



LAWS OF ALASKA

1970

Source

Chapter No.

HCSSB 399 am H

245

AN ACT

Relating to the age of jurors and the age of majority and responsibility.

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

* Section 1. AS 04.10.190(a)(5) is amended to read:

(5) the consent of a majority of the citizens over the age of 19 years, residing within one mile of the place where the intoxicating liquor is to be manufactured, bartered, sold and exchanged, or bartered, sold and exchanged, but an applicant for a license outside the corporate boundaries of an incorporated town need not obtain the consent for a reissuance of the license.

* Sec. 2. AS 04.10.440 is amended to read:

Sec. 04.10.440. CONSENT OF RESIDENTS OUTSIDE INCORPORATED CITIES OR TOWNS. No new license for the sale of intoxicating liquor may be issued under this title in areas outside incorporated cities or towns unless a petition containing signatures of a majority of the bona fide residents residing within one mile of the place where intoxicating liquor is to be sold, and over the age of 19 years, is filed with the board asking that a license be issued within the said area. The board may not require the petition for a reissuance of the license.

* Sec. 3. AS 09.20.010(3) is amended to read:

(3) at least 19 years of age;

* Sec. 4. AS 10.05.252 is amended to read:

Sec. 10.05.252. INCORPORATORS. Three or more natural persons at least 19 years of age may act as

incorporators of a corporation by signing, verifying and delivering in duplicate to the commissioner articles of incorporation for the corporation.

* Sec. 5. AS 18.65.010(a) is amended to read:

(a) The commissioner of public safety may appoint as special officers qualified police officers of the federal, state or local government units or other persons with adequate police training over the age of 19 years, as he considers necessary to aid and assist the division of state troopers in the enforcement of the criminal laws of the state. Each special officer appointed serves without compensation and at the pleasure of the commissioner of public safety and appointments shall be of limited duration.

* Sec. 6. AS 21.27.090(a)(1) is amended to read:

(1) be 19 years of age or over, if an individual;

* Sec. 7. AS 21.27.290(1) is amended to read:

(1) is 19 or more years of age;

* Sec. 8. AS 24.25.020 is amended to read:

Sec. 24.25.020. SERVICE OF SUBPOENA. A person over the age of 19 years who is competent as a witness in the state courts may serve the subpoena. His affidavit that he delivered a copy to the witness is evidence of service.

* Sec. 9. AS 25.05.011(a)(1) is amended to read:

(1) a male who is 19 years of age or older with a female who is 18 years of age or older, who are otherwise capable, or

* Sec. 10. AS 29.10.333 is amended to read:

Sec. 29.10.333. POLL TAX. The council may assess, levy and collect a poll tax of not more than \$5 a year on all men over 19 and under 50 years of age. The tax is a lien upon and may be collected from any real or personal property of the person against whom the tax is levied, except wearing apparel and household furniture less than \$300 in value.

* Sec. 11. AS 29.15.210 is amended to read:

Sec. 29.15.210. ASSESSMENT, LEVY AND COLLECTION OF POLL TAX. The board of trustees may assess, levy and collect a poll tax of not more than \$4 a year on all male residents over 19 and under 50 years of age. The tax is a lien upon and may be collected from real or personal property of the person against whom the tax is levied except wearing apparel and household furniture of the head of a family or householder of less than \$200 in value.

* Sec. 12. AS 47.10.080(b)(1) is amended to read:

(1) order the minor committed to the Department

of Health and Welfare for an indeterminate period of time not to extend past a specified date or in any event past the day the minor becomes 19, except that the department may petition the court for continued supervision for an additional one-year period for minors who have not responded to treatment, and may direct the minor's placement in a juvenile correctional school, detention home, or detention facility designated by the department; the minor may be released from placement or detention and placed on probation on order of the court; or

* Sec. 13. AS 47.10.080(b)(2) is amended to read:

(2) order the minor placed on probation, to be supervised by the department, and release him to his parents, guardian, or a suitable person; if the court orders the minor placed on probation, it may specify the terms and conditions of probation; the probation may be for an indeterminate period of time, not to extend past a specified date and in no event past the day the minor becomes 19, except that the department may petition the court for continued supervision for an additional one-year period for minors who have not responded to treatment.

* Sec. 14. AS 47.10.080(c)(1) is amended to read:

(1) order the minor committed to the department for an indeterminate period of time not to exceed the date the minor becomes 19 years of age, except that the department may petition the court for continued supervision for an additional one-year period for minors who have not responded to treatment;

* Sec. 15. AS 47.10.080(c)(2) is amended to read:

(2) order the minor released to his parents, guardian, or some other suitable person; if the court releases the minor, it shall direct the department to supervise the care and treatment given to the minor; the department's supervision may not extend past the date the minor becomes 19 years of age, except that the department may petition the court for continued supervision for an additional one-year period for minors who have not responded to treatment; or

* Sec. 16. AS 47.10.100(a) is amended to read:

(a) The court retains jurisdiction over the case and may at any time stay execution, modify, set aside, revoke, or enlarge a judgment or order, or grant a new hearing, in the exercise of its power of protection over the minor and for his best interest, until he becomes 19 years of age, unless sooner discharged by the court, except that the department may petition the court for continued supervision for an additional one-year period for minors who have not responded to treatment. An application for any of these purposes may be made by the parent, guardian, or custodian acting in behalf of the minor, or the court may, on its own motion, and after reasonable notice to interested parties and the appropriate department, take action which it considers appropriate.

