



April 3, 2018

Senator Kevin Meyer
Chairman, Senate State Affairs Committee
State Capitol – Room 103
Juneau, AK 99801

Re: Testimony on HB 20

Dear Senator Meyer:

We wish to submit comments on the following bill in the State Affairs Committee:

CS for HB 20 (JUD) – “An Act relating to marriage solemnization; and authorizing elected officials in the state to solemnize marriages.”

Alaska Family Action is in support of the Judiciary CS for HB 20. We had earlier expressed opposition to HB 20, as introduced, but our misgivings were addressed as a result of an amendment adopted by the House Judiciary Committee. We appreciate the amendment maker, Rep. Chuck Kopp, and the bill sponsor, Rep. Matt Claman, for accommodating our concerns.

The Judiciary CS for HB 20, while authorizing elected officials to solemnize marriages, makes it clear that nothing in the bill **“creates or implies a duty or obligation”** for any elected official to solemnize any marriage. In addition, CSHB 20 (JUD) extends this provision to ministers, priests, and religious groups – clarifying they are under no duty or obligation to solemnize any marriage.

Our initial concern was that the added “authority” for elected officials to solemnize marriages might too easily be construed as a “duty.” We believe that the law should protect the right of elected officials to refuse to solemnize any marriage, and the Judiciary CS for HB 20 achieves this goal.

For the record, we believe entities in the private sector, especially small businesses, should enjoy the same freedom that is allowed elected officials under this bill. They should be under no “duty or obligation” to solemnize, celebrate, or participate in any marriage, especially when doing so would violate a sincerely held religious belief. However, we also recognize that extending such protections is beyond the narrow scope of this particular bill.

Sincerely,

Jim Minnery, President
Alaska Family Action