

ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE

April 16, 2025

4:31 p.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

Representative Mia Costello

COMMITTEE CALENDAR

HOUSE BILL NO. 180

"An Act relating to the powers of the commissioner of administration with respect to motor vehicles; relating to electronic identification cards; relating to electronic driver's licenses and permits; and providing for an effective date."

- HEARD & HELD

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. 97

"An Act relating to theft; relating to organized retail theft; relating to property crimes; relating to aggravating factors at sentencing; establishing a statewide marketplace facilitator sales tax; and establishing the organized retail theft fund in the general fund."

- HEARD & HELD

HOUSE BILL NO. 156

"An Act relating to disclosure of information regarding employee compensation by employers, employees, and applicants for employment."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 180

SHORT TITLE: ELECTRONIC DRIVER'S LICENSES

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

04/09/25 (H) READ THE FIRST TIME - REFERRALS
04/09/25 (H) JUD, STA
04/16/25 (H) JUD AT 1:00 PM GRUENBERG 120

BILL: HB 137

SHORT TITLE: PFD/CHILD SUPPORT

SPONSOR(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
03/28/25 (H) Heard & Held
03/28/25 (H) MINUTE(JUD)
04/04/25 (H) JUD AT 1:00 PM GRUENBERG 120
04/04/25 (H) -- MEETING CANCELED --
04/07/25 (H) JUD AT 1:00 PM GRUENBERG 120
04/07/25 (H) Heard & Held
04/07/25 (H) MINUTE(JUD)
04/14/25 (H) JUD AT 1:00 PM GRUENBERG 120
04/14/25 (H) -- MEETING CANCELED --
04/16/25 (H) JUD AT 1:00 PM GRUENBERG 120

BILL: HB 97

SHORT TITLE: ORG. RETAIL THEFT/FUND;MKTPLACE SALES TAX

SPONSOR(s): FIELDS

02/12/25 (H) READ THE FIRST TIME - REFERRALS
02/12/25 (H) JUD, FIN
02/26/25 (H) JUD AT 1:00 PM GRUENBERG 120
02/26/25 (H) Heard & Held
02/26/25 (H) MINUTE(JUD)
03/05/25 (H) JUD AT 1:00 PM GRUENBERG 120
03/05/25 (H) Heard & Held
03/05/25 (H) MINUTE(JUD)
03/17/25 (H) JUD AT 1:00 PM GRUENBERG 120

03/17/25 (H) <Bill Hearing Canceled>
03/26/25 (H) JUD AT 1:00 PM GRUENBERG 120
03/26/25 (H) Heard & Held
03/26/25 (H) MINUTE(JUD)
04/02/25 (H) JUD AT 1:00 PM GRUENBERG 120
04/02/25 (H) Heard & Held
04/02/25 (H) MINUTE(JUD)
04/14/25 (H) JUD AT 1:00 PM GRUENBERG 120
04/14/25 (H) -- MEETING CANCELED --
04/16/25 (H) JUD AT 1:00 PM GRUENBERG 120

BILL: HB 156

SHORT TITLE: DISCLOSURE OF WAGE INFORMATION

SPONSOR(s): MINA

03/26/25 (H) READ THE FIRST TIME - REFERRALS
03/26/25 (H) JUD, L&C
04/14/25 (H) JUD AT 1:00 PM GRUENBERG 120
04/14/25 (H) -- MEETING CANCELED --
04/16/25 (H) JUD AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

ERIC DEMOULIN, Director
Division of Administrative Services
Department of Administration
Juneau, Alaska

POSITION STATEMENT: Presented HB 180, on behalf of the House Rules Standing Committee, sponsor by request of the governor.

FORREST WOLFE, Legislative Liaison
Department of Administration
Juneau, Alaska

POSITION STATEMENT: Presented the sectional analysis for HB 180, on behalf of the House Rules Standing Committee, sponsor by request of the governor.

LAUREN WHITESIDE, Operations Manager
Division of Motor Vehicles
Department of Administration
Anchorage, Alaska, Alaska

POSITION STATEMENT: Gave invited testimony during the hearing on HB 180.

