

**HB**

**20**

<TARGET><BILL>HB 20</BILL><SUBJECT>HB  
20</SUBJECT><COMM>HJUD30</COMM></TARGET>

30-LS0242J  
Bruce  
3/1/17

**CS FOR HOUSE BILL NO. 20( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**THIRTIETH LEGISLATURE - FIRST SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): REPRESENTATIVE CLAMAN**

**A BILL**  
**FOR AN ACT ENTITLED**

1 **"An Act relating to marriage solemnization; and authorizing elected public officials in**  
2 **the state to solemnize marriages."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1.** AS 25.05.261(a) is amended to read:

5 (a) Marriages may be solemnized

6 (1) by a minister, priest, or rabbi of any church or congregation in the  
7 state, or by a commissioned officer of the Salvation Army, or by the principal officer  
8 or elder of recognized churches or congregations that traditionally do not have regular  
9 ministers, priests, or rabbis, anywhere within the state;

10 (2) by a marriage commissioner or judicial officer of the state  
11 anywhere within the jurisdiction of the commissioner or officer; [OR]

12 (3) before or in any religious organization or congregation according to  
13 the established ritual or form commonly practiced in the organization or congregation;

14 **or**

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**(4) by an individual holding an elective public office in the state; an individual holding an elective public office in the state may refuse to solemnize a marriage for any reason, including for reasons of religious scruple or conscience.**

\* Sec. 2. AS 25.05.281 is amended to read:

**Sec. 25.05.281. Marriage solemnized by unauthorized person.** After a license has been obtained, a marriage solemnized before a person professing to be a minister, priest, or rabbi of a church or congregation in the state, [OR] a judicial officer, **a [OR] marriage commissioner, or an individual holding an elective public office in the state** is valid regardless of a lack of power or authority in the person, if the marriage is consummated with a belief on the part of the persons so married, or either of them, that they have been lawfully joined in marriage.



# Alaska State Legislature

## Representative Matt Claman

Session: State Capitol, Rm 118 Juneau, AK 99801 Phone: 465-4919  
Interim: 1500 W. Benson Blvd., Anch, AK 99503 Phone: 269-0130

### Sponsor Statement House Bill 20

House Bill 20 expands the number of people eligible to solemnize (i.e. commemorate or memorialize) a marriage. Currently, religious leaders, judicial officers of the state, and individuals who have become "marriage commissioners" have the authority to marry individuals in Alaska. This group specifically includes:

- Ministers;
- Priests;
- Rabbis;
- Commissioned officers of the Salvation Army;
- Principal officers or elders of recognized churches or congregations that traditionally do not have regular ministers, priests, or rabbis;
- Marriage commissioners; and
- Judicial officers of the state.

House Bill 20 adds language to include elected officials, appointed or elected, to the group of individuals with the authority to solemnize a marriage. Currently, anyone can perform a marriage ceremony as long as they first obtain a marriage commissioner appointment from the Alaska Court System, which can be time consuming and includes providing the court with personal information and paying \$25.

This bill expands the individuals with authority to perform marriage ceremonies to include officials who hold public office and have sworn to uphold the constitution and the law. The bill has real practical advantages, particularly in rural communities. For example, if a couple in a remote Alaskan village are set to be married on a date and the minister becomes ill, the local mayor or assembly person could perform the marriage on short notice. In addition, couples who may not be affiliated with a particular religious organization would be able to have an elected official perform their wedding without having to go through the time-consuming of arranging for a marriage commissioner appointment for another person.

Finally, the bill reduces the cost of operating the court system by allowing elected officials to perform some of the work currently performed by judges and magistrates.





