

**ALASKA STATE LEGISLATURE**  
**SENATE JUDICIARY STANDING COMMITTEE**

January 30, 2008

1:38 p.m.

**MEMBERS PRESENT**

Senator Charlie Huggins, Vice Chair  
Senator Lesil McGuire  
Senator Bill Wielechowski  
Senator Gene Therriault

**MEMBERS ABSENT**

Senator Hollis French, Chair

**COMMITTEE CALENDAR**

CS FOR HOUSE BILL NO. 7(FIN) am  
"An Act relating to false caller identification."  
MOVED CSHB 7(FIN) am OUT OF COMMITTEE

SENATE BILL NO. 247  
"An Act relating to missing persons and unidentified human remains."  
HEARD AND HELD

SENATE BILL NO. 226  
"An Act relating to litigation brought by a vexatious litigant; amending Rules 3, 4, 12, and 41, Alaska Rules of Civil Procedure; and providing for an effective date."  
HEARD AND HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 7  
SHORT TITLE: FALSE CALLER IDENTIFICATION  
SPONSOR(S): REPRESENTATIVE(S) LYNN, GARDNER

01/16/07	(H)	PREFILE RELEASED 1/5/07
01/16/07	(H)	READ THE FIRST TIME - REFERRALS
01/16/07	(H)	JUD
01/22/07	(H)	JUD AT 1:00 PM CAPITOL 120
01/22/07	(H)	Scheduled But Not Heard
01/24/07	(H)	JUD AT 1:00 PM CAPITOL 120
01/24/07	(H)	Heard & Held
01/24/07	(H)	MINUTE(JUD)

01/31/07 (H) JUD AT 1:00 PM CAPITOL 120  
 01/31/07 (H) Heard & Held  
 01/31/07 (H) MINUTE(JUD)  
 02/01/07 (H) JUD AT 1:00 PM CAPITOL 120  
 02/01/07 (H) Heard & Held  
 02/01/07 (H) MINUTE(JUD)  
 02/05/07 (H) JUD AT 1:00 PM CAPITOL 120  
 02/05/07 (H) Heard & Held  
 02/05/07 (H) MINUTE(JUD)  
 02/08/07 (H) JUD AT 1:00 PM CAPITOL 120  
 02/08/07 (H) Moved CSHB 7(JUD) Out of Committee  
 02/08/07 (H) MINUTE(JUD)  
 02/12/07 (H) JUD RPT CS(JUD) 2DP 4NR  
 02/12/07 (H) DP: GRUENBERG, LYNN  
 02/12/07 (H) NR: COGHILL, SAMUELS, HOLMES, RAMRAS  
 02/12/07 (H) FIN REFERRAL ADDED AFTER JUD  
 02/21/07 (H) FIN AT 1:30 PM HOUSE FINANCE 519  
 02/21/07 (H) Heard & Held  
 02/21/07 (H) MINUTE(FIN)  
 03/05/07 (H) FIN AT 1:30 PM HOUSE FINANCE 519  
 03/05/07 (H) Moved CSHB 7(FIN) Out of Committee  
 03/05/07 (H) MINUTE(FIN)  
 03/07/07 (H) FIN RPT CS(FIN) 2DP 7NR  
 03/07/07 (H) DP: CRAWFORD, MEYER  
 03/07/07 (H) NR: GARA, STOLTZE, JOULE, NELSON,  
 THOMAS, HAWKER, CHENAULT  
 03/16/07 (H) TRANSMITTED TO (S)  
 03/16/07 (H) VERSION: CSHB 7(FIN) AM  
 03/19/07 (S) READ THE FIRST TIME - REFERRALS  
 03/19/07 (S) JUD, FIN  
 01/23/08 (S) JUD AT 1:30 PM BELTZ 211  
 01/23/08 (S) -- MEETING CANCELED --  
 01/25/08 (S) JUD AT 1:30 PM BELTZ 211  
 01/25/08 (S) Heard & Held  
 01/25/08 (S) MINUTE(JUD)