REPRESENTATIVE ASHLEY CARRICK
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, answered questions during the hearing on HB 137.

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

POSITION STATEMENT: Answered questions during the hearing on HB 137, on behalf of Representative Carrick, prime sponsor.

JOHN SKIDMORE, Deputy Attorney General
Criminal Division
Department of Law
Juneau, Alaska

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

CHRIS TRAN, Director
Child Support Enforcement Division
Department of Revenue
Juneau, Alaska

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

EMILY NAUMAN, Director
Legislative Legal Services
Legislative Affairs Agency
Juneau, Alaska
Alaska

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

MAKAYLA WILSON, Staff
Representative Genevieve Mina
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sectional analysis for HB 97, on behalf of Representative Mina, prime sponsor.

DR. MICHAEL WALSH, Vice President of Public Policy
The Four Acre Group
Fairbanks, Alaska

POSITION STATEMENT: Gave invited testimony on HB 156.

ACTION NARRATIVE

[4:31:48 PM](#)

CHAIR ANDREW GRAY called the House Judiciary Standing Committee meeting to order at 4:31 p.m. Representatives Underwood, Vance, Eischeid, Mina, and Gray were present at the call to order. Representative Kopp arrived as the meeting was in progress.

HB 180-ELECTRONIC DRIVER'S LICENSES

[4:32:40 PM](#)

CHAIR GRAY announced that the first order of business would be HOUSE BILL NO. 180, "An Act relating to the powers of the commissioner of administration with respect to motor vehicles; relating to electronic identification cards; relating to electronic driver's licenses and permits; and providing for an effective date."

[4:33:15 PM](#)

ERIC DEMOULIN, Director, Division of Administrative Services, Department of Administration (DOA), presented HB 180, on behalf of the House Rules Standing Committee, sponsor by request of the governor. He said the bill authorizes DOA to offer electronic drivers licenses in conjunction with the physical identification (ID) cards. The bill is designed to strengthen privacy concerns and clarify legal procedures for law enforcement. It would ensure that digital licenses are convenient without compromising existing standards. He reiterated that it would maintain the requirement for individuals to retain a physical ID card.

[4:34:43 PM](#)

FORREST WOLFE, Legislative Liaison, Department of Administration (DOA), on behalf of the House Rules Standing Committee, sponsor by request of the governor, shared the sponsor statement for HB 180 [included in the committee packet], which read as follows [original punctuation provided]:

Section 1: This section adds the word "physical" into Alaska Statute 18.65.310(a) to distinguish that a "physical" Identification Card will now be \$15.

Section 2: This section amends Alaska Statute 18.65.310 by adding a new subsection which establishes that upon application, the department may issue an electronic identification card to a person who currently possesses a physical identification card,

and that the electronic identification cards can be a digital companion to physical identification cards, yet it is still mandated that a person retain their physical identification card. This section also requires the department to adopt regulations governing the issuance and use of electronic identification cards. Additionally, the section includes privacy protections by explicitly stating that presenting an electronic ID to law enforcement does not grant permission for officers to search or access any other data on the mobile device while also granting them immunity from liability for any damage to the device unless intentional misconduct is involved.

Section 3: This section adds the word "physical" into Alaska Statute 18.65.320(b) to specify that if an identification card is cancelled, they would need to return the physical card to the department.

Section 4: This section adds a new subsection into Alaska Statute 28.05.021 which will allow the Commissioner of Administration to enter into agreements with a law enforcement agency, a governmental agency or program or a data exchange service.

Section 5: This section adds the word "physical" into Alaska Statute 28.05.051 to state that if a license is suspended, revoked, or cancelled, they would need to return the physical card to the department. This section also allows for designated officials to take possession of a physical license in the event of invalidity.

Section 6: This section amends Alaska Statute 28.15.011(b) to require all drivers to have a physical or electronic driver's license when operating a motor vehicle.

