

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

March 28, 2025

1:02 p.m.

MEMBERS PRESENT

Representative Andrew Gray, Chair
Representative Chuck Kopp, Vice Chair
Representative Ted Eischeid
Representative Genevieve Mina
Representative Sarah Vance
Representative Mia Costello
Representative Jubilee Underwood

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 137

"An Act relating to permanent fund dividends for individuals owing child support; and relating to applications and qualifications for permanent fund dividends for individuals owing child support."

- HEARD & HELD

HOUSE BILL NO. 118

"An Act establishing the Council on Human and Sex Trafficking; and providing for an effective date."

- MOVED CSHB 118 (JUD) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 137

SHORT TITLE: PFD/CHILD SUPPORT

SPONSOR(S): REPRESENTATIVE(S) CARRICK

03/17/25	(H)	READ THE FIRST TIME - REFERRALS
03/17/25	(H)	JUD, FIN
03/28/25	(H)	JUD AT 1:00 PM GRUENBERG 120

BILL: HB 118

SHORT TITLE: COUNCIL ON HUMAN AND SEX TRAFFICKING

SPONSOR (s) : REPRESENTATIVE (s) VANCE

02/26/25	(H)	READ THE FIRST TIME - REFERRALS
02/26/25	(H)	JUD, FIN
03/19/25	(H)	JUD AT 1:00 PM GRUENBERG 120
03/19/25	(H)	Heard & Held
03/19/25	(H)	MINUTE (JUD)
03/21/25	(H)	JUD AT 1:00 PM GRUENBERG 120
03/21/25	(H)	Heard & Held
03/21/25	(H)	MINUTE (JUD)
03/28/25	(H)	JUD AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

REPRESENTATIVE ASHLEY CARRICK
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented HB 137.

GRIFFEN SUKKAEW, Staff
Representative Ashley Carrick
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sectional analysis for HB 137 on behalf of Representative Carrick, prime sponsor.

PHUONG ("CHRIS") TRAN
Child Support Enforcement Division
Department of Revenue
Anchorage, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 137.

GENEIVIEVE WOJTUSIK, Director
Permanent Fund Dividend Division
Department of Revenue
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 137.

LYNDSAY KOTALIK, representing self
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony during the hearing on HB 137.

LAURA NORTON-CRUZ, representing self
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony during the hearing on HB 137.

BOB BALLINGER, Staff
Representative Sarah Vance
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on HB 118.

ACTION NARRATIVE

[1:02:22 PM](#)

CHAIR ANDREW GRAY called the House Judiciary Standing Committee meeting to order at 1:02 p.m. Representatives Underwood, Costello, Eischeid, Vance, Kopp, and Gray were present at the call to order. Representative Mina arrived as the meeting was in progress.

HB 137-PFD/CHILD SUPPORT

[1:03:17 PM](#)

CHAIR GRAY announced that the first order of business would be HOUSE BILL NO. 137, "An Act relating to permanent fund dividends for individuals owing child support; and relating to applications and qualifications for permanent fund dividends for individuals owing child support."

[1:03:41 PM](#)

REPRESENTATIVE ASHLEY CARRICK, Alaska State Legislature, as prime sponsor, presented HB 137. She paraphrased the sponsor statement [included in the committee packet], which read as follows [original punctuation provided]:

House Bill 137 allows the state to apply for the Permanent Fund Dividends (PFDs) on behalf of eligible residents who are behind on child support and have not filed their own PFD applications by the deadline.

Currently, some people avoid filing for their PFDs to prevent them being garnished, denying their children access to essential financial support. HB 137 requires the state step in for these families, ensuring that PFDs owed for child support are applied for and

distributed. By addressing this gap, HB 137 strengthens Alaska's child support system and helps custodial parents provide for their children.

This bill is a fair and straightforward way to support Alaskan families. I urge your support for HB 137 to close this gap and prioritize the well-being of our children.

[1:04:57 PM](#)

GRIFFEN SUKKAEW, Staff, Representative Ashley Carrick, Alaska State Legislature, on behalf of Representative Carrick, prime sponsor, presented the sectional analysis for HB 137 [included in the committee packet], which read as follows [original punctuation provided]:

Section 1: States that a permanent fund dividend distributed to an individual owed child support counts as a child support payment.