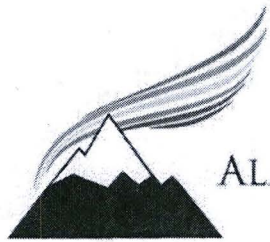
# Alaska State Legislature

## Representative Matt Claman

Session: State Capitol, Rm 118 Juneau, AK 99801 Phone: 465-4919  
Interim: 1500 W. Benson Blvd., Anch, AK 99503 Phone: 269-0130

### House Bill 20 Explanation of Changes Version D to Version J

1. **Page 2, Line 3:** Amends Section 1(a)(4) to include "*for any reason, including for reasons of religious scruple or conscience.*" This change allows elected officials to cite religious scruples or conscience as a reason not to solemnize a marriage.



ALASKANS TOGETHER  
FOR EQUALITY

February 15, 2017

Honorable Representative Matt Claman  
State Capitol Room 118  
Juneau, Alaska 99801

Dear Representative Claman,

Alaskans Together For Equality (ATE) supports House Bill 20 as written: "An act relating to marriage solemnization; and authorizing elected public officials in the state to solemnize marriages."

ATE represents thousands of members across the state of Alaska. We are a statewide, nonpartisan, civil rights organization whose mission is to advance civil equality for all Alaskans through education, grassroots organizing and advocacy, with a primary focus on lesbian, gay, bisexual, and transgender Alaskans. ATE believes a solid foundation of equal civil rights across institutions and practices enables all Alaskans to maximize economic opportunities, create healthy lives and build resilient communities – making for a stronger Alaska.

HB20 empowers elected public officials in both urban and rural areas to perform marriages for all eligible couples. Many areas in Alaska are remote. The inclusion of elected public officials in marriage solemnization eases the burden on communities in identifying the proper officials and scheduling marriage ceremonies.

Thank you for addressing this important issue.

Sincerely,

Elias Rojas  
Board President

Billy Farrell  
Executive Director

CC: ATE Board Members



10111 East Eagle River Loop Road  
Eagle River, Alaska 99577

February 16, 2017

Representative Jonathan Kreiss-Tomkins  
Chair, State Affairs Committee

Dear Rep Kreiss-Tomkins:

I write in support of HB 20 regarding the solemnization of marriage that is being sponsored by Rep. Matt Claman.

In my opinion, I think this would allow a wider access to formal marriage ceremonies, particularly in smaller communities where officials and clergy that are already granted this privilege, may not be available.

Thank you,

The Rev. Dr. Martin W. Eldred



February 16, 2017

Rep. Jonathan Kreiss-Tomkins  
Chairman, House State Affairs Committee  
State Capitol, Room 411  
Juneau, Alaska 99801



**Re: Opposition to HB 20, relating to marriage solemnization**

Dear Representative Kreiss-Tomkins:

We are writing to express our opposition to House Bill 20:

“An Act relating to marriage solemnization; and authorizing elected public officials in the state to solemnize marriages.”

HB 20 proposes to add elected officials to the list of persons who are authorized under law to solemnize marriages. Currently, those authorized to solemnize marriages include religious leaders (ministers, priests, rabbis), judicial officers, and marriage commissioners.

Alaska Family Council is concerned that the “authority” to solemnize a marriage can, especially with respect to public officials, be easily construed as a “duty” to solemnize a marriage.

Religious leaders can and do refuse to solemnize marriages for any number of reasons. For example, they can decline if the persons seeking marriage do not comply with the marriage requirements of a particular religion, or church. The First Amendment of the U.S. Constitution, as well as Article I, Section 4 of the Alaska State Constitution, would presumably protect the right of religious leaders to decline to solemnize a marriage for reasons that are purely sectarian.

Unfortunately, recent legal and political developments make it less clear that public officials enjoy the same freedom to refuse marriage solemnization for reasons of individual conscience or religious belief.

In Wyoming, the case of Judge Ruth Neely has drawn national attention. The following is a statement from the attorneys representing Judge Neely, that sums up the relevant facts of her case. This statement is accessible on the website for Alliance Defending Freedom:

<https://www.adflegal.org/detailspages/case-details/an-inquiry-concerning-the-honorable-ruth-neely>

“Judge Neely has served as the municipal judge in Pinedale, Wyoming, for over 21 years. In that position, she hears cases that involve traffic and parking violations, animal-control issues, and miscellaneous criminal misdemeanors like public intoxication and shoplifting.