Section 7: This section amends Alaska Statute 28.15 by adding authority in a new section for the Department of Administration to begin issuing electronic driver's licenses or permits to customers who possess a physical driver's license or permit, which they will be required to retain. This section also requires the Commissioner to adopt regulations for issuance and use of electronic licenses and permits along with an

option for the commissioner to require the physical driver's license be carried on their person in certain circumstances. Lastly, this section requires the department to display notice of revocation, cancellation, limitation, restriction, or suspension across the front of the electronic license.

Section 8: This section adds "physical or electronic" into Alaska Statute 28.15.131(a) which requires a driver to always have a driver's license in their possession when driving a motor vehicle.

Section 9: This section adds a new subsection to Alaska Statute 28.15.131 to protect the drivers' privacy by prohibiting officers from accessing other data on mobile devices when checking an electronic license. It also grants immunity to law enforcement from liability for damage to a mobile device when verifying an electronic driver's license, except in cases of intentional misconduct.

Section 10: This section amends Alaska Statute 28.15.151(a) to add retention requirements of every application for an electronic driver's license or permit as well as copies of the electronic licenses and permits.

Section 11: This section adds the word "physical" into Alaska Statute 28.15.165(b) to signify a law enforcement officer to seize the physical driver's license after failure of a sobriety test or refusal to submit to a chemical test.

Section 12: This section amends Alaska Statute 28.15.166(a) by adding clarifying language mandating a driver to surrender their physical license when requesting an administrative review.

Section 13: This section adds the word "physical" into Alaska Statute 28.15.182(d) to signify the Alaska Court System shall require the surrender the physical driver's license when issuing a Limited License in the circumstance of an accident which caused the death of another.

Section 14: This section amends Alaska Statute 28.15.183(b) by adding clarifying language ensuring

law enforcement to seize a driver's physical license or physical permit.

Section 15: This section adds the word "physical" into Alaska Statute 28.15.184(a) to signify a customer who is a minor must surrender the physical driver's license upon request of an administrative hearing if it wasn't seized previously by law enforcement.

Section 16: This section amends Alaska Statute 28.15.187(b) by adding clarifying language ensuring law enforcement to seize a driver's physical license or physical permit when violating any driving laws.

Section 17: This section amends Alaska Statute 28.15.189(a) by adding clarifying language mandating a driver to surrender their physical license when requesting a revocation review.

Section 18: This section amends Alaska Statute 28.15.191(c) by adding clarifying language mandating courts must forward surrendered physical licenses to the DMV when issuing a suspension or revocation.

Section 19: This section amends Alaska Statute 28.15.191(g) by adding clarifying language mandating courts must forward surrendered physical licenses to the DMV when a driver is ordered to refrain from consuming alcoholic beverages as part of their sentencing.

Section 20: This section amends Alaska Statute 28.15.191(h) by adding clarifying language mandating parole boards to require a person to surrender their physical license and identification card when subject to cancellation.

Section 21: This section amends Alaska Statute 28.15.201(b) by adding clarifying language to require the surrender of a physical driver's license when courts issue limited driving privileges.

Section 22: This section adds the word "physical" into Alaska Statute 28.20.560(a) to signify when a customer whose license or registration is suspended, or whose policy of insurance or bond is canceled or terminated shall surrender the physical license to the

department. This section also adds clarifying language which states if a license isn't surrendered then DMV should contact the Department of Public Safety to immediately direct an officer to obtain possession of the license or registration.

Section 23: This section amends AS 28.22.041(d) to require the surrender of the physical license when the DMV issues a limited license following a suspension for failing to comply with the mandatory insurance laws.

Section 24: This section amends Alaska Statute 28.33.100 by adding subsection (j) which provides authority to issue an electronic commercial driver's license.

Section 25: This section amends Alaska Statute 28.33.140(i) which clarifies that a person disqualified from driving a commercial motor vehicle must surrender their physical license to the department.

Section 26: This section amends Alaska Statute 28.35.034 to state that a person who has their license or permit revoked under Alaska Statute 28.15.165 or Alaska Statute 28.15.181 must surrender their physical license.

