

ALASKA STATE LEGISLATURE
HOUSE LABOR AND COMMERCE STANDING COMMITTEE

February 21, 2007

3:07 p.m.

MEMBERS PRESENT

Representative Kurt Olson, Chair
Representative Mark Neuman, Vice Chair
Representative Carl Gatto
Representative Gabrielle LeDoux
Representative Jay Ramras
Representative Robert L. "Bob" Buch
Representative Berta Gardner

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 121

"An Act relating to release of information in individual workers' compensation records; and providing for an effective date."

- MOVED CSHB 121(L&C) OUT OF COMMITTEE

HOUSE BILL NO. 118

"An Act relating to underage possession of alcoholic beverages in a dwelling."

- MOVED HB 118 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 121

SHORT TITLE: WORKERS' COMPENSATION RECORDS

SPONSOR(S): REPRESENTATIVE(S) WILSON

02/07/07	(H)	READ THE FIRST TIME - REFERRALS
02/07/07	(H)	L&C
02/21/07	(H)	L&C AT 3:00 PM CAPITOL 17

BILL: HB 118

SHORT TITLE: PROHIBIT ALLOWING MINORS TO HAVE ALCOHOL

SPONSOR(S): REPRESENTATIVE(S) MEYER

02/05/07 (H) READ THE FIRST TIME - REFERRALS
02/05/07 (H) L&C, JUD
02/16/07 (H) L&C AT 3:00 PM CAPITOL 17
02/16/07 (H) <Bill Hearing Canceled>
02/21/07 (H) L&C AT 3:00 PM CAPITOL 17

WITNESS REGISTER

REPRESENTATIVE PEGGY WILSON
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Presented HB 121.

PAUL LISANKIE, Director
Division of Workers' Compensation, Department of Labor &
Workforce Development (DLWD)
Juneau, Alaska
POSITION STATEMENT: Answered questions during hearing on HB
121.

LINDA HALL, Director
Division of Insurance
Department of Commerce, Community, & Economic Development
(DCCED)
Anchorage, Alaska
POSITION STATEMENT: Answered questions during hearing on HB
121.

JOHN GARNER, President
NorQuest Seafoods, Inc.
Seattle, Washington
POSITION STATEMENT: Testified during hearing on HB 121.

KRIS NOROSZ, Government Relations
Icicle Seafoods, Inc.
Petersburg, Alaska
POSITION STATEMENT: Testified in favor of HB 121.

MIKE PAWLOWSKI, Staff
to Representative Kevin Meyer
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Presented HB 118 on behalf of
Representative Meyer, sponsor.

RODNEY DIAL, Lieutenant

Division of Alaska State Troopers
Department of Public Safety (DPS)
Ketchikan, Alaska

POSITION STATEMENT: Answered questions during hearing on HB 118.

ACTION NARRATIVE

CHAIR KURT OLSON called the House Labor and Commerce Standing Committee meeting to order at [3:07:36 PM](#). Representatives Gardner, Gatto, Buch, and Olson were present at the call to order. Representatives Ramras, Neuman, and LeDoux arrived as the meeting was in progress.

HB 121-WORKERS' COMPENSATION RECORDS

CHAIR OLSON announced that the first order of business would be HOUSE BILL NO. 121, "An Act relating to release of information in individual workers' compensation records; and providing for an effective date."

[3:08:08 PM](#)

REPRESENTATIVE GATTO made a motion to adopt CSHB 121, Version 25-LS0501\C, Bailey, 2/15/07, as the working document. There being no objection, Version C was before the committee.

[3:08:18 PM](#)

REPRESENTATIVE PEGGY WILSON, Alaska State Legislature, Sponsor, explained that the Workers' Compensation Division has a database containing personal information that is currently available as public information. This includes the employees name, address, social security number, telephone number, and electronic mail address. She relayed a story of an individual who was contacted by a law firm attempting to solicit business after a workers' compensation claim was filed. She explained that Version C adds "electronic mail address" to the information that may not be given out. In addition, it includes those records held by the Workers' Compensation Appeals Commission. The Workers' Compensation Division, Workers' Compensation Appeals Commission, and Workers' Compensation Board would be prohibited from giving out the aforementioned information, unless the employee signs an affidavit allowing this.

[3:11:13 PM](#)

REPRESENTATIVE NEUMAN, in regard to the employee's ability to authorize disclosure of the aforementioned information, inquired as to how the disclosure form would be presented to the employee.

