

CLERK'S OFFICE

APPROVED

Date:

4-12-11

Submitted by: ASSEMBLY CHAIR TRAINI

Prepared by: Assembly Counsel

For reading: April 12, 2011

ANCHORAGE, ALASKA

AR NO. 2011-105

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY IN OPPOSITION TO LOWERING THE LEGAL AGE FOR CONSUMPTION OF ALCOHOL AND TOBACCO PRODUCTS UNDER HOUSE BILL 210.

WHEREAS, the health risks and health care costs associated with smoking and personal consumption of tobacco products are recognized and well documented by health care providers, wellness programs, multi-million dollar liability court decisions, the Surgeon General of the United States, and many local governing bodies; and

WHEREAS, underage nicotine consumption has been characterized by some addiction experts as a gateway addiction to drugs illegal for consumption at any age; and

WHEREAS, Anchorage values our young people and holds in high esteem those who are active members of the armed forces and the Alaska National Guard; and

WHEREAS, membership in the armed forces and the Alaska National Guard is voluntary, subject to acceptance and discipline; and

WHEREAS, House Bill 210, introduced in the Alaska Legislature on March 28, 2011 by Representative Lynn, seeks to create enticements and exemptions for active service by legalizing underage drinking and underage consumption of tobacco products for active members of the armed forces and the Alaska National Guard; and

WHEREAS, compromising standards of law-abiding citizens to create unhealthy and potentially unwieldy exemptions for underage alcohol and tobacco product consumption is not a good way to support our military;

NOW THEREFORE BE IT RESOLVED that the Anchorage Assembly continues to recognize and support all members of the armed forces and the Alaska National Guard, but opposes the creation of alcohol and tobacco product consumption enticements and underage exemptions as proposed under House Bill 210; and

BE IT FURTHER RESOLVED that the Anchorage Assembly respectfully requests the sponsor and Anchorage Legislative Caucus to rethink better and healthier ways to legislatively support active members of the armed forces and the Alaska National Guard.

PASSED AND APPROVED by the Anchorage Assembly this 12th day of April, 2011.

ATTEST:

Salma E. [Signature]
Municipal Clerk

[Signature]
Chair

HOUSE BILL NO. 210

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE LYNN

Introduced: 3/28/11

Referred: House Special Committee on Military and Veterans' Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the drinking age for a person who is an active member of the armed
2 forces of the United States or an active member of the Alaska National Guard; and
3 relating to the age to possess tobacco for a person who is an active member of the armed
4 forces of the United States or an active member of the Alaska National Guard."

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

6 * **Section 1.** AS 04.16.049 is amended by adding a new subsection to read:

7 (g) A person does not violate this section if the person enters or remains on
8 premises licensed under this title, and the person is an active member of the armed
9 forces of the United States or an active member of the Alaska National Guard, and, at
10 the time the person is on a licensed premises, the person possesses a valid armed
11 forces identification card issued by the United States Department of Defense or an
12 Alaska National Guard identification card.

13 * **Sec. 2.** AS 04.16.050 is amended by adding a new subsection to read:

14 (m) A person does not violate this section if the person consumes, possesses,

1 or is in control of an alcoholic beverage, and the person is an active member of the
2 armed forces of the United States or an active member of the Alaska National Guard,
3 and, at the time the person consumes, possesses, or is in control of an alcoholic
4 beverage, the person possesses a valid armed forces identification card issued by the
5 United States Department of Defense or an Alaska National Guard identification card.

6 * **Sec. 3.** AS 04.16.052 is amended by adding a new subsection to read:

7 (b) A licensee or an agent or employee of the licensee does not violate this
8 section if the person is an active member of the armed forces of the United States or an
9 active member of the Alaska National Guard, and, at the time of an act described in
10 (a)(1) - (5) of this section, the person possesses a valid armed forces identification card
11 issued by the United States Department of Defense or an Alaska National Guard
12 identification card.

13 * **Sec. 4.** AS 04.16.055 is amended by adding a new subsection to read:

14 (b) A person does not violate this section if the person is an active member of
15 the armed forces of the United States or an active member of the Alaska National
16 Guard, and at the time the person rented a room in a hotel, motel, resort, or similar
17 business, the person possessed a valid armed forces identification card issued by the
18 United States Department of Defense or an Alaska National Guard identification card.

19 * **Sec. 5.** AS 04.16.057 is amended by adding a new subsection to read:

20 (c) A person who is physically in possession and exercising dominion and
21 control over a dwelling does not violate this section if the other person is an active
22 member of the armed forces of the United States or an active member of the Alaska
23 National Guard, and, at the time the other person possesses an alcoholic beverage in
24 the dwelling, the other person also possesses a valid armed forces identification card
25 issued by the United States Department of Defense or an Alaska National Guard
26 identification card.

27 * **Sec. 6.** AS 11.76.100 is amended by adding a new subsection to read:

28 (g) A person does not violate this section if the other person is an active
29 member of the armed forces of the United States or an active member of the Alaska
30 National Guard, and the other person possesses a valid armed forces identification
31 card issued by the United States Department of Defense or an Alaska National Guard

1 identification card.

2 * **Sec. 7.** AS 11.76.105 is amended by adding a new subsection to read:

3 (c) A person does not violate this section if the other person is an active
4 member of the armed forces of the United States or an active member of the Alaska
5 National Guard, and the other person possesses a valid armed forces identification
6 card issued by the United States Department of Defense or an Alaska National Guard
7 identification card.

8 * **Sec. 8.** AS 11.76.106 is amended by adding a new subsection to read:

9 (d) A person does not violate this section if the other person is an active
10 member of the armed forces of the United States or an active member of the Alaska
11 National Guard, and the other person possesses a valid armed forces identification
12 card issued by the United States Department of Defense or an Alaska National Guard
13 identification card.

14 * **Sec. 9.** AS 43.50.105 is amended by adding a new subsection to read:

15 (j) A person who is licensed under this chapter does not violate this section if
16 the person establishes, before shipping cigarettes, that the person to whom the
17 cigarettes are shipped is an active member of the armed forces of the United States or
18 an active member of the Alaska National Guard, and the other person provides a valid
19 armed forces identification card issued by the United States Department of Defense or
20 an Alaska National Guard identification card.