Judge Neely has no authority to solemnize marriages as a municipal judge.

“Judge Neely has also served as a part-time circuit court magistrate for approximately 14 years. In that capacity, she has the authority to do things like administer oaths, issue subpoenas, conduct bond hearings, issue warrants, and solemnize marriages. Although Judge Neely ‘*may* perform the ceremony of marriage’ as a magistrate, she has *no legal obligation or duty* to do so.

**“In December 2014, a reporter in Pinedale who suspected that Judge Neely’s religious beliefs prevented her from serving as a celebrant for same-sex marriages asked her whether she was ‘excited’ to perform same-sex weddings. In response, Judge Neely stated that she believes that marriage is the union of one man and one woman, and therefore, she would be unable to perform same-sex weddings. A few days later, an article appeared in the *Sublette Examiner* quoting Judge Neely as saying that, because of her religious beliefs, she would ‘not be able to do’ same-sex marriages and that she had not ‘been asked to perform’ one. [emphasis added]**

“In March 2015, the Wyoming Commission on Judicial Conduct and Ethics filed a complaint against her, alleging judicial misconduct and seeking her removal from both judicial positions. The commission claimed that by merely communicating her religious beliefs about marriage and her inability to serve as a celebrant for same-sex marriages, Judge Neely failed to follow the law and manifested bias and prejudice.

“The commission brought these charges even though Judge Neely has never been asked to solemnize a same-sex marriage, no law requires magistrates to serve as a celebrant for any marriage, magistrates may decline to perform weddings for a host of secular reasons, and Judge Neely has an unblemished record of integrity, impartiality, and scrupulous compliance with the law in her more than 21 years of judicial service.

“In February 2016, the commission filed with the Wyoming Supreme Court a recommendation that Judge Neely be removed from office. The commission recommended that Judge Neely be removed not only from her position as a part-time circuit court magistrate, the position in which she may but need not perform weddings, but also from serving as a municipal judge, a job in which she is not even permitted to solemnize marriages.

“In April 2016, Judge Neely filed a petition with the Wyoming Supreme Court objecting to the commission’s recommendation. She also filed a brief explaining that it would violate the United States and Wyoming Constitutions to remove her from office for stating her religious beliefs about marriage.”

The case in Wyoming has yet to be resolved. But it underscores our concern with HB 20, that when a public official is vested with the “authority” to solemnize marriages, this can be easily be construed as a “duty” to perform marriages – or at least limit their reasons for declining to do so.

As a practical matter, HB 20 seems unnecessary because any elected official can already apply for the temporary authority to solemnize a marriage by seeking a one-day marriage commissioner appointment. The process for seeking such an appointment is explained on the Alaska Court System website at the following link:

<http://courts.alaska.gov/trialcourts/trialcts.htm#comm>

Alaska Family Council believes that HB 20 is unnecessary, and potentially could lead to situations in which elected officials suffer punitive consequences merely for declining to solemnize marriages for reasons of personal conviction or religious belief.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Minnery", written over a light-colored rectangular background.

Jim Minnery  
President, Alaska Family Council

-----Original Message-----

**From:** Alaska Tom [REDACTED]  
**Sent:** Saturday, February 18, 2017 4:10 PM  
**To:** House State Affairs <[HouseState.Affairs@akleg.gov](mailto:HouseState.Affairs@akleg.gov)>  
**Subject:** Support For House Bill 20

I am encouraging you to support the passing of HB20. Since an elected official ALREADY occupies a position of trust, there is NO valid reason why they should not solemnize a wedding. I personally applied for marriage commissioner status to solemnize a wedding ceremony for a friend 17 years ago. If I can do so, why should not an elected official do so without further paperwork?