REPRESENTATIVE WILSON replied that this information may be provided on a separate sheet of paper, to ensure the employee's understanding. In response to an additional comment, she stated that the disclosure authorization should be "very obvious" to the employee. Ways to ensure this may include the size of print or creating an additional form with this information in order to keep it separate from other information.

[3:13:51 PM](#)

REPRESENTATIVE GATTO opined that this is "opposed to transparency [in government]." He asked Representative Wilson to address this.

REPRESENTATIVE WILSON reiterated that the intent is to protect the employee. She surmised that this would also protect the state, as the aforementioned law firms are likely to contact the employee and offer to help them receive more money. Any information regarding workers' compensation cases would remain public information.

[3:15:20 PM](#)

REPRESENTATIVE LEDOUX questioned whether injured employees are entitled to information regarding options other than workers' compensation, which provides a "relatively small amount in the way of settlement."

REPRESENTATIVE WILSON opined that employees are entitled to this information.

REPRESENTATIVE LEDOUX questioned whether the information given to injured employees includes information regarding the aforementioned options. She stated that she "would be very surprised" if this information was offered.

REPRESENTATIVE WILSON replied that she does not have specific information regarding the information that is provided. She opined that currently, society is "sue happy," and people are aware of their options.

[3:16:56 PM](#)

REPRESENTATIVE GARDNER asked whether there is opposition to HB 121.

REPRESENTATIVE WILSON offered her understanding that there is not any opposition.

REPRESENTATIVE LEDOUX asked if the law firm referenced was notified of these concerns.

REPRESENTATIVE WILSON replied that the Department of Labor & Workforce Development (DLWD) may have this information.

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PAUL LISANKIE, Director, Division of Workers' Compensation, Department of Labor & Workforce Development (DLWD), opined that the aforementioned law firm would be unhappy with the proposed legislation, as it went to great lengths to acquire the information in question. He explained that the DLWD feels that once acquired, this information was used in a manner that is considered to be outside of the scope of the department, which is prohibited.

REPRESENTATIVE GATTO opined that there is a general dislike for "ambulance chasers," until there is a need for one.

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MR. LISANKIE explained that the Workers' Compensation Division rules on benefit disputes. The benefits are paid by an insurance company or an employer that is authorized to self-insure. Certain statutory benefit requirements are set.

REPRESENTATIVE GATTO commented that it costs the government time and money when monitoring is required. He questioned whether the public should be able to have access to information regarding individuals receiving an income without working, due to an injury, if transparency is expected.

MR. LISANKIE agreed that time and money is required. He said:

Certainly there's a policy that you're being asked to weigh. On the one hand, we try and balance the legitimate needs of the parties to these disputes, to get all the information that they need to make sure

that their rights and liabilities are properly ... lived up to.

On the other hand, I have heard from others - outside the specific focus of your question. We get requests from many companies outside. And they just ask: Please run this person's name and identifying information, and tell us if they've got workers' compensation claims. Now, I suppose there might be some innocent use for that information, or I suppose it might be a black list, that makes it more difficult to get a job once you declare that you've been injured. We really have no way of knowing.

MR. LISANKIE opined that this was the genesis behind the current statute. He explained that this question was not raised again until the "non-commercial use" section was interpreted in a different manner.

[3:23:16 PM](#)

REPRESENTATIVE LEDOUX questioned whether claimant information is shared between insurance companies.

MR. LISANKIE stated his belief that this information is shared.

REPRESENTATIVE LEDOUX inquired as to why this is allowed, if there is concern regarding employee privacy.

MR. LISANKIE said:

I would get back to my original statement that ... the insurance company is not making a decision about whether to employ that person. I mean, that is one of the concerns I have. You would have to speak to the sponsor about exactly what the concerns of the sponsor are. [However], I am as worried about people not being able to get jobs, as I am - perhaps not as worried, because my first responsibility in the state organization is to make sure that we administer the workers' compensation program properly. But, I do know that in the three years that I've been with the Division at this level, I've been surprised how many inquiries there are - day after day - asking for nothing more than the names of people who have reported injuries.

[3:25:27 PM](#)

REPRESENTATIVE LEDOUX relayed her experience as a maritime lawyer. Oftentimes, she said, insurance companies are not forthcoming regarding the number of similar injuries that occur. Currently, this information can be obtained by contacting the Alaska Workers' Compensation Board. She expressed concern regarding how this information would be obtained if it is no longer public information.

MR. LISANKIE offered his understanding that if court litigation is involved, this information would still be available, under court order. However, he does not know for sure.

