

**MINUTES**  
**SENATE FINANCE COMMITTEE**  
**May 9, 2007**  
**2:44 p.m.**

**CALL TO ORDER**

Co-Chair Bert Stedman convened the meeting at approximately [2:44:43 PM](#).

**PRESENT**

Senator Bert Stedman, Co-Chair  
Senator Charlie Huggins, Vice Chair  
Senator Kim Elton  
Senator Donny Olson  
Senator Joe Thomas  
Senator Fred Dyson

**Also Attending:** SENATOR LESIL MCGUIRE; REPRESENTATIVE PEGGY WILSON; CLIFF STONE, Staff to Representative Wilson;

**Attending via Teleconference:** From Fairbanks: ANDY HARRINGTON, Alaska Legal Services Corporation;

**SUMMARY INFORMATION**

SB 69-CIVIL LEGAL SERVICES FUND

The Committee heard from the sponsor and the Alaska Legal Services Corporation. A committee substitute was adopted and the bill was reported from Committee.

HB 121-WORKERS' COMPENSATION RECORDS

The Committee heard from the sponsor. The bill was reported from Committee.

SB 104-NATURAL GAS PIPELINE PROJECT

The Committee adopted a committee substitute.

#SB69  
[2:45:32 PM](#)

SENATE BILL NO. 69

"An Act relating to the creation of a civil legal services fund."

This was the second hearing for this bill in the Senate Finance Committee.

[2:45:44 PM](#)

Co-Chair Stedman informed of collaborations between his office and the sponsor to address concerns regarding this legislation.

[2:45:55 PM](#)

Co-Chair Hoffman offered a motion to adopt CS SB 69, 25-LS0454\C, as a working document.

There was no objection and the committee substitute Version "C" was ADOPTED as a working document.

[2:46:31 PM](#)

SENATOR LESIL MCGUIRE, Sponsor of the bill, remarked on her efforts over seven years on this proposal.

[2:46:46 PM](#)

Senator McGuire told of the insertion of "only" following "may" to the language of Section 37.05.590. Civil legal services fund., added to Article 6 of AS 37.05 by Section 1 on page 1, line 8. The amendment sentence reads, "Annually, the legislature may only appropriate to the fund from the amounts deposited into the general fund of the state under AS 09.17.020(j)."

[2:47:22 PM](#)

Senator McGuire explained that this provision would require that the civil legal services fund could only receive appropriations generated from the punitive damages fund. This is intended to avoid pressure to appropriate general funds during times of limited State revenues.

[2:48:06 PM](#)

ANDY HARRINGTON, Alaska Legal Services Corporation, testified via teleconference from Fairbanks that the committee substitute meets the intent of the project. He was satisfied with the language of the committee substitute.

[2:48:39 PM](#)

Co-Chair Hoffman offered a motion to report CS SB 69, 25-LS0454\C, from Committee with individual recommendations and accompanying fiscal note.

There was no objection and CS SB 69 (FIN) was REPORTED FROM COMMITTEE with zero fiscal note #1 from the Department of Administration.

#HB121

[2:49:35 PM](#)

CS FOR HOUSE BILL NO. 121(L&C) am  
"An Act relating to release of information in individual workers' compensation records; and providing for an effective date."

This was the second hearing for this bill in the Senate Finance Committee.

Co-Chair Stedman announced intent to report this bill from Committee provided unless any issues were identified that could not be addressed at this hearing.

[2:50:14 PM](#)

REPRESENTATIVE PEGGY WILSON, Sponsor of the bill, reminded that this legislation would protect workers from discrimination in the workplace and especially against identity theft.

[2:50:51 PM](#)

CLIFF STONE, Staff to Representative Wilson, explained that the provisions of Section 1 would add an employee's name, address, social security number, electronic mail address, and telephone

number to the information not to be public records subject to public inspection.

[2:51:18 PM](#)

Mr. Stone continued that the language of Section 2, added in the committee substitute, 25-LS0501\M, adopted at the previous hearing, would allow an employee to authorize inclusion of the aforementioned information in the public record. Because this would be an "opt in" clause, the Department of Labor and Workforce Development would need to create a procedure to accommodate an employee wanting the information to be accessible.

[2:52:12 PM](#)

Co-Chair Stedman pointed out that fiscal notes reflect that this legislation would incur no additional cost to implement.

[2:52:38 PM](#)

Senator Elton asked how an employee would "opt in" and allow the identifying information to be made public. He asked if a party seeking that information would submit a request to the department, which would then approach the employee for permission to release the information, or whether the process would only entail a generic release document.