BILL: SB 247

SHORT TITLE: MISSING PERSONS  
 SPONSOR(s): SENATOR(s) GREEN

01/23/08 (S) READ THE FIRST TIME - REFERRALS  
 01/23/08 (S) JUD, FIN  
 01/30/08 (S) JUD AT 1:30 PM BELTZ 211

BILL: SB 226

SHORT TITLE: VEXATIOUS LITIGANTS  
 SPONSOR(s): JUDICIARY

01/16/08 (S) READ THE FIRST TIME - REFERRALS  
01/16/08 (S) JUD, FIN  
01/30/08 (S) JUD AT 1:30 PM BELTZ 211

**WITNESS REGISTER**

DIRK MOFFET, Staff  
to Representative Bob Lynn  
Alaska State Capitol  
Juneau, AK

**POSITION STATEMENT:** Answered questions related to HB 7.

DARWIN PETERSON, Staff  
to the Senate Finance Committee  
Alaska State Capitol  
Juneau, AK

**POSITION STATEMENT:** Introduced SB 247 on behalf of the sponsor.

KATHRYN MONFREDA, Chief  
Criminal Records and Identification Bureau  
Division of Statewide Services  
Department of Public Safety  
Anchorage, AK

**POSITION STATEMENT:** Answered questions related to SB 247.

RODNEY DIAL, Lieutenant  
Alaska State Troopers (AST)  
Department of Public Safety (DPS)  
Ketchikan, AK

**POSITION STATEMENT:** Stated general support for SB 247 and offered suggestions.

CINDY SMITH, Aide  
to the Senate Judiciary Committee  
Alaska State Capitol  
Juneau, AK

**POSITION STATEMENT:** Provided information on the fiscal note for HB 7 and introduced SB 226 on behalf of the sponsor.

MIKE FORD, Legislative Liaison  
Civil Division  
Department of Law (DOL)  
Juneau, AK

**POSITION STATEMENT:** Responded to questions related to SB 226.

PETER MAASSEN, Attorney

Anchorage, AK

**POSITION STATEMENT:** Stated support for SB 226.

JED WHITTAKER, private citizen

Anchorage, AK

**POSITION STATEMENT:** Spoke in opposition to SB 226.

**ACTION NARRATIVE**

VICE-CHAIR HUGGINS called the Senate Judiciary Standing Committee meeting to order at [1:38:52 PM](#). Present at the call to order were Senators Wielechowski, Therriault and Huggins. Senator McGuire joined the meeting shortly.

**CSHB 7(FIN) am-FALSE CALLER IDENTIFICATION**

[1:39:20 PM](#)

VICE-CHAIR HUGGINS announced the consideration of HB 7. [Before the committee was CSHB 7(FIN) am.]

DIRK MOFFET, Staff to Representative Bob Lynn, sponsor of HB 7, reminded the committee that during the previous hearing Senator Therriault identified an error in the fiscal notes. The intent is that displaying false caller ID information is a class A misdemeanor.

[1:40:43 PM](#)

SENATOR MCGUIRE joined the meeting.

SENATOR THERRIAULT asked if a revised fiscal note would also be forthcoming from the Department of Law (DOL)

CINDY SMITH, Aide to the Senate Judiciary Committee, explained that the revised DOL fiscal note will be available when the bill is heard in the Finance Committee.

SENATOR THERRIAULT said okay.

VICE-CHAIR HUGGINS found no further discussion and asked for the will of the committee.

[1:41:41 PM](#)

SENATOR WIELECHOWSKI motioned to report CSHB 7 from committee with individual recommendations and attached fiscal note(s).

VICE-CHAIR announced that without objection, CSHB 7(FIN) am moves from committee.

## SB 247-MISSING PERSONS

[1:42:33 PM](#)

VICE-CHAIR HUGGINS announced the consideration of SB 247.

DARWIN PETERSON, Staff to the Senate Finance Committee, explained that Senator Green, sponsor of SB 247, asked him to introduce the bill. He was a member of her staff when the bill was drafted. The language comes from model legislation that was drafted by the U.S. Department of Justice in response to President Bush's DNA initiative. Law enforcement agencies, medical examiners, forensic scientists, victims' advocates and policy makers joined forces to look at ways to fully utilize DNA technology to solve crimes and identify missing persons. They recommend that states adopt some version of the model legislation.

[1:43:37 PM](#)

MR. PETERSON said that Senator Green was made aware of the need for this legislation by a constituent whose daughter went missing for 19 months. That mother's advocacy on behalf of all missing persons is why Senator Green decided to introduce the bill.

MR. PETERSON emphasized that Senator Green believes that Alaska law enforcement is doing a good job with the resources it has. But the Department of Public Safety (DPS) admits that there is no consistent protocol for the content, timing, and method of submission of missing person reports amongst law enforcement agencies. The sponsor believes that increasing cooperation among agencies will improve the ability to locate and safely return missing persons.