Please support the passing of House Bill 20.

Thomas U Rachal Jr

Alaskan By Choice Since 1970

-----Original Message-----

**From:** Fred Traber [REDACTED]  
**Sent:** Friday, February 17, 2017 4:43 PM  
**To:** House State Affairs <[HouseState.Affairs@akleg.gov](mailto:HouseState.Affairs@akleg.gov)>  
**Subject:** HB 20 Solemnize Marriage: Elected Officials Bill - Please Support

I support HB20. It is so important for Alaskans to have the option of having a public official solemnize their marriage.

Thank you.

Fred Traber  
[REDACTED]



-----Original Message-----

**From:** Gayle & Julie [REDACTED]  
**Sent:** Friday, February 17, 2017 6:07 PM  
**To:** House State Affairs <[HouseState.Affairs@akleg.gov](mailto:HouseState.Affairs@akleg.gov)>  
**Subject:** HB 20 Solemnize Marriage: Elected Officials Bill - Please Support

This bill makes sense and provides a streamlined process to add people who are authorized to preform marriage ceremonies if they so choose. Please advance and pass HB 20.

Gayle Schuh  
[REDACTED]

-----Original Message-----

**From:** Cindy Lelake [REDACTED]  
**Sent:** Saturday, February 18, 2017 7:51 AM  
**To:** House State Affairs <[HouseState.Affairs@akleg.gov](mailto:HouseState.Affairs@akleg.gov)>  
**Subject:** HB 20 Solemnize Marriage: Elected Officials Bill - Please Support

Good morning!

I urge you to support HB 20. Allowing elected officials the optional right to perform weddings would greatly benefit rural Alaskans and those who have no particular religious affiliation.

Thanks for your time!

Cindy Lelake  
[REDACTED]

Sent from my iPad

-----Original Message-----

**From:** joanie ak [REDACTED]  
**Sent:** Saturday, February 18, 2017 10:12 AM  
**To:** House State Affairs <[HouseState.Affairs@akleg.gov](mailto:HouseState.Affairs@akleg.gov)>  
**Subject:** HB 20 Solemnize Marriage: Elected Officials Bill - Please Support

I support this bill!!!  
Thanks Matt Claman!!!  
Sincerely,  
Joanie Fogel [REDACTED]



-----Original Message-----

**From:** Kylie Clark [REDACTED]  
**Sent:** Saturday, February 18, 2017 10:46 AM  
**To:** House State Affairs <[HouseState.Affairs@akleg.gov](mailto:HouseState.Affairs@akleg.gov)>  
**Subject:** Support for HB20

As a member of the Anchorage community, I would like to express my support for HB 20. Particularly for smaller communities across the state, extending the services provided to constituents by our elected officials to providing marriage solemnization is a simple and cost effective service. Please support HB 20.

Thank you for your time and consideration on this matter.

Sincerely,

Kylie Clark  
Registered voter in Alaska

-----Original Message-----

**From:** Marian Call [REDACTED]  
**Sent:** Saturday, February 18, 2017 10:56 AM  
**To:** House State Affairs <[HouseState.Affairs@akleg.gov](mailto:HouseState.Affairs@akleg.gov)>  
**Subject:** HB 20 Solemnize Marriage: Elected Officials Bill - Please Support

Please support HB20.

As a non-religious person, I would like to be able to have the same liberty as people of faith, to have a local trusted official preside over my wedding (someone not associated with a church).

Non-religious Alaskans have to go through the fee and registration process to be married since there is not a simple free secular option.

Thank you.

Emily Butler  
[REDACTED]

-----Original Message-----

**From:** Miguel De Marzo [REDACTED]  
**Sent:** Friday, March 03, 2017 2:30 PM  
**To:** House Judiciary <[lhsjud@akleg.gov](mailto:lhsjud@akleg.gov)>  
**Subject:** HB20

Hello!

