: "An Act prohibiting the employment of minors at BRU: \_\_\_\_\_ Prosecution  
striptease businesses." Component: \_\_\_\_\_ All  
 Sponsor: Senator Miller  
 Requester: Senator Miller COMPONENT SERIAL NO. 0085-0090

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES

CHANGE IN REVENUES ( )

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

**POSITIONS**

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

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

This bill amends Alaska's child employment laws, under AS 23.10.325-370, to prohibit a minor from working at a striptease business, regardless of the nature of the work. A relatively small number of violations are expected and, consequently, there will not be a fiscal impact.

Prepared by: Richard I. Peques, Director  
 Division: Administrative Services Division  
 Approved by Commissioner: Bruce M. Botelho, Attorney General  
 Agency: Department of Law

Phone: 465-3672  
 Date: 3/13/95  
 Date: 3/13/95

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