[3:28:21 PM](#)

REPRESENTATIVE LEDOUX repeated her question regarding litigation.

LINDA HALL, Director, Division of Insurance, Department of Commerce, Community, & Economic Development (DCCED), replied that she does not have the answer, and opined that this is a legal question. In regard to whether insurance companies share information, she stated that she is not aware of a "sharing database." She offered to look into this.

CHAIR OLSON offered his understanding that there is a database; however, it only tracks jury cases that have resulted in a verdict.

[3:30:25 PM](#)

MR. LISANKIE, in response to a comment from Representative Gatto, clarified that in his experience, he has seen reports that appear to be a result of a "[data-sharing] arrangement." However, he reiterated that he has not been formally informed of this.

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REPRESENTATIVE LEDOUX opined that whether formal or informal, the data sharing arrangement allows insurance companies to determine whether an individual is being forthcoming regarding the amount of claims filed. Pointing out that the claimant or the defendant may have "faulty memories," she opined that the ability to obtain this information may "keep people's memories [fresh]."

REPRESENTATIVE GATTO inquired as to whether this will prevent some or all access to this information.

MR. LISANKIE offered his understanding that the exceptions that apply to medical and rehabilitation records would apply. He explained that currently, there is an exception which allows the information to be provided to a party to a claim that is filed by the employee. In response to a question from Representative Gatto, he reiterated that an employer that was party to a claim filed by the employee would have access to this information.

[3:36:54 PM](#)

REPRESENTATIVE NEUMAN offered his understanding that during the application process, individuals are asked to share medical history. If false information is given, the company is no longer liable.

MR. LISANKIE, in response to a question from Representative Neuman, explained that currently, there is no specific prohibition on giving out information that is on file with the Workers' Compensation Division. In response to a request for clarification, he offered his understanding that the Workers' Compensation Division is currently required to give out any information that is on file.

[3:38:44 PM](#)

CHAIR OLSON inquired as to whether the Division of Insurance is in support of the bill.

MS. HALL replied that the Division of Insurance is not effected by this legislation; therefore it does not have a position.

CHAIR OLSON inquired as to whether the Workers' Compensation Division is in support of the bill.

MR. LISANKIE expressed concern regarding the ability to maintain the balance between the individual's privacy and ensuring that the information is made available when needed, so that rights and responsibilities are being met. In addition, he stated that the wording is important.

REPRESENTATIVE GATTO, referring to Page 1, line 7, questioned the use of "or any record."

MR. LISANKIE offered his understanding that this wording was intentional, as it covers the types of information and data in question. He explained that all forms required by the Division of Workers' Compensation include the employee's social security number. He opined that including the phrase "or any record" prevents the need to include a "laundry list" of forms.

[3:41:18 PM](#)

JOHN GARNER, President, NorQuest Seafoods, Inc., stated that he is in support of HB 121. In regard to insurance companies sharing information, he stated that this does not "filter down" to the businesses. Insurance companies do not rate based on the employees hired. He explained that rating is done based on the injury rate. Therefore, trading this information does not effect the hiring practice.

[3:42:24 PM](#)

REPRESENTATIVE GARDNER inquired as to whether NorQuest Seafoods, Inc. has ever been sued from an outside law firm, on behalf of an employee.

MR. GARNER replied yes.

[3:43:17 PM](#)

KRIS NOROSZ, Government Relations, Icicle Seafoods, Inc. (Icicle), stated that she is in support of HB 121. She explained that this concern was raised as a result of an employee whose private information was given out. The aforementioned employee was "very alarmed" to discover that this information was given out, and mistakenly believed Icicle was responsible for this. She stated that HB 121 is intended to protect the employee.

REPRESENTATIVE NEUMAN inquired as to what mechanisms are in place to protect businesses from individuals filing false claims.

MS. NOROSZ replied that she does not have this information, and reiterated that the intent is to protect the employee.

REPRESENTATIVE LEDOUX questioned whether the injured employees are informed that they may be able to use the civil law system, rather than accepting workers' compensation.

MS. NOROSZ replied that Icicle attempts to provide a safe work environment, and assists its employees through the claims process. It does not hinder the employee's ability to seek outside council.

REPRESENTATIVE LEDOUX asked for clarification regarding whether the employees are informed that they may have the recourse to a civil law claim.

MS. NOROSZ replied that she is unable to say this with certainty.

[3:48:02 PM](#)

REPRESENTATIVE GATTO questioned what the employees are being protected from.