Section 27: This section amends Alaska Statute 33.16.150(i) to require that parolees who are ordered to refrain alcohol must surrender their physical license and that physical license must be forwarded to the department.

Section 28: This section provides an immediate effective date per AS 01.10.070(c).

[4:40:33 PM](#)

LAUREN WHITESIDE, Operations Manager, Division of Motor Vehicles (DMV), Department of Administration (DOA), expressed support for HB 180. Over the past two years, DMV has worked diligently to develop and implement the Alaska mobile ID ("MID") as a secure and convenient digital representation of a driver's license or state ID that upholds the high standards of security and user privacy. The MID offers enhanced security features compared to

physical IDs and allows users to control the personal information they share while allowing them to verify their identity or age without disclosing unnecessary details. The MID is stored securely on the user's device and requires user consent before any information is transmitted. Currently, the MID is available as a companion to the physical driver's license or ID cards at no additional cost to residents who choose to opt in. The DMV is actively working on the application process for MID acceptance at the U.S. Transportation Security Administration (TSA) checkpoints and hopes for approval by late 2025.

[4:42:57 PM](#)

CHAIR GRAY asked whether the electronic ID would be Real ID compliant.

MS. WHITESIDE answered yes, the MID would signify whether the user is Real ID compliant with the Real ID star and a U.S. Department of Homeland Security (DHS) compliance field to show either an "F" for fully compliance or an "N" for not compliant.

[4:44:04 PM](#)

REPRESENTATIVE MINA asked whether the MID would pertain to other types of IDs as well, such as prisoner IDs.

MR. DEMOULIN said it's restricted to driver's license and state ID cards.

[4:44:34 PM](#)

CHAIR GRAY asked whether electronic IDs would be accepted from other states.

MS. WHITESIDE said the answer is multifaceted as some states are operating on a cooperative research agreement with TSA; otherwise, all other states are in different stages of working towards implementing mobile credentials.

CHAIR GRAY sought to confirm that a physical ID would still be needed to fly through TSA in any other state.

MS. WHITESIDE said the MID would be a companion to the physical card, which would still be required at all times.

[4:47:29 PM](#)

REPRESENTATIVE EISCHEID pointed out that the Municipality of Anchorage (MOA) passed a mandatory ID check for the sale of alcohol at restaurants and bars, and asked whether the MID would qualify as an acceptable form of ID for those sales.

MS. WHITESIDE said the use of the MID would be dependent on businesses that opt in to become a verifier. She explained that to accept the ID, the verifying application must be utilized.

[4:48:48 PM](#)

REPRESENTATIVE VANCE questioned the purpose of the MID if the physical ID would still be required.

MS. WHITESIDE said the appeal is identity protection. The physical IDs show all individual's personal information whereas the MID would offer the ability to choose which information is shared. She added that it's a consent driven application that would also provide convenience.

[4:50:05 PM](#)

REPRESENTATIVE VANCE relayed concerns about the contractors that were selected for the Real IDs; its implementation due to the biometrics; and data protection. She asked Ms. Whiteside to address these concerns.

MS. WHITESIDE sought to clarify the question.

REPRESENTATIVE VANCE asked whether Alaskans could still get a driver license that does not include biometric data.

MS. WHITESIDE responded yes; a noncommercial driver could opt to get a non-real ID credential.

REPRESENTATIVE VANCE asked whether the Real ID vender is domestic.

MS. WHITESIDE reported that the state has contracted with Thales for the past decade to produce its ID credentials. All of Thales's ID personalization is done in a secure facility in the U.S., despite being headquartered in France.

REPRESENTATIVE VANCE asked what assurances could be given to the public about data security.

MS. WHITESIDE said the application was developed using International Organization for Standardization (ISO) standards and the American Association of Motor Vehicles Administrators (AAMVA) best practices guidelines. Further, Alaska is one of the first five states to be a part of the AAMVA mobile digital trust services, which means it has undergone the highest type of audit and was developed with the highest standards of data and privacy protections.