Section 2: Requires the Child Support Services Division to send the Department of Revenue a list of residents behind on child support between January 1 and March 31 of each year.

Section 3: Adds rules around applying for the PFD:

-If by March 31 of each year an PFD application has not been filed by an individual in arrears who the department believes is eligible for a dividend and is on the list provided by the Child Support Services Division, the department will file on their behalf.

-The department shall notify the individual in arrears as well as the individual owed child support that the dividend has been filed on behalf of the individual in arrears. Both individuals are noticed of their ability to submit evidence of eligibility and that there is no penalty to not responding to this notice.

-The department shall deduct 7% of the dividend distributed. The 7% shall be separately accounted for and deposited into the general fund and may be appropriated by the legislature for administrative costs incurred in implementing these changes.

Section 4: States that signatures are required on applications of PFDs except as provided in Section 5 subsections D, K, M.

Section 5: Provides additional details about filing and eligibility:

- The application and certification of residency is not required to be signed under 43.23.005(j)
- The department shall assume that an individual owing child support who has previously qualified for a dividend remains eligible for the dividend unless the individual owing child support provides proof of ineligibility.

Section 6: Prohibits donations from the PFDs distributed for child support.

Section 7: Ensures that PFDs claimed for child support cannot be garnished for other debts.

Sections 8-13: States that certain agencies may not claim PFDs distributed under these rules.

Section 14: Applies these rules to PFDs for the 2025 qualifying year and beyond.

[1:07:51 PM](#)

CHAIR GRAY sought to confirm that a parent who pays their child support would not be affected.

REPRESENTATIVE CARRICK said that is correct.

CHAIR GRAY pointed out that that there could be a scenario in which a person misses a child support payment and does not qualify for the PFD, such as a person who moves out of state.

REPRESENTATIVE CARRICK agreed.

[1:08:58 PM](#)

REPRESENTATIVE COSTELLO asked whether the Department of Revenue's (DOR's) list of individuals in arrears would be kept confidential.

REPRESENTATIVE CARRICK shared her understanding that the division already keeps a confidential list of those in arrears on child support. This bill would not affect that, she added.

[1:11:24 PM](#)

REPRESENTATIVE VANCE sought to clarify the intent of the bill.

REPRESENTATIVE CARRICK said the bill addresses an existing problem where people who owe child support choose not to apply for a dividend if they know it will be garnished. The bill would help that person be less in arrears.

REPRESENTATIVE VANCE asked whether there is a mechanism for the parent who is owed child support to notify the department.

[1:13:58 PM](#)

PHUONG ("CHRIS") TRAN, Child Support Enforcement Division, Department of Revenue (DOR), said Alaska statutes allow the division to work with the attorney general's office and apply for a PFD on behalf of the evading individual.

REPRESENTATIVE VANCE questioned the priority order of garnishment for individuals who are relinquishing this right.

MR. TRAIN shared his belief that child support is highly prioritized and on par with the Internal Revenue Service (IRS). It depends on whether the lien makes it to the Permanent Fund Dividend Division before the IRS.

[1:16:38 PM](#)

REPRESENTATIVE UNDERWOOD asked if the state is assuming responsibility for filling out these applications for the permanent fund dividend (PFD) garnishment, who would be liable if the application was filed incorrectly.

[1:17:00 PM](#)

GENEIVIEVE WOJTUSIK, Director, Permanent Fund Dividend Division, Department of Revenue (DOR), said currently the department does not file on behalf of an individual, so this would be a new process. She said there would need to be a regulation created to address the liability.

REPRESENTATIVE UNDERWOOD asked who would file the federal taxes on these dividends.

MS. WOJTUSIK speculated that the 1099 would be sent to the person in the arrears, as it would be filed under their Social Security number.

[1:18:20 PM](#)

REPRESENTATIVE EISCHEID inquired as to the 7 percent for administrative costs.

REPRESENTATIVE CARRICK said this language mirrors the companion bill in the Senate.