MS. NOROSZ replied that the intent is to protect the employee's personal information from being released without the employees consent. In response to further questioning, she explained that this would also prevent written solicitations, which have been a concern in the past.

REPRESENTATIVE LEDOUX questioned the amount of intrusion caused by receiving a letter. She pointed out that during a governmental campaign, thousands of letters are sent out. She stated that while an individual's social security number should not be given out, she does not see a problem with releasing the person's name and address. She opined that this would not be a major intrusion to "any reasonable person."

MS. NOROSZ pointed out that members' packets contain letters from individuals who see this as an intrusion of privacy. She opined that the concern is in regard to the manner by which the information was obtained. She said "I'd hate to think that they wouldn't file [a workers' compensation claim] because of fear of their information being released." She reiterated that this would prohibit the information from being given out without the employees consent; however, permission to divulge this information may be given if the employee so wishes.

REPRESENTATIVE LEDOUX questioned the likelihood of an individual failing to file a workers' compensation claim for fear of his or her personal information being given out.

MS. NOROSZ referred to a letter in members' packets which supports this concern.

REPRESENTATIVE GATTO inquired as to the position Icicle holds in regard to the passage of this legislation.

MS. NOROSZ reiterated that this issue was brought to the company's attention by an employee who believed Icicle had released personal information. It was later learned that this information was released by the DLWD.

REPRESENTATIVE LEDOUX offered her understanding that there have been lawsuits against Icicle, which were believed to have been settled under workers' compensation.

MS. NOROSZ replied that this is a part of the concern. She pointed out that 80 percent of the company is owned by the employees; therefore, employees are concerned with how certain issues affect the company.

[3:53:49 PM](#)

REPRESENTATIVE NEUMAN commented that while there has been much discussion regarding "transparency" in government, the citizens have expressed the wish the have personal information protected. He is in support of protecting personal privacy. He shared his belief that employees will be less likely to file workers' compensation claims if personal information can then be released. He stated that he is in support of the bill.

REPRESENTATIVE LEDOUX shared her concerns regarding whether or not records would still be available during the course of litigation. Additionally, she offered her understanding that this would simply prohibit the employees name, address, phone, and other identifying information from being released. While there is "no excuse" for releasing the employees social security number, she questioned whether the benefit of "protecting an employee from a letter is worth it."

[3:57:16 PM](#)

REPRESENTATIVE WILSON commented that there has been much concern regarding identity theft and personal privacy. She stated that if an individual was in an accident and filed a workers' compensation claim, he or she would then have the option to have personal information released to companies that inquire. She stressed that this is a matter of personal privacy.

CHAIR OLSON offered his belief that everyone has an expectation of privacy.

[3:59:09 PM](#)

REPRESENTATIVE GATTO stated that there are many social programs which enable individuals to access government funds. He asked "Should that person, who is taking government money, be entitled to privacy?"

[3:59:50 PM](#)

REPRESENTATIVE WILSON replied that she is not sure.

REPRESENTATIVE GATTO opined that it is important to maintain transparency. While it is important to protect confidential records, he is concerned that if all information is private, individuals will be more likely to abuse the system.

[4:01:06 PM](#)

REPRESENTATIVE WILSON surmised that the Division of Public Assistance would not give out a list of individuals who receive food stamps. She stated that when information is requested, the individual's personal information is marked over with black, to ensure his or her privacy.

[4:01:33 PM](#)

REPRESENTATIVE RAMRAS stated that he is a "great proponent" of the workers' compensation system. He opined that it protects both the employee and the employer. He said "I am pleased to see a bill like this, with a bright line drawn around it, that draws a net of privacy around that relationship, and recognizes the sanctity of it." He stated his intent to support the bill.

REPRESENTATIVE GARDNER pointed out that it is possible to find out who receives senior property tax relief and a permanent fund dividend. One reason for this is to inform the public of any abuse of the system. She shared her belief that social security numbers should always be protected.

[4:04:16 PM](#)

REPRESENTATIVE NEUMAN moved to report CSHB 121, Version 25-LS0501\C, Bailey, 2/15/07, out of committee with individual recommendations and the accompanying fiscal notes.

REPRESENTATIVE LEDOUX objected.

[4:04:29 PM](#)

A roll call vote was taken. Representatives Ramras, Buch, Neuman, and Olson voted in favor of reporting CSHB 121, Version C from Committee. Representatives LeDoux, Gardner, and Gatto voted against it. Therefore, CSHB 121(L&C) was reported out of the House Labor and Commerce Standing Committee by a vote of 4-3.