[4:54:49 PM](#)

REPRESENTATIVE KOPP sought to confirm that the current version of HB 180 would still require the physical license to be carried when operating a vehicle.

MS. WHITESIDE answered yes.

REPRESENTATIVE KOPP asked whether this policy could be amended now or at a later date.

MS. WHITESIDE did not know the answer.

[4:56:17 PM](#)

CHAIR GRAY asked whether the DMV had considered expanding this policy for other types of licenses.

MR. WOLFE said ADF&G already has electronic hunting and fishing licenses. He added that expanding the policy to include professional licenses could be considered in the future.

CHAIR GRAY asked whether the verification tool would need to be purchased by businesses.

MS. WHITESIDE said the verification application is available to download free of cost.

CHAIR GRAY asked whether it would work for electronic IDs in other states.

MS. WHITESIDE said it would work for any application developed under current ISO standards.

[4:58:03 PM](#)

REPRESENTATIVE VANCE asked whether DMV had been working with the Department of Public Safety (DPS).

MS. WHITESIDE answered yes, DMV partnered with DPS since the beginning.

CHAIR GRAY asked whether the entity verifying the ID could request to see the customer's physical ID card.

MS. WHITESIDE confirmed that all businesses and law enforcement would have the ability to set their own policies for MID acceptance.

[5:00:36 PM](#)

CHAIR GRAY announced that HB 180 would be held over.

HB 137-PFD/CHILD SUPPORT

[5:00:52 PM](#)

CHAIR GRAY announced that the next 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."

[5:01:15 PM](#)

REPRESENTATIVE EISCHEID moved Amendment 1 to HB 137, labeled 34-LS0758\A.3, Nauman, 4/16/25, which read:

Page 2, line 13, following "support.":

Insert "For purposes of AS 29.45.030(f), AS 36.10.005, AS 37.10.210(b)(2), AS 43.23.005(h), AS 43.40.092(b)(1), AS 43.82.230, or another state benefit, receipt of a dividend applied for under this subsection is not evidence of eligibility for, or receipt of, a permanent fund dividend under AS 43.23.005 or residency in this state. A dividend recipient under this subsection is not a dividend applicant for purposes of AS 43.23.101."

CHAIR GRAY objected.

[5:01:24 PM](#)

REPRESENTATIVE EISCHEID explained that Amendment 1 would make clear that receipt of a dividend under this policy is not evidence of eligibility or residency.

[5:02:21 PM](#)

CHAIR GRAY asked Representative Carrick to provide a recap of the HB 137 and how Amendment 1 would impact it.

[5:02:38 PM](#)

REPRESENTATIVE ASHLEY CARRICK, Alaska State Legislature, as prime sponsor, said HB 137 would allow the state to apply for the permanent fund dividend (PFD) on behalf of eligible residents who are behind on child support and have not filed a PFD application by the deadline. In response to a question that was asked during a previous hearing, she reported that there are 30,000 child support cases, of which 20,000 would be eligible for garnishment.

[5:03:49 PM](#)

GRIFFEN SUKKAEW, Staff, Representative Ashley Carrick, Alaska State Legislature, on behalf of Representative Carrick, prime sponsor, explained that Amendment 1 would be a safeguard to protect the State of Alaska from any potential legal issues.

[5:05:01 PM](#)

REPRESENTATIVE KOPP asked whether the state is truly that concerned about someone losing their benefits in another state if they are not supporting their child on a criminal level in Alaska.

REPRESENTATIVE CARRICK agreed with the sentiment. She noted that Amendment 1 was drafted by request of a senator who is working on the companion bill to address the slim possibility that the state may be liable [when applying for the PFD on behalf of individuals] who are not considered residents of Alaska by another state.

REPRESENTATIVE KOPP sought to confirm that Amendment 1 is not a matter of making it easier to receive benefits in other states.