* Sec. 17. AS 47.10.100(c) is amended to read:

(c) If a minor is adjudicated a delinquent, a child in need of supervision, or a dependent before his eighteenth birthday, the court may retain jurisdiction over him after his eighteenth birthday for the purpose of supervising his rehabilitation, but the court's jurisdiction over him under this chapter never extends beyond his nineteenth birthday, except that the department may petition the court for continued supervision for an additional one-year period for minors who have not responded to treatment. The department may retain jurisdiction over a child between his eighteenth and nineteenth birthdays for the purpose of supervising his rehabilitation, if he is committed to the custody of the department before his eighteenth birthday, except that the department may petition the court for continued supervision for an additional one-year period for minors who have not responded to treatment.

* Sec. 18. AS 04.10.040(b) is amended to read:

(b) A citizen of the United States, over the age of 19 years and of good moral character, may be regularly employed as a waiter or waitress in an establishment operating under a beverage dispensary license. The duties of waitresses employed therein shall be confined to taking orders and serving beverages, alcoholic or otherwise, and food. Waitresses employed under this section may not solicit or encourage the purchase of beverages, alcoholic or otherwise, by a patron of the premises, whether the beverage is for the patron or for another. No waitress may accept any beverage, alcoholic or otherwise, purchased for her by a patron of the establishment. The licensed premises must apply for and receive a permit from the board to employ female persons as waitresses.

* Sec. 19. AS 04.15.020(a) is amended to read:

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

* Sec. 20. AS 04.15.020(d) is amended to read:

(d) Presence of minors on premises. It is unlawful to permit a person under the age of 19 years to enter or remain upon licensed premises unless he is accompanied by his parent, guardian or spouse who has attained the age of 19 years. However, a person 18 years of age or older may enter and remain upon licensed premises in the course of his employment as a musician, entertainer or busboy. In addition, a person under the age of 19 years may enter and remain upon licensed premises which are also recognized as a restaurant for the purpose of dining or dancing if accompanied by his parent or guardian or by the parent or guardian of any other minor also present, or with any other adult with the consent of the minor's parent or

guardian. The Alcoholic Beverage Control Board, with the approval of the city council if the premises are within the city or with the approval of the borough assembly if the premises are outside the city but within a borough, shall designate which premises are restaurants for the purposes of this section. Licensed premises are premises holding licenses under AS 04.10.020(a) - 04.10.020(d). The Alcoholic Beverage Control Board shall promulgate regulations for the designation of restaurants and the continuation or withdrawal of the designation. No establishment may be designated as a restaurant for purposes of dining without the consent of the licensee.

* Sec. 21. AS 04.15.060 is amended to read:

Sec. 04.15.060. PURCHASE BY MINORS. (a) It is unlawful for a person under the age of 19 years to solicit the purchase of or in any other way to attempt to purchase or otherwise secure any intoxicating liquor. A person violating the provisions of this section is guilty of a misdemeanor, and upon conviction is punishable as provided in sec. 100 of this chapter.

(b) A person who influences or attempts to influence the sale, giving or serving of intoxicating liquor to a person under 19 years of age, by misrepresenting the age of that person, or who orders, requests, receives, or procures intoxicating liquor from a licensee, employee, or other person, for the purpose of selling, giving, or serving it to a person under 19 years of age, is guilty of a misdemeanor.

(c) A person under the age of 19 years who enters a licensed premises where intoxicating liquor is sold and who offers or presents to a licensee or his employee a fraudulent or false certificate of birth or other written evidence of age, which is not actually his or her own, or who otherwise misrepresents his or her age, for the purpose of inducing the licensee or his employee to sell, give, serve, or furnish intoxicating liquor contrary to law, is guilty of a misdemeanor.

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

(e) A licensee, or his employee, who allows to remain upon licensed premises where intoxicating liquor is sold, a person under the age of 19 years not in company of his parent or legal guardian or spouse who has attained the age of 19 years, or sells, gives or serves intoxicating liquor to a person under the age of 19 years without having procured the signature of the person upon a statement as provided in this section, or who knowingly sells, gives, or serves intoxicating liquor to or allows

the person to remain on licensed premises where intoxicating liquor is sold, is guilty of a misdemeanor.

* Sec. 22. AS 04.15.065 is amended to read:

Sec. 04.15.065. DRIVER'S LICENSE AS PROOF OF AGE.

A valid Alaska driver's license shall be acceptable as proof of age when used for identification in the purchase of liquor and for presence in establishments where liquor is sold if the license is made of or encased in plastic and contains a photograph of the license holder and a statement of his age or date of birth. The liquor licensee may not be held liable for any of the penalties imposed for serving minors or permitting minors on the premises when such a driver's license indicates that the owner and possessor of the license is 19 years of age or over.

* Sec. 23. AS 04.15.080 is amended to read:

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

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

* Sec. 24. AS 23.10.355 is amended to read:

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

* Sec. 25. AS 08.08.130(2), 08.16.140(1), 08.20.120(1), 08.36.110(1), 08.84.030(1), 08.88.211(a)(3), 08.98.170(2) and 01.42.080(b), (c) and (d) are repealed.