CHAIR GRAY asked whether 7 percent is deducted for the Pick Click Give program.

MS. WOJTUSIK confirmed that this language is already in statute for those distribution funds.

[1:19:35 PM](#)

CHAIR GRAY asked how many people owe child support and refuse to file for a PFD out of spite.

REPRESENTATIVE CARRICK said it's hard to quantify. Anecdotally, it's a common problem that ex-spouses and ex-partners are experiencing, and it is done out of spite.

[1:22:27 PM](#)

REPRESENTATIVE KOPP asked how the bill would impact the Restorative Justice Fund and which would take primacy for garnishment.

MS. WOJTUSIK stated that there would not be a "double dip," as each Alaskan receives only one PFD. She did not know which would take priority.

[1:26:23 PM](#)

REPRESENTATIVE MINA asked on average, how much of people's PFDs are being garnished for child support.

MS. WOJTUSIK responded it varies per person.

[1:27:03 PM](#)

REPRESENTATIVE VANCE asked whether there is precedence in statute for garnishing the dividend.

MR. TRAIN did not know the answer.

REPRESENTATIVE VANCE asked why there are such limited hours for the public to contact the division for support.

MR. TRAIN offered to follow up with the requested information.

CHAIR GRAY said it sounds like there needs to be extended hours for public to contact the division.

[1:31:26 PM](#)

LYNDSAY KOTALIK, representing self, shared her personal story as an effected constituent who is owed over \$100,000 in child support. She said the [Child Support Enforcement Division] has taken every step on her behalf, but they cannot make the father of her child apply for the dividend and are out of tools. Furthermore, she said her ex-husband greatly regrets the stubbornness, impulsiveness, and spite he showed in his 20s, and now, at age 43, its possible that his Social Security could be garnished. She said even one dividend payment would have helped and discussed the impact of compounding interest. She explained that he hasn't opened a bank account or filed a tax return in 16 years because he knows they would be garnished. She concluded that the bill is common sense and would benefit both custodial and noncustodial parents.

[1:38:00 PM](#)

REPRESENTATIVE VANCE said she finds it offensive that people may be living off state services and not paying child support. She asked whether her ex-husband is eligible for state services.

MS. KOTALIK said he was eligible for emergency housing and rental assistance during the COVID-19 pandemic.

REPRESENTATIVE VANCE expressed a strong interest in hearing from the Department of Health (DOH) on how many people in arrears are receiving state services.

[1:40:43 PM](#)

REPRESENTATIVE UNDERWOOD asked whether he had been charged of criminal nonpayment and asked why these people are not being prosecuted.

MS. KOTALIK relayed that in 2012, she considered prosecuting him for criminal negligence but without documented income, he was never criminally charged.

[1:42:01 PM](#)

LAURA NORTON-CRUZ, representing self, informed the committee that as a public health professional, she could speak to the high prevalence of financial abuse as a tactic of intimate partner violence. Instead, she shared her personal story as a single mom who is owed nearly \$17,000 in child support from her ex-husband. She opined that the PFD gives Alaska a unique opportunity to do this for children and custodial parents.

CHAIR GRAY announced that HB 137 was held over.

HB 118-COUNCIL ON HUMAN AND SEX TRAFFICKING

[1:47:23 PM](#)

CHAIR GRAY announced that the final order of business would be HOUSE BILL NO. 118, "An Act establishing the Council on Human and Sex Trafficking; and providing for an effective date."

[1:47:38 PM](#)

CHAIR GRAY moved to adopt Amendment 1 to HB 118, labeled 34-LS0316\I.1, C. Radford, 3/24/25, which read:

Page 3, line 2:
Delete "15"
Insert "16"

Page 3, line 4:
Delete "seven"
Insert "eight"

Page 3, line 15:
Delete "and"

Page 3, line 17, following "homeless;":
Insert "and
(G) one member who is a leader of a labor
or trade organization;"

Page 4, line 13:
Delete "Seven"
Insert "Eight"

REPRESENTATIVE VANCE objected. She asked why a union member would warrant a seat at the table and what unions are doing to stop trafficking.