HB 118-PROHIBIT ALLOWING MINORS TO HAVE ALCOHOL

[4:05:19 PM](#)

CHAIR OLSON announced that the final order of business would be HOUSE BILL NO. 118, "An Act relating to underage possession of alcoholic beverages in a dwelling."

[4:05:46 PM](#)

MIKE PAWLOWSKI, Staff to Representative Kevin Meyer, Alaska State Legislature, sponsor, explained that HB 118 is the result of concerns that have been raised regarding underage drinking in Alaska. Studies have shown that the majority of underage drinking in Alaska occurs at home or at a friend's house. He explained that currently, it is illegal to rent a hotel room for the purposes of providing alcohol to minors; however, it is not illegal to have minors in your house consuming alcohol. While researching this issue, the sponsor looked at how other states deal with this. He stated that this would give the police an additional enforcement tool. He explained that the police must prove that underage individuals were consuming alcohol on the premises, which the persons in charge of the premises allowed to happen. The latter would receive a \$500 fine.

REPRESENTATIVE RAMRAS inquired as to whether this would require parents to clear all alcohol out of the house prior to going on vacation.

MR. PAWLOWSKI replied that there is a blanket exception in statute which allows a parent, guardian, or spouse to provide alcohol to a person who is under 21 years of age, as long as the person providing the alcohol is of legal age. Additionally, he explained that if the parents were away, responsibility would fall on the person who is in control of the house at the time of

consumption. In response to additional questions, he clarified that the \$500 fine is a non-criminal penalty and would accrue to the responsible party regardless of age. He offered his understanding that if there is no other source of income, the offenders permanent fund dividend may be revoked as payment.

4:11:01 PM

REPRESENTATIVE NEUMAN inquired as to what would happen if a youth has been drinking, denies it when confronted by his or her parents, and is later involved in a traffic accident. He expressed concern regarding liabilities that may result

MR. PAWLOWSKI replied that there are separate liability protections for social hosts. He offered his understanding that if this were to occur, the parent would not be liable. He read the definition of "recklessly" as follows:

A person acts recklessly with respect to a result or to a circumstance described by a provision of law defining an offence, when the person is aware of and consciously disregards a substantial and unjustifiable risk, that the result will occur, or that the circumstance exists. The risk must be of such a nature and degree, that disregard of it constitutes a gross deviation from the standard of conduct that a reasonable person would observe in this situation.

MR. PAWLOWSKI offered his belief that the parents in the previous example would have satisfied these requirements, and therefore would not have acted "recklessly."

REPRESENTATIVE NEUMAN asked for clarification that the intent is not for the parent to be found liable.

MR. PAWLOWSKI explained that the parent would only be found liable if he or she was in control of the house while the consumption was occurring. If a parent provides a venue for children to consume alcohol, then this is reckless disregard, and the parent would be liable. In response to additional questions, he explained that the current law requires proof that alcohol was furnished to a minor, which is more difficult to prove. If a hotel room is rented for purposes of underage drinking, this would violate current law. He reiterated that the proposed penalty is a \$500 fine, and is a non-criminal violation.

4:18:02 PM

REPRESENTATIVE LEDOUX expressed concern with whether "control" could be misinterpreted.

MR. PAWLOWSKI replied that this has been discussed at length with Legislative Legal and Research Services. He explained that "exercising dominion or control" refers to the moment the offense is occurring. It is not the sponsor's intent to make the owner or authoritative figure liable, but rather the person in control of the dwelling at the moment the offense was taking place.

REPRESENTATIVE GARDNER gave an example in which a child is left home, has a party, and is punished by the parent. She questioned whether the parent would be considered to have acted "recklessly" if the child was left home alone the following weekend, due to the knowledge of a previous offense. She said:

This is my concern: If that kind of thing happened, and a kid left my house, and was killed - or killed somebody in a drunk driving accident, I would definitely feel [that] I shouldn't have gone out. I was responsible, I could have prevented it. Whether that's what the law says or not, I would feel that way.

MR. PAWLOWSKI said "I think you ... bring up a good point about how you personally would feel." He reiterated that the sponsor's intent is not to hold the parent liable, and that the child throwing the party would be held responsible. He explained that this would allow the police to show up, at that time, and give a citation to the person "in control" of the house.

4:21:10 PM

REPRESENTATIVE LEDOUX said:

Regardless of the sponsor's intent, anybody who has a teenage kid, who leaves for the weekend, probably should be aware that it's likely that the kid's going to have a party at the house. And, if they're not aware, then they're either hopelessly naïve, or reckless.