MR. PETERSON explained that SB 247 will: prohibit disposal of unidentified human remains before DNA samples are archived; prohibit law enforcement agencies from refusing to accept a missing person report; provide a detailed list of specific information that law enforcement is to gather and record about a missing person; allow law enforcement to obtain and forward for analysis a DNA sample from the family of a missing person who has been missing for more than 30 days.

VICE-CHAIR HUGGINS asked where that provision is in the bill.

MR. PETERSON directed attention to page 4. He paraphrased lines 6-11 and said that DNA would not be used for any purpose other than to help locate the missing person.

VICE-CHAIR HUGGINS asked if collecting the DNA sample is at the discretion of the family member and not mandatory.

[1:47:31 PM](#)

MR. PETERSON replied he would need to check with legislative legal because he doesn't see where it says that. It might be a worthwhile amendment, he added.

SENATOR WIELECHOWSKI asked how "family member" is defined.

MR. PETERSON said he would check with the drafter. If it isn't defined, the sponsor will propose definition language.

[1:48:25 PM](#)

MR. PETERSON said that SB 247 requires all missing person reports to be entered into the National Crime Information Center Missing Person File, Unidentified Person File, and the state crime information system. If a missing person is deemed high risk, the bill provides a mechanism for law enforcement to take immediate action. Improving the process is a worthwhile effort.

[1:49:19 PM](#)

SENATOR WIELECHOWSKI observed that page 2 contains a comprehensive list of information that a law enforcement agency is mandated to gather when it accepts a report of a missing person. He questioned how far reaching this mandate will be and what kind of onus it will place on law enforcement agencies.

MR. PETERSON acknowledged that DPS has expressed concern about that. And law enforcement has said that it gathers most of this information already. "If we're going too far and violating peoples' rights to privacy then that definitely should be taken into consideration," he said.

[1:51:16 PM](#)

KATHRYN MONFREDA, Chief, Criminal Records and Identification Bureau, Division of Statewide Services, Department of Public Safety, confirmed that most of the information that SB 247 calls for is already captured by state or National Crime Information Center (NCIC) requirements. She isn't sure what would happen if, for some reason, the information isn't available.

VICE-CHAIR HUGGINS asked if she is concerned about the extensive list of requirements.

MS. MONFREDA said not particularly, but someone from the Alaska State Troopers might be better able to speak to that.

SENATOR McGUIRE referred to page 2, line 27, and opined that asking for the name and location of a missing person's dentist and primary care physician that is probably a HIPPA violation. She said she'd work on language to accommodate law enforcement making a reasonable effort to obtain the information without violating privacy laws.

[1:54:39 PM](#)

VICE-CHAIR HUGGINS referred to the list on page 2 and said his assumption is that the people who work these cases have a more extensive list than this.

MS. MONFREDA said that's probably true. She imagines that the person who reports that a loved-one is missing usually wants to provide as much information as possible.

[1:55:16 PM](#)

SENATOR THERRIAULT questioned whether there would be a HIPPA violation if he, for example, reports that his mother is missing and he tells the name of her doctor.

SENATOR McGUIRE replied that wouldn't be a violation, but the confirmation and release of the actual medical records would be a violation. A physician isn't able to confirm or deny without the patient's express consent.

[1:56:47 PM](#)

SENATOR WIELECHOWSKI expressed some concern about privacy and asked if the data is kept confidential.

MR. PETERSON deferred the question to Ms. Monfreda. Lieutenant Dial could answer many of these questions, he added.

[1:57:40 PM](#)

SENATOR THERRIAULT referred to page 2, line 16, and questioned why credit card numbers are required because that isn't part of the model act.

MR. PETERSON said the drafter took poetic license. If the committee disagrees, the sponsor wouldn't object to removing reference to credit card numbers.

SENATOR THERRIAULT said he appreciates that law enforcement tracks people with credit card numbers. He pointed it out

because it's beyond the model, but if the bill moves outside the model, it is a consideration.

SENATOR THERRIAULT referred to page 1, lines 9-10, and asked what happens if his cousin, for example, has gone missing and there's reason to believe that he's outside the local trooper detachment in Fairbanks. Could the troopers in Fairbanks refuse to take the report if there's reason to believe he's in Anchorage?

