

**ALASKA STATE LEGISLATURE
HOUSE LABOR AND COMMERCE STANDING COMMITTEE**

April 20, 2005

3:35 p.m.

MEMBERS PRESENT

Representative Pete Kott
Representative Gabrielle LeDoux
Representative Bob Lynn
Representative Harry Crawford
Representative David Guttenberg

MEMBERS ABSENT

Representative Tom Anderson, Chair
Representative Norman Rokeberg

COMMITTEE CALENDAR

HOUSE BILL NO. 190

"An Act relating to the purchase of alcoholic beverages and to requiring identification to buy alcoholic beverages; requiring driver's licenses and identification cards to be marked if a person is restricted from consuming alcoholic beverages as a result of a conviction or condition of probation or parole."

- MOVED CSHB 190(L&C) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 190

SHORT TITLE: REQUIRED ID FOR PURCHASING ALCOHOL

SPONSOR(S): REPRESENTATIVE(S) CRAWFORD

03/01/05	(H)	READ THE FIRST TIME - REFERRALS
03/01/05	(H)	L&C, JUD
03/22/05	(H)	L&C AT 1:00 PM CAPITOL 17
03/22/05	(H)	Heard & Held
03/22/05	(H)	MINUTE(L&C)
04/20/05	(H)	L&C AT 3:15 PM CAPITOL 17

WITNESS REGISTER

DOUG WOOLIVER, Administrative Attorney
Alaska Court System
Juneau, Alaska

POSITION STATEMENT: Offered information on HB 190.

ACTION NARRATIVE

REPRESENTATIVE KOTT, acting as chair, called the House Labor and Commerce Standing Committee meeting to order at [3:36:06 PM](#). Representatives Kott, Lynn, Crawford, and Guttenberg were present at the call to order. Representative LeDoux arrived as the meeting was in progress.

HB 190-REQUIRED ID FOR PURCHASING ALCOHOL

REPRESENTATIVE KOTT announced that the only order of business would be HOUSE BILL NO. 190, "An Act relating to the purchase of alcoholic beverages and to requiring identification to buy alcoholic beverages; requiring driver's licenses and identification cards to be marked if a person is restricted from consuming alcoholic beverages as a result of a conviction or condition of probation or parole."

REPRESENTATIVE GUTTENBERG moved to adopt CSHB 190, Version 24-LS0617\F, Luckhaupt, 4/11/05, as the working document. There being no objection, Version F was before the committee.

[3:37:30 PM](#)

REPRESENTATIVE CRAWFORD explained that instead of requiring a mandatory check of [each individual's] identification (ID) before one can enter a licensed establishment or a package store, it is now [under Version F] an option. However, if a licensed establishment decided to check IDs and discovered that an individual under court order to not buy, consume, or enter the premises was, the establishment could seek a \$1,000 fine in civil court. This was modeled after legislation sponsored by Representative Meyer, he mentioned.

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REPRESENTATIVE CRAWFORD specified that [Version F] provides that an individual who, under a court order, cannot buy or consume alcoholic beverages or enter a licensed establishment will be issued a driver's license with an easily identifiable mark to that effect on the license. In order for the court system to administer this without an added expense, the language "crime" would need to be deleted and replaced with the language "drunk driving offense" because that information is already shared with

the Division of Motor Vehicles (DMV) and thus there would be no additional cost [to identify these individuals].

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DOUG WOOLIVER, Administrative Attorney, Alaska Court System, explained that the amendment suggested by Representative Crawford reflects a concern between the DMV and the Alaskan Court System in regard to how the two exchange information. He clarified that the two entities do not share electronic information. Although the court and DMV currently share paper files on all driving under the influence (DUI) offenses because of the license action required for DMV, the two don't share paper files on the other alcohol-related offenses. Mr. Wooliver explained that thus far [the Alaska Court System] has been unable to determine a way, without it being a huge expense to the courts or DMV, to share paper files for individuals who may have a restriction on alcohol consumption as a condition of probation. He emphasized that sharing such information would entail massive amounts of data entry. Therefore, Representative Crawford's [amendment] would be a step that can be taken with no additional cost to the court.

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REPRESENTATIVE LEDOUX asked if this already established procedure can transmit the terms and conditions of probation and parole.

MR. WOOLIVER noted that issues concerning parole are addressed by the Department of Corrections. With regard to probation, the court can amend its judgment form to provide a check off for "no alcohol". The same form goes to DMV and thus would be no problem, he added. In further response to Representative LeDoux, Mr. Wooliver explained that the conditions of parole established by the Department of Corrections frequently mirror the conditions of probation set by the court system.

3:43:21 PM

REPRESENTATIVE LEDOUX asked if the Department of Corrections has a form that it could use, and pass on to DMV, in a similar fashion as suggested for the court system.

MR. WOOLIVER said that he didn't know how the Department of Corrections transmits such information or even how often its conditions in DUI cases mirror those from the court system.

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REPRESENTATIVE GUTTENBERG, referring to page 2, line 26, asked if electronic reading and display [of driver's licenses with this information] is currently available.

REPRESENTATIVE CRAWFORD indicated that this language was desired because presently there is the ability to read the new digital licenses. However, it won't make a change, he said. In further response to Representative Guttenberg, Representative Crawford confirmed that elsewhere in statute it says that procedurally or via regulations "they're doing that."

[3:45:06 PM](#)

REPRESENTATIVE CRAWFORD moved that the committee adopt Amendment 1, which would delete the language "crime" and insert the language "drunk driving offense". There being no objection, Amendment 1 was adopted.

REPRESENTATIVE LYNN moved to report CSHB 190, Version 24-LS0617\F, Luckhaupt, 4/11/05, as amended, out of committee with individual recommendations and a forthcoming fiscal note. There being no objection, CSHB 190(L&C) was reported from the House Labor and Commerce Standing Committee.

ADJOURNMENT

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at [3:47:31 PM](#).