[2:53:12 PM](#)

Mr. Stone shared that this issue was discussed by the Senate Judiciary Committee and the Department testified at that time that a release form would be created. The point at which an employee would be presented with the option of completing the form had not yet been determined and could be during the initial filing of a claim or later in the process.

[2:53:55 PM](#)

Senator Huggins cited language of the sponsor statement reading, "As amended on the House floor, employee names and addresses can still be released to the general public." He asked for an explanation.

[2:54:12 PM](#)

Representative Wilson informed that the provision, which the statement referenced, had been removed from the committee substitute, Version "M". The current version of the bill would prohibit the release of names, social security numbers, addresses, electronic mail address or telephone numbers. The language passed by the House of Representatives would have allowed for the release of names and addresses.

[2:54:41 PM](#)

Senator Huggins hypothesized an attorney seeking clients for workers' compensation cases and asked the process for that attorney to obtain information on employees.

[2:55:30 PM](#)

Representative Wilson responded that the Department had testified to the Senate Judiciary Committee that it would adopt regulations to likely provide that an employee filing a claim for workers compensation benefits would be asked whether identifying information should be released. If that employee agrees, the information would become public immediately. Most claims do not result in lawsuits.

Representative Wilson informed that this matter was brought to her attention by the Department and from an individual who had been contacted by an attorney soliciting cases.

[2:55:51 PM](#)

Representative Wilson read from a letter dated January 19, 2007 addressed to Representative Kurt Olson, Chair, House Labor and Commerce Committee from Gloria Copenspire, [copy on file] as follows.

My husband, Gene, and I have both had minor injuries while we were working at Trident Seafoods Corporation shoreplant in Sand Point, Alaska. We each received unwelcomed solicitations from some lawyers back East asking if we were injured on a floating processing vessel! I do not want my personal information made available to the public and wondered how these lawyers got my name in the first place. I do not believe it is appropriate for the State of Alaska to release this information without my consent.

To be blunt, the fact I have suffered an injury in the workplace and filed a claim under worker's compensation should not entitle the public to my home address and other personal information. I certainly do not want some ambulance-chasing lawyer soliciting me because of my claim.

Representative Wilson noted that Ms. Copenspire had initially assumed that the information had been released by her employer but later learned that the State had made it available.

[2:56:54 PM](#)

Senator Thomas questioned employers' claim to "protect" employees in circumstances such as this. He therefore reviewed the lawsuit, which "basically gave rise to this" involving an attorney requesting identifying information. He also reviewed a "booklet" noting it did not "give any indication" of this issue and he doubted that an employee would be presented a release form at the time a claim was filed. He expressed concern about the sequence of the process.

Senator Thomas qualified that social security numbers, electronic addresses and telephone numbers should be protected. However, he could secure this information as public record on almost anyone conducting business with the State in some capacity. The workers compensation program would be the only program in which this information would not be available.

[2:58:16 PM](#)

Representative Wilson countered that the situation involving identity theft had changed in recent years and that identifying information must be protected. The filing of a workers compensation claim did not automatically result in a lawsuit. In many instances, the worker was injured, was then treated and recovered.

[2:59:47 PM](#)

Co-Chair Hoffman offered a motion to report SCS CS HB 121, 25-LS0501\M, from Committee with individual recommendations and accompanying fiscal notes.

[3:00:22 PM](#)

Without objection SCS CS HB 121 (FIN) was REPORTED FROM COMMITTEE with zero fiscal notes #1 from the Department of Administration and #2 from the Department of Labor and Workforce Development.

AT EASE [3:00:52 PM](#) / [3:01:32 PM](#)

#SB104  
[3:01:34 PM](#)

CS FOR SENATE BILL NO. 104(JUD)  
"An Act relating to the Alaska Gasline Inducement Act; establishing the Alaska Gasline Inducement Act matching contribution fund; providing for an Alaska Gasline Inducement Act coordinator; making conforming amendments; and providing for an effective date."

19th This was the nineteenth hearing for this bill in the Senate Finance Committee.

[3:01:54 PM](#)

Co-Chair Hoffman offered a motion to adopt CS SB 104, 25-GS1060\N, as a working document.

There was no objection and the committee substitute, Version "N" was ADOPTED as a working document.

[3:02:19 PM](#)

Without further discussion the bill was HELD in Committee.

#

**ADJOURNMENT**

Co-Chair Bert Stedman adjourned the meeting at [3:02:34 PM](#)