[1:59:47 PM](#)

MR. PETERSON said his understanding is that the Fairbanks law enforcement agency would be required to accept the report. If there's reason to believe that the missing person is outside the jurisdiction, the report would be entered into the state crime system. If you have a compelling reason to believe that your cousin was in Anchorage, the Anchorage police department would accept the report from you, he said.

SENATOR THERRIAULT asked if the missing person has to be an Alaska citizen.

MR. PETERSON replied he understands that is not a requirement.

SENATOR THERRIAULT noted that page 3, line 16, talks about the date of last contact and he asked if more details might be helpful.

SENATOR WIELECHOWSKI asked how many missing person reports the police receive. He'd like their perspective on whether this will create an undue burden.

MR. PETERSON said 1,500 reports are taken each year.

SENATOR WIELECHOWSKI asked how many reports are refused and if there's a policy to wait 24 hours before taking a report.

MR. PETERSON replied there isn't a policy per se. He deferred to Lieutenant Dial to provide specifics.

[2:03:20 PM](#)

SENATOR THERRIAULT referred to page 4, line 9, and asked how the DNA sample would be handled and ultimately disposed.

MR. PETERSON offered to work with staff to develop language related to disposing of the DNA once the missing person is located. That should be included, he added.

SENATOR THERRIAULT noted that one of the determinations for identifying a high risk missing person is that they have been missing for more than 30 days. That seems like a long time, he said.

MR. PETERSON said that is just one of the factors, but if the committee believes that should be changed, the sponsor will entertain the idea.

[2:05:44 PM](#)

SENATOR THERRIAULT referred to page 6, line 13, that encourages law enforcement to establish written protocols. He asked, "Wouldn't we require them to actually take that step?"

MR. PETERSON agreed the language could be changed to say "shall establish written protocols." DPS acknowledges that it doesn't have written protocols that are this specific, he said.

[2:07:08 PM](#)

SENATOR WIELECHOWSKI referred to page 6, lines 6-7, and commented that this puts the state potentially at risk of lawsuit if the notice isn't done and something happens to the missing person.

SENATOR THERRIAULT referred to page 6 and asked Lieutenant Dial if he thinks there would be a problem if law enforcement agencies were required rather than encouraged to establish written protocols.

RODNEY DIAL, Lieutenant, Alaska State Troopers (AST), Department of Public Safety (DPS), stated general support for SB 247. However, he said, some of the requirements are problematic. He expressed a preference for the phrase "may do" versus "shall do" and said there are also some liability concerns. Most of the time the 25 requirements are done anyway. This can be a good template and still give discretion to the individual agency and officer, he said.

[2:09:21 PM](#)

VICE-CHAIR HUGGINS agreed to consider the point.

SENATOR WIELECHOWSKI asked if the information is kept confidential and destroyed after a case is solved or after a period of time.

LIEUTENANT DIAL explained that information is entered into a report and within 48 hours it's sent to the DPS missing person clearinghouse. The information in the report is retained until the person or their remains are found.

VICE-CHAIR HUGGINS asked if he is referring to page 4, lines 22-26.

LIEUTENANT DIAL clarified he is referring to the current DPS policy. With regard to the requirement in the bill to collect DNA samples and medical records, that information is destroyed when an investigation is complete.

[2:10:58 PM](#)

SENATOR WIELECHOWSKI asked if a large number of people have access to that information.

LIEUTENANT DIAL said no. Generally it's kept confidential, but can be made available to other law enforcement agencies.

MR. PETERSON asked him to respond to Senator Wielechowski's question about number of cases and how many are solved or outstanding.

LIEUTENANT DIAL informed the committee that 1,200-1,500 cases are filed with the DPS missing person clearinghouse each year and most are found within 48 hours. Currently about 1,000 cases are open.

SENATOR WIELECHOWSKI asked if there is a waiting period before a missing person report can be accepted.

LIEUTENANT DIAL said no.

[2:12:54 PM](#)

MR. PETERSON told the committee that the language in the applicability section on page 6 isn't consistent with the model legislation. SB 247 will apply only to missing person reports filed after the effective date of the Act.

[2:14:06 PM](#)

LIEUTENANT DIAL stated support for the goal of the legislation and expressed hope that AST could provide input.

VICE-CHAIR HUGGINS announced he would hold SB 247 in committee.

