

April 6, 2021

Representative Matt Claman  
Chair, House Judiciary Committee  
State Capitol – Room 118  
Juneau, Alaska 99801

Re: Support of HB 62

Dear Rep. Claman:

Alaska is one of just seventeen states that has not updated its laws to remove the two witness requirement for marriage ceremonies. We support House Bill 62 and urge you to do the same.

This letter articulates the problems with the witness requirement, explains why passing House Bill 62 is important for Alaska, and addresses the viewpoints brought forward in opposition to this bill.

**I. The witness requirement is bad for Alaska.**

Once HB 62 is passed, Alaska will join the increasing large number of states that have removed the witness requirement as an unnecessary impediment and infringement of privacy rights. The following is a break-down of the witness requirement by state.

**States that don't require witnesses (30):** Alabama, Arkansas, Colorado, Connecticut, DC, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia.

**One Witness (4):** California, Iowa, Kansas, New York.

**Two Witnesses (17):** Alaska, Arizona, Delaware, Kentucky, Louisiana, Maine, Minnesota, Nebraska, North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, Utah, Washington, Wisconsin, Wyoming.

A marriage ceremony officiated with no witnesses in Hawaii is not inherently any less official than a marriage ceremony with two witnesses in Minnesota. All the witness requirement does is impose a bureaucratic burden on people who prefer to be wed in private. Indeed, the perverse reality of the requirement is that it forces the people who derive solemnity from privacy

to ask strangers to act as witnesses. This is not an exaggeration and is unnecessary. There is absolutely no reason why the party vested with officiant rights from the State of Alaska cannot fulfill any witness requirement.

The supporters of HB 62 all assist clients getting married in Alaska. We cannot overemphasize the importance of HB 62 for our clientele. We also cannot overemphasize the importance of HB 62 for our State.

An increasing number of our clients are non-residents. Based on data released by the Bureau of Vital Records in the 2016 Annual report, the most current data available, approximately 10% of Alaska weddings per year over the past ten years are non-resident weddings.<sup>1</sup> We estimate based on our experience, that approximately 80% of these non-resident weddings involve just the couple travelling with no witnesses. Using a very conservative estimate of \$2000/couple for in-state wedding costs (lodging, in-state transportation costs, officiant fees, florists, photographers, food, etc.), the State generates \$1,000,000/year in Alaskan businesses revenue just from 500 non-resident weddings.

The total value to Alaskan businesses is much higher. Weddings have a trickle-down effect to all tourism, transportation, and hospitality sectors. Many non-resident wedding couples travelling to Alaska make it a once-in-a-lifetime trip, honeymooning for 1-2 weeks afterwards, frequently spending upwards of \$10,000 to \$15,000. That translates to \$5M to \$7.5M in benefits to the State.

The witness requirement is an impediment to many, but especially these non-residents who at best are intimidated by the logistical hurdle presented and at worst automatically eliminate Alaska as a possibility given the requirement. The passing of HB 62 allows Alaska to be on the same footing as other destination wedding states like Hawaii and Florida, which do not impose witness restrictions.

Moreover, the benefit comes at no cost. HB 62 presents an elegant solution by keeping the marriage license form as-is and simply requiring the State to process licenses with or without witnesses. The State does not have to print a new form and anyone who wishes to include witnesses can continue to do so.

With the challenges posed by COVID-19 we need to be making smart decisions for our State now more than ever.

## **II. Leave the solemnity of marriage to those getting married.**

An opposing opinion letter suggests that by deleting the witness requirement we risk undermining the sanctity of marriage. The letter is void of any explanation as to how removal of the witness erodes the institution of marriage and the notion that HB 62 is somehow going to lead to the demise of the American family unit is fear based, as opposed to fact or proof based.

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<sup>1</sup> The Bureau of Vital Records 2016 Annual Report documented 5,272 weddings in 2016 with 400-600/per year over the 10-year look back period being non-resident weddings.

This thought process is counterproductive to intellectual discussion of policy reform. Those comments are baseless and offensive to those of us who devote our professional lives to the solemnization of marriage. We urge you to view HB 62 from the standpoint that it makes sense for our state, for couples wishing to marry in private, and for the sanctity of that right being protected by our elected officials.