CHAIR GRAY shared his understanding that the proposed amendments would remove the state's liability for applying for a dividend

on behalf of a resident who is not eligible for the PFD. He asked whether that's correct.

REPRESENTATIVE CARRICK responded in the affirmative.

REPRESENTATIVE VANCE asked to hear from Legislative Legal Services. She opined that Amendment 1 would undermine every standard for receiving a dividend. Further, she opined that a dividend should not be provided unless the recipient is an eligible resident.

CHAIR GRAY asked whether Representative Carrick was comfortable with the bill moving out of committee without Amendment 1.

REPRESENTATIVE CARRICK said she's not clear on all the statutes referenced in Amendment 1 and suggested that it be withdrawn to be considered in a future committee.

[5:11:17 PM](#)

REPRESENTATIVE EISCHEID moved to withdraw Amendment 1. There being no objection, Amendment 1 was withdrawn.

[5:12:03 PM](#)

The committee took a brief at-ease at 5:12 p.m.

[5:13:14 PM](#)

REPRESENTATIVE EISCHEID moved Amendment 2 to HB 137, labeled 34-LS0758\A.2, Nauman, 4/5/25, which read:

Page 1, line 14, following "dividend.":

Insert "The agency shall notify the department when an individual on the list provided under this subsection is no longer in arrears."

Page 2, line 13, following "support.":

Insert "The department shall retain the amount of a dividend that is more than the amount owed for child support payments in arrears and shall include that amount in a child support payment in a subsequent year under this subsection. If the agency notifies the department that a child support obligation has been paid in full, the department shall deposit the remaining amount of a dividend from a prior year into the permanent fund."

CHAIR GRAY objected for purposes of discussion.

[5:13:25 PM](#)

REPRESENTATIVE EISCHEID explained that Amendment 2 would clarify that if a portion of someone's PFD is garnished for backpay on child support, the remaining funds would go back into the Alaska Permanent Fund "the fund".

CHAIR GRAY sought clarification on Amendment 2.

REPRESENTATIVE CARRICK explained that under current law, if someone owes child support and a portion of their PFD is garnished, the remainder is distributed to the applicant. In contrast, Amendment 2 would apply to those dividends being applied for by the state and clarifies that any remainder would go back into the fund.

CHAIR GRAY sought to confirm that Amendment 2 would incentivize people to apply for their own PFD, as they would receive the remainder owed after garnishment.

[Representative Carrick nodded in the affirmative.]

[5:16:21 PM](#)

REPRESENTATIVE KOPP suggested that if the amount of child support crosses into criminal negligence, the parent could be eligible for the Victims Compensation Fund. He stressed that he would only want the state going after people who are in Alaska and eligible for the dividend.

REPRESENTATIVE CARRICK deferred the question to the Department of Law.

[5:19:55 PM](#)

REPRESENTATIVE KOPP asked whether it would be possible to make an individual who's owed child support a recipient of [the crime Victim Compensation Fund] if the amount crosses the threshold into criminal negligence. Secondly, he asked whether it would be illegal for the state to apply for a dividend on behalf of an ineligible individual.

[5:21:35 PM](#)

JOHN SKIDMORE, Deputy Attorney General, Criminal Division, Department of Law (DOL), clarified that he was here to testify on a different bill and did not know the answer.

REPRESENTATIVE CARRICK pointed out that if obligators are out of state, they would not be added to DOR's list of applicants for back owed child support.

[5:23:02 PM](#)

CHRIS TRAN, Director, Child Support Enforcement Division, Department of Revenue (DOR), described the division's screening process for PFD garnishment from people in arrears on child support.

[5:24:11 PM](#)

REPRESENTATIVE VANCE asked whether Amendment 2 would raise constitutional concerns based on the remaining amount after garnishment not being returned to the individual, and instead deposited back into the fund.

[5:25:13 PM](#)

EMILY NAUMAN, Director, Legislative Legal Services, Legislative Affairs Agency, Juneau, Alaska, said by not applying, the individual has foregone their interest in receiving the dividend. Therefore, the state would be garnishing the money before ever reaching that person.