#### **SB 226-VEXATIOUS LITIGANTS**

2:21:45 PM

VICE CHAIR HUGGINS announced the consideration of SB 226.

CINDY SMITH, Staff, to Senator Hollis French, sponsor of SB 226, paraphrased the following sponsor statement:

SB 226 creates a process in statute for courts to manage the problem of lawsuits brought by individuals who are "vexatious litigants."

A vexatious litigant is defined as a person who, among other things, repeatedly litigates the same claims or previous adverse decisions against the same parties, files multiple frivolous lawsuits, repeatedly files pleadings or motions that are frivolous or in bad faith, or repeatedly engages in tactics that are without merit or intended to cause unnecessary delay.

This bill allows the court to impose reasonable restrictions on vexatious litigants' access to the court. Under SB 226 a court can require conditions, such as the posting of security or prefiling review of a complaint by a presiding judge, before an action filed by a vexatious litigant can proceed. Several states have passed similar legislation to control the problem of vexatious litigation. The provisions in this bill are based on California's Code of Civil Procedure.

Vexatious litigation needlessly burdens the resources of the court system, and creates unnecessary expense for individuals who are the target of this litigation in the public and private sectors. It is certainly important to recognize and protect the individual's right to litigate claims in our court system. SB 226 will only affect those few cases that are clearly without merit. This bill will provide means for screening out extreme examples of meritless cases before they are filed.

MS. SMITH emphasized that this is discretionary and page 3, lines 12-31, provide a definition for "vexatious litigant." She deferred questions about the bill mechanics to Mr. Ford and noted that Mr. Maassen was online to testify.

2:24:20 PM

SENATOR WIELECHOWSKI asked if this applies only to people who initiate lawsuits. Do we have no vexatious defendants?

MIKE FORD, Legislative Liaison, Civil Division, Department of Law (DOL), referred to the definition of "vexatious litigant" on page 3. The idea under paragraph (A) is that you are the plaintiff and not the defendant, but the provision under paragraphs (B) (C) and (D) could apply to a defendant.

VICE-CHAIR HUGGINS asked what kind of a problem this is in Alaska.

MR. FORD explained that the problem isn't the number of people who are engaged in this conduct, because it's a small percentage. The problem is that a significantly small number of people absorb a significantly large amount of court system resources.

VICE-CHAIR HUGGINS asked if a vexatious litigant would be "vaccinated" from this bill if he or she hired an attorney.

MR. FORD said the intent of the bill is to deal with people who are causing the problem and acting as their own attorney. Other tools are available to deal with attorneys who pursue cases without merit.

VICE-CHAIR HUGGINS asked if this would apply to liens. He referred to an issue related to the fish and game board that came up when he first became a senator.

MR. FORD opined that that could be an example of abuse.

SENATOR THERRIAULT asked if this targets "jailhouse litigants."

MR. FORD explained that other provisions apply to that type of litigation.

SENATOR THERRIAULT asked if this mirrors what was done to address "jailhouse litigation."

[2:28:32 PM](#)

MR. FORD replied it's a mirror in the sense that it's intended to control a certain kind of litigation.

SENATOR THERRIAULT asked if the incarcerated people would still be dealt with under the other section of statute.

MR. FORD said yes, this is civil litigation.

VICE-CHAIR HUGGINS stated his intention is to hold the bill.

MR. FORD relayed that this is also a private sector concern.

SENATOR WIELECHOWSKI asked if the bill raises any constitutional issues or if there have been challenges in other states.

MR. FORD replied he's not aware of any successful challenge.

SENATOR THERRIault read the analysis section of the Department of Law fiscal note and questioned why it says the bill will amend the Constitution of the State of Alaska. It can't do that.

MR. FORD acknowledged that the fiscal note needs correcting.

2:30:17 PM

PETER MAASSEN, Anchorage Attorney representing himself, testified in support of SB 226. He has practiced law in Anchorage for 27 years and in that time he's encountered very few vexatious litigants. Describing access to the courthouse as an important safety valve, he said that under most circumstances he'd be suspicious of attempts to put restrictions on such access. However, there are limits to what the court, the Department of Law, private litigants, and private attorneys need to put up with. "That's where SB 226 comes into play and can provide a very good tool for the judiciary."