I urge you to support HB 20. Allowing elected officials the optional right to perform weddings would greatly benefit rural Alaskans and those who have no particular religious affiliation.

Thanks for your time!

Miguel De Marzo

[REDACTED]

-----Original Message-----

**From:** Chelsea Lindquist [REDACTED]

**Sent:** Sunday, March 05, 2017 12:09 PM

**To:** House Judiciary <[lhsjud@akleg.gov](mailto:lhsjud@akleg.gov)>

**Subject:** HB 20

Hello,

My name is Chelsea Vukovich and I am a resident of Anchorage and would like to ask you to support HB 20.

Current law allows any Alaskan that goes through a laborious process of applying for a marriage commissioner appointment from the Alaska Court System to perform a wedding. This process is time-consuming and requires a fee.

Elected officials already have the public trust and have gone through a vetting process to hold their office. They are more than qualified for this additional, optional duty.

By allowing elected officials to perform solemnizations:

- Rural Alaskans will have a larger pool of eligible individuals that can perform marriages.
- Couples who are not affiliated with a particular religious organization can ask for an elected public official to perform their wedding.
- With more options, scheduling and coordinating ceremonies will be easier for couples, families, and communities.

Finally, HB 20 does not require elected officials to perform these duties. I understand for some it may not be something they feel comfortable with.

HB 20 makes sense and I urge you to support this bill.

Thank you,

Chelsea Vukovich



AMENDMENT

#1 Adopted

OFFERED IN THE HOUSE

BY REPRESENTATIVE KOPP

TO: CSHB 20( ), Draft Version "J"

1 Page 2, lines 1 - 4:

2 Delete all material and insert:

3 **"(4) by an individual holding an elective public office in the state.**

4 \* **Sec. 2.** AS 25.05.261 is amended by adding a new subsection to read:

5 (c) Nothing in this section creates or implies a duty on a person authorized to  
6 solemnize a marriage under (a)(1), (3), or (4) of this section to solemnize a marriage."  
7

8 Renumber the following bill section accordingly.



AMENDMENT # 2 Failed

OFFERED IN THE HOUSE  
TO: CSHB 20(STA)

BY REPRESENTATIVE EASTMAN

1 Page 1, line 1:

2 Delete "**elected public officials**"

3 Insert "**any person**"

4

5 Page 1, line 4, through page 2, line 11:

6 Delete all material and insert:

7 **\*\* Section 1.** AS 25.05.261(a) is amended to read:

8 (a) Marriages may be solemnized by any person in the state

9 [(1) BY A MINISTER, PRIEST, OR RABBI OF ANY CHURCH OR  
10 CONGREGATION IN THE STATE, OR BY A COMMISSIONED OFFICER OF  
11 THE SALVATION ARMY, OR BY THE PRINCIPAL OFFICER OR ELDER OF  
12 RECOGNIZED CHURCHES OR CONGREGATIONS THAT TRADITIONALLY  
13 DO NOT HAVE REGULAR MINISTERS, PRIESTS, OR RABBIS, ANYWHERE  
14 WITHIN THE STATE;

15 (2) BY A MARRIAGE COMMISSIONER OR JUDICIAL OFFICER  
16 OF THE STATE ANYWHERE WITHIN THE JURISDICTION OF THE  
17 COMMISSIONER OR OFFICER; OR

18 (3) BEFORE OR IN ANY RELIGIOUS ORGANIZATION OR  
19 CONGREGATION ACCORDING TO THE ESTABLISHED RITUAL OR FORM  
20 COMMONLY PRACTICED IN THE ORGANIZATION OR CONGREGATION].

21 **\* Sec. 2.** AS 22.15.100(3); AS 25.05.081, 25.05.281, and 25.05.371 are repealed."