[1:48:48 PM](#)

CHAIR GRAY explained that Amendment 1 would add the leader of a labor or trade organization to the council's membership to offer additional representation for labor trafficking. He reasoned that labor leaders work directly with individuals in the field and are passionate about ensuring fair wages.

[1:51:08 PM](#)

REPRESENTATIVE EISCHEID asked whether a "trade organizations" would have to be a union.

CHAIR GRAY responded no.

[1:51:45 PM](#)

REPRESENTATIVE KOPP pointed out that Alaska has many strong trade organizations that are nonunion. He opined that the amendment makes sense because leaders of these organizations are more likely to care about labor trafficking and highly incentivized to report it.

REPRESENTATIVE VANCE referenced the Businesses Against Trafficking (BAT) program and encouraged businesses seeking education and prevention strategies to contact her office. She removed her objection. There being no further objection, Amendment 1 was adopted.

[1:54:26 PM](#)

REPRESENTATIVE MINA moved to adopt Amendment 2 to HB 118, labeled 34-LS0316\I.2, C. Radford, 3/27/25, which read:

Page 3, line 2:
Delete "15"
Insert "16"

Page 3, line 4:
Delete "seven"
Insert "eight"

Page 3, line 15:

Delete "and"

Page 3, line 17, following "homeless;":

Insert "and

(G) one member who is a survivor of human or sex trafficking;"

Page 4, line 13:

Delete "Seven"

Insert "Eight"

CHAIR GRAY objected for purposes of discussion.

[1:54:31 PM](#)

REPRESENTATIVE MINA explained that Amendment 2 would add a public member to the council who is a survivor of human or sex trafficking.

[1:55:25 PM](#)

REPRESENTATIVE VANCE said some of the concerns raised by leaders on the council is that creating a seat specific to survivors could be vulnerable, as they must represent that role publicly. With Alaska being a small state, she pointed out that traffickers could seek retaliation. She said she agrees with the intent to have survivor representation; however, the "how" is important to continue to provide for their public safety.

REPRESENTATIVE MINA said the intention of Amendment 2 is to ensure that policies are driven by those most impacted, and that stakeholders have the ability to vote, not just hold an advisory role. She acknowledged the vulnerability that would be required of this member and questioned whether the position could be kept anonymous. She reported that other states with similar councils, such as Washington and Oregon, have positions that are designated for those with lived experience.

CHAIR GRAY pointed out that many [people with lived experience] already serve in these rolls as an advocate, not a victim. He recalled the committee's prior debate on this topic, which revolved around eligibility for this seat and how one might determine whose lived experience is more qualified than another's.

[2:01:49 PM](#)

REPRESENTATIVE UNDERWOOD suggested that reclassifying the title of the position could be helpful.

REPRESENTATIVE MINA suggested reworking the language on lines 14-15 of Amendment 2 to be more reflective of someone with "lived experience" rather than a "survivor."

[2:04:16 PM](#)

CHAIR GRAY removed his objection to Amendment 2.

REPRESENTATIVE VANCE objected for purposes of discussion. She asked whether Representative Mina would be amenable to adding intent language to specify that preference would be given to seat members with lived experience.

REPRESENTATIVE MINA asked whether that the intent language would pertain to the new position or the 7 existing members.

REPRESENTATIVE VANCE said she's open either, as long as it's not overly prescriptive.

[2:07:43 PM](#)

CHAIR GRAY spoke in favor of Representative Vance's suggestion, because some people may not be comfortable with being defined solely as "the survivor."

REPRESENTATIVE VANCE suggested that the intent language should say, "to the extent practicable, public members [will] be survivors with lived experience in human and sex trafficking."

[2:08:51 PM](#)

REPRESENTATIVE COSTELLO spoke to her prior experience serving as the deputy commissioner of the governor's boards and commissions office. From that perspective, trying to prioritize someone with lived experience would be uncomfortable for the bureaucrat with over 250 boards to consider, she said. She suggested implementing self-selection for the public member on the board, which would also help achieve an odd number of seats. She suggested striking "who is a survivor of human or sex trafficking" on line 1 of Amendment 2 and replacing it with "of the public".