MR. MAASSEN explained that he's been litigating with Mr. DeNardo since 2002. Initially State Farm Insurance hired him to represent a landlord in an eviction suit against Mr. DeNardo. A year later Mr. DeNardo filed suit against him, his law firm, and Judge Gleeson for conspiring to deny discovery. That delayed resolution of the underlying suit for a year. Ultimately those suits were resolved but Mr. DeNardo brought further suit against the landlords, he and his law firm, and three judges. All the decisions were against Mr. DeNardo but each one required time and money to put together either a motion to dismiss or a motion for summary judgment.

MR. MAASSEN said that since this is what he does for a living he can't get too upset, but it has impacted his personal life. When he applied for a construction loan he had to tell the bank that Mr. DeNardo was seeking \$5 million in damages in each of several lawsuits pending against him. This is something that litigants

in ordinary litigation shouldn't have to deal with in perpetuity, he said.

[2:34:41 PM](#)

MR. MAASSEN, speaking as a layman, said some vexatious litigants are probably mentally ill. "We have to feel sorry for them and find some way to deal with them." Allowing them to vent through the court system at the expense of private parties and their attorneys isn't the way to do it. SB 226 is a good tool for judges to use.

[2:35:21 PM](#)

JED WHITTAKER, private citizen from Anchorage, opposed SB 226. Under the constitution everyone has equal protection and that means that everyone has equal access to the courts regardless of financial standing. Although some people may cause problems, judges have the right to dismiss lawsuits that are frivolous. Creating legislation to address a problem that judges can already solve only makes government bigger and denies equal protection.

SENATOR THERRIALT asked how he would suggest dealing with people who bring frivolous lawsuits and don't care if court and attorney fees are charged to them because they don't have two nickels to rub together. They're judgment proof. "How do we deal with that aspect of the equality in the system?"

MR. WHITTAKER suggested the legislature seek advice from the Alaska Supreme Court to see if this is really a problem because not many people have the capacity to engage in litigation on a pro se basis. The court system isn't perfect but judges should exercise discretion as necessary, he said.

[2:39:13 PM](#)

MR. FORD explained that SB 226 is intended to limit access to the court only "in a surgically precise way." The bill is designed to address an issue that arises in very few cases but that impacts far beyond its litigation sphere. Judges have a lot of authority but dismissing cases is the nuclear option. "I don't know of any cases where it's ever been used."

SENATOR McGUIRE said there's a tendency for lawyers to advocate for their client regardless of how unreasonable the position may be. And judges are reluctant to dismiss cases in the fear that there might be something there. She encouraged the Department of Law (DOL) to think about whether the language ought to be defined in terms of the motion to dismiss and in Rule 11

[Federal Rule of Civil Procedure 11] to make it clear that the judge should be a gatekeeper. "There are so many merit based cases, but these few cases ... cost people. ... It's a tremendous drain."

SENATOR McGUIRE encouraged DOL and the sponsor to look at it as a triangle. The legislature can do something, the Bar Association can look at its canons and rules of the court, and lawyers can look at their own ethics and ask if the case is appropriate irrespective of the fees.

[2:43:42 PM](#)

VICE-CHAIR HUGGINS noted that the definition says without the assistance of an attorney and that there's also a way to deal with attorneys who file cases without merit.

MR. FORD said the idea was focus the bill as narrowly as possible. "So those cases that were brought without the assistance of an attorney, but also meet this other criteria are the cases we're talking about." An advantage to SB 226 as opposed to relying on a judge's discretion is that it's a tool that will be consistently applied across the state.

[2:44:53 PM](#)

SENATOR WIELECHOWSKI said he presumes this would not apply to workers' compensation cases.

MR. FORD said it does not apply.

SENATOR WIELECHOWSKI said access to the courts is an important issue. The rich have access and the poor are judgment proof. In Alaska this issue has a real impact on the middle class. When they've been damaged, that's their redress. "That's where you have the David and Goliath standoff. And they're on equal footing with the multi-billion dollar corporation."

SENATOR WIELECHOWSKI said he's concerned about not only this issue but also about defendants who work the system and fight everything. They may lose five or ten cases and have to pay someone \$50,000, but that's nothing for a huge corporation. In putting this together we need to give some thought on how this will impact the majority of people in Alaska and their access to lawsuits and a judicial system that's really stacked against them, he said.

[2:46:58 PM](#)

VICE-CHAIR HUGGINS announced he would hold SB 226 in committee.

There being no further business to come before the committee,  
Vice-Chair Huggins adjourned the meeting at [2:47:01 PM](#).