REPRESENTATIVE VANCE asked whether the department applies for dividends on behalf of felons in the same manner.

MS. NAUMAN offered to follow up with the specifics of the Restorative Justice Program.

REPRESENTATIVE VANCE said she wants to ensure that the proposal is based on precedent and legally sound.

[5:27:46 PM](#)

The committee took a brief at-ease at 5:27 p.m.

[5:28:25 PM](#)

REPRESENTATIVE EISCHEID moved to withdraw Amendment 2. There being no objection, Amendment to was withdrawn.

CHAIR GRAY announced that HB 137 was held over.

HB 97-ORG. RETAIL THEFT/FUND;MKTPLACE SALES TAX

[5:28:56 PM](#)

CHAIR GRAY announced that the next order of business would be HOUSE BILL NO. 97, "An Act relating to theft; relating to organized retail theft; relating to property crimes; relating to aggravating factors at sentencing; establishing a statewide marketplace facilitator sales tax; and establishing the organized retail theft fund in the general fund." [Before the committee, adopted as the working document on 3/26/25, was the proposed committee substitute (CS) for HB 97, Version 34-LS0109\T, C. Radford, 3/25/25 ("Version T").]

[5:29:18 PM](#)

REPRESENTATIVE VANCE moved Amendment 1 to Version T, labeled 34-LS0109\T.3, C. Radford, 4/3/25, which read:

Page 4, line 11:
Delete "knowingly"
Insert "intentionally"

CHAIR GRAY objected.

[5:29:56 PM](#)

REPRESENTATIVE VANCE said Amendment 1 would change the word "knowingly" to "intentionally" to be more specific on the mens rea.

CHAIR GRAY asked Mr. Skidmore to speak to the difference between knowingly and intentionally in terms of the payment of wages.

[5:31:22 PM](#)

MR. SKIDMORE said the difference is being aware of the conduct versus having a conscious objective of the conduct. He added that both terms are defined in Alaska statutes. In response to a follow up question from Chair gray, he said if Amendment 1 were to pass, the state would have to prove that it was the employer's conscious objective not to pay the employee, as opposed to being aware and disregarding.

[5:33:53 PM](#)

REPRESENTATIVE KOPP opined that wage theft doesn't seem to address legal justification. He shared examples and suggested adding language to make it clear that there could be a valid reason [to not pay one's employees the agreed upon wage].

CHAIR GRAY restated Representative Kopp's question, asking whether there is legal justification not to pay the employee's agreed upon wage.

[5:36:36 PM](#)

MR. SKIDMORE did not know how the scenario posed by Representative Kopp would fit into the requirements under Title 23 or what the legal justification would be. He referred to page 4, explaining that wage theft would be committed if the employer fails to pay an employee or independent contractor their wage, salary, or agreed upon compensation.

[5:41:06 PM](#)

REPRESENTATIVE EISCHEID asked Mr. Skidmore to restate the standard of proof for both knowingly and intentionally.

MR. SKIDMORE said the burden of proof does not change because the prosecutor must prove the elements of the crime beyond a reasonable doubt. Elements fall between two categories: mens rea and actus rea. He shared an example. He added that Amendment 1 would increase the mens rea to a conscious objective, which when including felony penalties, is beneficial to prosecutors.

[5:44:46 PM](#)

REPRESENTATIVE UNDERWOOD asked whether both knowingly and intentionally could be included.

MR. SKIDMORE said using both terms would be problematic.

CHAIR GRAY maintained his objection.

[5:47:19 PM](#)

REPRESENTATIVE VANCE, in wrap up, stated that "intentionally" is justified because this section of law pertains to felonies and would provide the according distinction.

[5:48:27 PM](#)

A roll call vote was taken. Representatives Underwood, Mina, Eischeid, Vance, and Kopp voted in favor of Amendment 1. Representative Gray voted against it. Therefore, Amendment 1 was adopted by a vote of 5-1.

[5:49:03 PM](#)

The committee took a brief at-ease at 5:49 p.m.