AMENDMENT #3 Failed

OFFERED IN THE HOUSE  
TO: CSHB 20(STA)

BY REPRESENTATIVE EASTMAN

1 Page 2, lines 1 - 3:

2 Delete "nothing in this paragraph requires or obligates an individual holding an  
3 elective public office in the state to solemnize a marriage"

4

5 Page 2, following line 3:

6 Insert a new bill section to read:

7 **\*\* Sec. 2.** AS 25.05.261 is amended by adding a new subsection to read:

8 (c) Nothing in this section requires or obligates an individual or organization  
9 authorized to solemnize a marriage under (a) of this section to solemnize a marriage."

10

11 Renumber the following bill section accordingly.

AMENDMENT #4 Withdrawn

OFFERED IN THE HOUSE  
TO: CSHB 20(STA)

BY REPRESENTATIVE EASTMAN

1 Page 2, lines 1 - 3:

2 Delete all material and insert:

3 **"(4) by an individual holding an elective public office in the state.**

4 \* Sec. 2. AS 25.05.261 is amended by adding new subsections to read:

5 (c) Nothing in this section creates or implies a duty on a person authorized to  
6 solemnize a marriage under (a)(1), (3), or (4) of this section to

7 (1) solemnize a marriage; or

8 (2) provide services, accommodations, facilities, goods, or privileges  
9 for a purpose related to the solemnization, formation, or celebration of a marriage.

10 (d) A person permitted to solemnize a marriage under (a)(1), (3), or (4) of this  
11 section is not subject to criminal or civil liability for refusing to solemnize a marriage  
12 or refusing to provide services, accommodations, facilities, goods, or privileges for a  
13 purpose related to the solemnization, formation, or celebration of a marriage.

14 (e) The state or a municipality may not penalize a person who is permitted to  
15 solemnize a marriage under (a)(1), (3), or (4) of this section for refusing to solemnize  
16 a marriage or refusing to provide services, accommodations, facilities, goods, or  
17 privileges for a purpose related to the solemnization, formation, or celebration of a  
18 marriage. In this subsection, "penalize" means to take an action affecting a benefit or  
19 privilege guaranteed to the person by law, including a tax exemption or state or  
20 municipal contract, grant, or license."

21

22 Renumber the following bill section accordingly.

AMENDMENT #5 Failed

OFFERED IN THE HOUSE  
TO: CSHB 20(STA)

BY REPRESENTATIVE EASTMAN

1 Page 2, following line 3:

2 Insert a new bill section to read:

3 "\* Sec. 2. AS 25.05.261 is amended by adding a new subsection to read:

4 (c) Nothing in this section requires or obligates an imam of any mosque in the  
5 state to solemnize a marriage."

6

7 Renumber the following bill sections accordingly.



30-LS0242\D.6  
Bruce  
2/27/17

AMENDMENT #6 Failed

OFFERED IN THE HOUSE  
TO: CSHB 20(STA)

BY REPRESENTATIVE EASTMAN

- 1 Page 1, line 9, following "state;":
- 2       Insert "nothing in this paragraph requires or obligates a minister, priest, or rabbi
- 3 of any church or congregation to solemnize a marriage:"

30-LS0242\D.7  
Bruce  
2/27/17

AMENDMENT #7 Failed

OFFERED IN THE HOUSE  
TO: CSHB 20(STA)

BY REPRESENTATIVE EASTMAN

- 1 Page 1, line 9, following "state;":
- 2       Insert "**nothing in this paragraph requires or obligates a commissioned officer of**
- 3 **the Salvation Army to solemnize a marriage;**"

30-LS0242D.8  
Bruce  
2/27/17

AMENDMENT # 8 Failed

OFFERED IN THE HOUSE  
TO: CSHB 20(STA)

BY REPRESENTATIVE EASTMAN

- 1 Page 1, line 9, following "state;":
- 2       Insert "nothing in this paragraph requires or obligates the principal officer or
- 3 elder of a recognized church or congregation to solemnize a marriage;"

30-LS0242\D.9  
Bruce  
2/27/17

AMENDMENT #9 Failed

OFFERED IN THE HOUSE  
TO: CSHB 20(STA)