REPRESENTATIVE MINA said she appreciated that perspective; however, she wanted to ensure that the language is consistent with public membership on other boards and commissions.

[2:12:51 PM](#)

The committee took an at-ease from 2:12 p.m. to 2:17 p.m.

[2:17:04 PM](#)

REPRESENTATIVE COSTELLO moved Conceptual Amendment 1 to Amendment 2, to remove "who is a survivor of human or sex trafficking" on line 14 and replace it with "of the public;". There being no objection, Conceptual Amendment 1 to Amendment 2 was adopted.

REPRESENTATIVE VANCE removed her objection to the adoption of Amendment 2. There being no further objection, Amendment 2, as amended, was adopted.

[2:18:43 PM](#)

REPRESENTATIVE VANCE made closing remarks and expressed appreciation for the emphasis on labor trafficking. She expressed her hope that labor trafficking could be curbed by encouraging engagement from businesses.

[2:20:19 PM](#)

REPRESENTATIVE MINA asked whether the bill addresses conflicts of interest related to grants that pass through the council.

[2:21:14 PM](#)

BOB BALLINGER, Staff, Representative Sarah Vance, Alaska State Legislature, on behalf of Representative Vance, prime sponsor, referred to page 4, lines 3-5 of HB 118, which states that a person may not be appointed as a public member of the council if they receive compensation through the grant programs.

REPRESENTATIVE MINA asked whether a council member could vote on a federal grant that may benefit their organization.

MR. BALLINGER shared his understanding that the money would still pass through the Council on Domestic Violence and Sexual Assault (CDVSA) and the state. He reiterated that a person

would not be able to serve on the council if the organization they are a paid employee of is a grant recipient.

CHAIR GRAY added that by his reading, the bill would not prevent a volunteer or board member of the organization from serving on the council.

[2:30:47 PM](#)

CHAIR GRAY, in response to a comment from Representative Mina, suggested that there may be language to recuse oneself from a vote if there is a conflict of interest. In a state with only 760,000 people and not many organizations that engage in this kind of work, any kind of exclusion would eliminate subject matter experts.

REPRESENTATIVE COSTELLO noted that AS 39.52 deals with conflicts of interest.

[2:32:14 PM](#)

REPRESENTATIVE MINA asked the bill sponsor to respond to the letter of opposition and the opinion piece in Alaska Beacon

REPRESENTATIVE VANCE said she had not seen the opinion piece, but shared her understanding that the opposition reflects a desire to ensure that members would not be serving out of self-interest. She assured the public that council members would be working with the same accountability as every other board and commission and operating under the transparency of the Executive Ethics Act. She said the bill would provide a transparent meeting process that would allow public engagement and hopefully alleviate some concerns. She asserted that some people oppose all of her work human trafficking for a variety of reasons, one of which is the desire to legalize prostitution in Alaska.

REPRESENTATIVE MINA asked whether the frequency of meetings is prescribed for the governor's council.

REPRESENTATIVE VANCE shared her belief that frequency is not prescribed for the current council.

[2:36:00 PM](#)

REPRESENTATIVE EISCHEID inquired about the number of meetings held by the governor's council.

MR. BALLINGER said that information had been provided to the committee.

[2:36:46 PM](#)

The committee took a brief at-ease 2:36 p.m.

[2:37:23 PM](#)

CHAIR GRAY reported that the council met once last year [in 2024].

MR. BALLINGER agreed that the main committee met once, but there were multiple subcommittee meetings.

[2:38:01 PM](#)

REPRESENTATIVE UNDERWOOD expressed her desire to see trafficking eradicated from Alaska and reiterated her support for the legislation.

[2:38:58 PM](#)

REPRESENTATIVE UNDERWOOD moved to report HB 118, as amended, out of committee with individual recommendations and the accompanying fiscal notes, and to authorize Legislative Legal Services to make any necessary technical or conforming changes. There being no objection, CSHB 118(JUD) was reported from the House Judiciary Standing Committee.

[2:40:26 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 2:40 p.m.