

**ALASKA STATE LEGISLATURE
HOUSE RULES STANDING COMMITTEE**

April 2, 2007

5:04 p.m.

MEMBERS PRESENT

Representative John Coghill, Chair
Representative John Harris
Representative Anna Fairclough
Representative Craig Johnson
Representative Ralph Samuels
Representative Beth Kerttula
Representative David Guttenberg

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 118

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

- MOVED CSHB 118(RLS) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

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
02/21/07	(H)	Moved Out of Committee
02/21/07	(H)	MINUTE(L&C)
02/22/07	(H)	L&C RPT 4DP 2NR
02/22/07	(H)	DP: GARDNER, RAMRAS, GATTO, OLSON
02/22/07	(H)	NR: LEDOUX, NEUMAN
03/12/07	(H)	JUD AT 1:00 PM CAPITOL 120
03/12/07	(H)	Moved Out of Committee
03/12/07	(H)	MINUTE(JUD)
04/02/07	(H)	RLS AT 5:00 PM CAPITOL 106

WITNESS REGISTER

REPRESENTATIVE KEVIN MEYER
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Spoke as the sponsor HB 118 and explained Amendment 1.

ANNE CARPENETI, Assistant Attorney General
Legal Services Section - Juneau
Criminal Division
Department of Law
Juneau, Alaska

POSITION STATEMENT: During hearing of HB 118, explained Amendment 1.

ACTION NARRATIVE

CHAIR JOHN COGHILL called the House Rules Standing Committee meeting to order at [5:04:31 PM](#). Representatives Coghill, Harris, Fairclough, Johnson, Samuels, Guttenberg, and Kerttula were present at the call to order.

HB 118-PROHIBIT ALLOWING MINORS TO HAVE ALCOHOL

[5:04:31 PM](#)

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

[5:04:46 PM](#)

REPRESENTATIVE SAMUELS moved that the committee adopt Amendment 1, which read:

Page 1, line 5:

Delete "possesses or exercises"

Insert "is physically in possession and exercising"

CHAIR COGHILL objected.

[5:04:52 PM](#)

REPRESENTATIVE KEVIN MEYER, Alaska State Legislature, sponsor, explained that HB 118 addresses a scenario in which [individuals over the age of 21] host a party at which underage individuals are present [and drinking alcohol]. The difficulty in these situations is that it takes law enforcement a lot of time to [process] numerous underage kids for minors in possession. Furthermore, it's difficult to prove that the adults present furnished the underage individuals the alcohol. This legislation provides law enforcement another tool in which a noncriminal violation of \$500 can be charged to the person who is over age 21. Amendment 1 was recommended by the Department of Law to which he deferred for explanation.

[5:06:56 PM](#)

ANNE CARPENETI, Assistant Attorney General, Legal Services Section - Juneau, Criminal Division, Department of Law, explained that Amendment 1 was suggested in order to get at the person in actual physical possession [of a residence at which underage individuals were consuming].

[5:07:41 PM](#)

REPRESENTATIVE HARRIS related his understanding then that if a parent goes out of town and leaves one of his/her minor children behind in the care of an individual 21 years old or older, then that individual would be in physical charge of the residence.

MS. CARPENETI said that it would depend. If the 21-year-old individual is babysitting and in charge of the home in place of the parents, then that individual would be in actual possession of the home and responsible for ensuring that no minors are consuming on the property or such an individual would be subject to this violation.

REPRESENTATIVE HARRIS surmised then that [the violation] wouldn't be placed on the owner of the home but rather the individual physically present at the time [minors were consuming].

MS. CARPENETI replied yes.

[5:08:54 PM](#)

CHAIR COGHILL removed his objection.

There being no further objection, Amendment 1 was adopted.

5:09:04 PM

REPRESENTATIVE SAMUELS moved to report HB 118, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 118(RLS) was reported from the House Rules Standing Committee.

5:09:20 PM

ADJOURNMENT

There being no further business before the committee, the House Rules Standing Committee meeting was adjourned at 5:09 p.m.