MR. PAWLOWSKI agreed. In response to a question from Representative Gatto, he explained that a person who leaves his or her home empty while on vacation would not be held liable or be considered to have acted "recklessly," if the home was broken into and underage drinking occurred on the premises. In response to additional comments, he questioned whether it is reasonable to believe that the house would be broken into. However, the police would be able to site the individuals in charge of the house at that moment, for the \$500 fine. This fine would be in addition to breaking and entering and minor consuming charges.

[4:23:36 PM](#)

REPRESENTATIVE NEUMAN asked why the term "recklessly" was chosen.

MR. PAWLOWSKI replied that "recklessly" describes a mental state that best fits the offense. He explained that "knowingly" is more difficult to prove, as a person may not inquire as to whether those in attendance were over 21 years of age. The sponsor wanted to set the bar "a little bit lower than 'knowingly.'"

[4:25:11 PM](#)

MR. PAWLOWSKI, in response to a question from Representative Buch, explained that if the owner of the house was cited and was not responsible, this could be disputed in the same manner as a traffic violation.

REPRESENTATIVE LEDOUX stated her belief that it can be difficult to prove innocence if unfairly cited for a traffic violation. She expressed concern that this would apply to this violation, as well. She said "as any of us who have thought we [were] unfairly cited [for a traffic violation are aware,] that's not always the easiest thing to rectify."

MR. PAWLOWSKI replied that people may end up on the wrong side of any law that has a penalty. However, the sponsor believes this will have a good balance.

[4:29:23 PM](#)

REPRESENTATIVE GATTO asked for more detail regarding what "possession" requires.

MR. PAWLOWSKI offered his understanding that this can mean alcohol within a person's blood system or outside the blood system, adding that whether a person is over 21 years of age is also a factor. He stated that he would provide additional information regarding the definition of "possession." In response to a question regarding the maximum penalty for a violation, he reiterated that the maximum penalty would be \$500.

REPRESENTATIVE RAMRAS stated that his is in support of HB 118. He inquired as to whether the \$500 fine would apply to all individuals in attendance, or if this is limited to the host. Additionally, he questioned whether the person in control of the dwelling is more culpable than others who are present. He said "It's often not the alpha juvenile that says 'let's have a party at my house tonight.' It's often the best friend who is the alpha [juvenile] who says 'hey your parents are gone this weekend, let's have a party at [your] house.'" He suggested that the sponsor consider this.

MR. PAWLOWSKI agreed that this is a concern, and will be given further consideration. He offered his understanding that as the bill is currently written, the person in control of the dwelling would be held responsible, regardless of who suggests the party.

REPRESENTATIVE LEDOUX relayed her concern regarding whether this will encourage driving while under the influence of alcohol, by creating an obligation to ensure that these individuals are no longer on the premises.

MR. PAWLOWSKI stated that he does not agree with this. He opined that the obligation is to ensure that the youth are no longer in possession of alcohol. He said:

If you come home to find a bunch of 20-year-olds in your house drinking, and you understand this law, the first thing you should probably do is - exercising dominion or control over your house, now - take the alcohol away from them, and ask them to perhaps stay.

[4:38:11 PM](#)

RODNEY DIAL, Lieutenant, Division of Alaska State Troopers, Department of Public Safety (DPS), in response to a question from Representative Gatto, explained that the \$500 fine would only be given to the individual in control of the dwelling, and minor consuming laws would remain in effect. He opined that individuals "running a party house" would quickly realize that

this is not worth it, therefore resulting in a better quality of life for others. He also explained the difficulties which currently arise in regard to minor consuming.

[4:40:18 PM](#)

REPRESENTATIVE GARDNER asked what would happen if the fine was not paid.

LIEUTENANT DIAL replied that non-payment would result in a warrant being issued for the individual's arrest.

REPRESENTATIVE NEUMAN moved to report HB 118 out of committee with individual recommendations and the accompanying fiscal notes.

[4:42:03 PM](#)

REPRESENTATIVE BUCH objected.

[4:42:32 PM](#)

A roll call vote was taken. Representatives LeDoux, Ramras, Gatto, Gardner, Neuman, and Olson voted in favor of reporting HB 118 from committee. Representative Buch voted against it. Therefore, HB 118 was reported out of the House Labor and Commerce Standing Committee by a vote of 6-1.

ADJOURNMENT

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 4:43 PM.