[5:50:05 PM](#)

CHAIR GRAY announced that HB 97 was held over.

HB 156-DISCLOSURE OF WAGE INFORMATION

[5:50:16 PM](#)

CHAIR GRAY announced that the final order of business would be HOUSE BILL NO. 156, "An Act relating to disclosure of information regarding employee compensation by employers, employees, and applicants for employment."

[5:50:41 PM](#)

REPRESENTATIVE MINA, as prime sponsor, presented HB 156. She said the bill seeks to improve Alaska's competitive labor market and strengthen the workforce by standardizing fair and transparent hiring practices. Additionally, it aims to bring Alaska in line with national standards by promoting pay transparency and ensuring fair compensation practices in the workplace. It supports both employees and responsible employers through clear, consistent, and equitable presentations.

[5:51:48 PM](#)

MAKAYLA WILSON, Staff, Representative Genevieve Mina, Alaska State Legislature, on behalf of Representative Mina, prime sponsor of HB 97, presented the sectional analysis [included in the committee packet], which read as follows [original punctuation provided]:

Sec. 1: Amends AS 23.10 Employment Practices and Working Conditions by adding Article 9. Disclosure of Employee Compensation and the following sections:

- Sec. 23.10.700. Disclosure of Discussion Wages:
 - (a) Requires job postings to include a salary or salary range.
 - (b) Allows applicants and employees to discuss current wage, prohibits employers from asking applicants about their salary history with another employer
 - (c) Clarifies that nothing in this section obligates an employee or applicant to disclose their compensation, prohibits an employee or applicant from voluntarily disclosing, or prohibits an employer from using information that is voluntarily disclosed under this subsection when determining the salary of an employee or applicant.
- Sec. 23.10.705 Posting Summary Required requires an employer to post information summarizing the bill's provisions.
- Sec. 23.10.710 Retaliation Prohibited prohibits an employer from retaliating against an employee for exercising a right under the bill.
- Sec. 23.10.715 Damages for Retaliation allows an employee to file a civil claim against an employer if the employer retaliates.
- Sec. 23.10.720 Statute of Limitations gives an employee no more than 3 years after a violation to file a civil claim.
- Sec. 23.10.725 Penalty creates a fine between \$100-\$2000 for violations and directs the Department of Labor and Workforce Development Commissioner to determine the amount. An employer may, at the discretion of the Commissioner, reduce the fine or correct the violation by conducting an audit.
- Sec. 23.10.735 Regulations adds language directing the Department of Labor and Workforce Development Commissioner to implement and interpret this bill and adopt regulations accordingly.
- Sec. 23.10.790 Definitions exempts independent contractors from the definition of "employee." Defines an "employer" as the state, the University of Alaska, the Alaska Railroad Corporation, a political subdivision of the state, and a person who employs one or more employees.

Sec. 2: Amends the uncodified law of the State of Alaska by adding a new section specifying that this

Act applies to compensation for services performed on or after the effective date of this Act.

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DR. MICHAEL WALSH, Vice President of Public Policy, The Four Acre Group, expressed support for HB 156, explaining that the emerging data could help the Four Acre Group's work on gender pay equity. He said the bill would help with recruiting and retaining Alaska workers across all sectors of Alaska's economy. He said there is considerable documented research showing that pay transparency laws support all workers in their job search. He said Alaska would not be the first state to incorporate pay transparency and would not want to be the last to adopt this commonsense solution. It would help with recruitment and retention of the workforce.

CHAIR GRAY asked which other states enacted similar laws.

MR. WALSH estimated that there are 22 states with wage transparency requirements.

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REPRESENTATIVE MINA reiterated that HB 156 would require employers to include salary ranges in job postings. It would protect workers' rights by enshrining in state law the National Labor Relations Act (NLRA) provision for employees to openly discuss to their compensation without fear of retaliation from employers. It would also prohibit employers from asking applicants about their salary history.

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CHAIR GRAY announced that HB 156 was held over.

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ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 6:01 p.m.