With hope,

Erin Velander  
Alaska Destination Weddings LLC

As a wedding photographer since March of 2000, and photographing weddings in Alaska since August of 2005, I have seen a lot of weddings! In fact, I've been to somewhere in the neighborhood of 1500 weddings personally, and been involved with around 3200 weddings total between Alaska and Michigan where I started. To say that I know a lot of weddings is probably an understatement! I am the owner and photographer at Chugach Peaks Photography and an Alaskan since 2005.

Thank you for considering house bill 62. As the person who brought this matter to representative Claman's attention, I really value this opportunity to give some thoughts of support on the intent of this bill. I'd really like to emphasize that the purpose of this bill is only **one** thing - eliminate the outdated and unnecessary burden of two witnesses being present to make a wedding ceremony legal. This bill does NOT change the value of marriage, the sacredness, the importance of, or the definition of marriage. It simply makes it easier for two people to commit to each other without government forcing random strangers into their ceremony. This bill does not make a wedding ceremony less serious and will not lead to higher divorce rates. The value and success rate of a marriage is not determined by how many people are present at the wedding ceremony. It is determined by the relationship between the two individuals and the choices they make before and after they get married.

I would also like to emphasize that this is NOT a partisan issue or an attack on marriage as an institution. In fact, it is the opposite. It encourages marriage. There are 30 states that do NOT require any witnesses. Very conservative "Red" states like Texas, Montana, Georgia, Alabama, Arkansas, Florida, Idaho, South Carolina, New Mexico, Indiana, Tennessee, Ohio, Pennsylvania, all have no witness requirements. and the list goes on! That's just a few. Alaska will be in good company by passing this bill.

I have heard some arguments that this bill could somehow harm families and create negative consequences to the rearing of future generations due to an increase in divorce rates. I would like to again suggest that having two witnesses present at a wedding bears very little, if any, impact on the success of a marriage. I personally know plenty of people who had dozens, if not hundreds, of family and friends present who ended up divorced. I also know hundreds of our couples who have been together for 5, 10, 15 years who eloped with no family or friends present. Suggesting that two witnesses being present leads to stronger marriages is not a reasonable position and is not supported by any real, or anecdotal data.

As Representative James Kaufman, my own district 28 representative so well posted on his Facebook account recently, we should be passing bills that add value to lives and protect liberty. There are so many antiquated and intrusive bills, now we have a chance to fix one. This bill removes text from a bill and makes it easier for people to get married.

The fact is, Alaska is fast becoming a destination wedding location. That may sound crazy, but I can assure you it's true!

From remote fly-out locations such as glaciers, to quiet and secluded private spaces in our state and national parks, you will find hundreds, if not thousands of couples a year visiting our state to tie the knot.

Not all weddings are the big and elaborate affairs we are all accustomed to - long guest lists with mediocre buffet food. Often it is two people, who want a private ceremony where the focus is on their love and relationship and the beautiful place they chose to get married.

Often they travel alone, and prefer that no family or friends are present. That should be their right. And if they chose that path, the state should not then force strangers to be present in lieu of family or friends.

As our state struggles with diminishing returns in the oil market, new tourism opportunities should be embraced. We should encourage these small Destination weddings, and the tourist dollars that follow. By keeping this red tape in place, it is more difficult for people to get married in our state. Some will come anyway, and endure the inconvenience, others will choose to get married elsewhere. States like Hawaii and Florida see the highest numbers of destination weddings in the country - and it should be no surprise that both require no witnesses. The weddings performed in those states bring a huge boost to their state's economies. Alaska has an opportunity to be a part of that success story.

The marriages in the 30 states that don't require witnesses are just as valuable as those in our great state, voting yes on this matter ensures the government does not force strangers to be present during one of life's most sacred moments and encourages more people to get married in our state and spend their time exploring everything our state has to offer after the wedding day. The passage would have a positive impact on many Alaskan families that depend on destination weddings for their livelihood, as well as the couples getting married themselves.

Thank you,

Joe Connolly

-Photographer, Owner, Chugach Peaks Photography