BY REPRESENTATIVE EASTMAN

- 1 Page 1, line 11, following "officer;":
- 2 Insert "nothing in this paragraph requires or obligates a marriage commissioner
- 3 or judicial officer to solemnize a marriage;"



AMENDMENT

# 10

OFFERED IN THE HOUSE  
TO: CSHB 20(STA)

BY REPRESENTATIVE EASTMAN

- 1 Page 1, line 13, following "congregation;":
- 2       Insert "nothing in this paragraph requires or obligates a religious organization or
- 3 congregation to solemnize a marriage;"

AMENDMENT # 11

OFFERED IN THE HOUSE  
TO: CSHB 20(STA)

BY REPRESENTATIVE EASTMAN

1 Page 2, lines 7 - 9:

2 Delete "minister, priest, or rabbi of a church or congregation in the state, [OR] a  
3 judicial officer, a [OR] marriage commissioner, or an individual holding an elective public  
4 office in the state"

5 Insert "person authorized to solemnize marriages in the state under  
6 AS 25.05.261(a) [MINISTER, PRIEST, OR RABBI OF A CHURCH OR CONGREGATION  
7 IN THE STATE OR A JUDICIAL OFFICER OR MARRIAGE COMMISSIONER]"

AMENDMENT #12

OFFERED IN THE HOUSE  
TO: CSHB 20(STA)

BY REPRESENTATIVE EASTMAN

1 Page 2, following line 11:

2 Insert a new bill section to read:

3 "\* Sec. 3. AS 25.05.311 is amended to read:

4 **Sec. 25.05.311. Marriage without solemnization.** A marriage contracted after  
5 January 1, 1964, is void unless the marriage has been solemnized as provided in this  
6 chapter. [IF THE PARTIES TO A MARRIAGE VOID FOR FAILURE TO  
7 SOLEMNIZE THE MARRIAGE VALIDATE THE MARRIAGE BY COMPLYING  
8 WITH THE REQUIREMENTS OF THIS CHAPTER, THE ISSUE OF THE VOID  
9 MARRIAGE ARE LEGITIMATE.]"

#13

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: Amendment J.1 to CSHB 20( ), Draft Version "J"

- 1 Page 1, line 5 of the amendment, following "duty":
- 2       Insert "or obligation"
- 3
- 4 Page 1, line 6 of the amendment:
- 5       Delete the second occurrence of "a"
- 6       Insert "any"

**AMENDMENT**

OFFERED IN THE HOUSE

BY REPRESENTATIVE KOPP

TO: CSHB 20( ), Draft Version "J"

1 Page 2, lines 1 - 4:

2 Delete all material and insert:

3 **"(4) by an individual holding an elective public office in the state.**

4 \* **Sec. 2.** AS 25.05.261 is amended by adding a new subsection to read:

5 (c) Nothing in this section creates or implies a duty on a person authorized to  
6 solemnize a marriage under (a)(1), (3), or (4) of this section to solemnize a marriage."

7

8 Renumber the following bill section accordingly.



# Fiscal Note

State of Alaska  
2017 Legislative Session

Bill Version:	CSHB 20(STA)
Fiscal Note Number:	1
(H) Publish Date:	2/22/2017

Identifier: HB020-DHSS-BVS-2-13-17  
 Title: SOLEMNIZE MARRIAGE: ELECTED OFFICIALS  
 Sponsor: CLAMAN  
 Requester: (H) STA

Department: Department of Health and Social Services  
 Appropriation: Public Health  
 Allocation: Bureau of Vital Statistics  
 OMB Component Number: 961

### Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2018 Appropriation Requested	Included in Governor's FY2018 Request	Out-Year Cost Estimates					
			FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

### Fund Source (Operating Only)

None								
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

### Positions

Full-time								
Part-time								
Temporary								

### Change in Revenues

None								
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2017) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2018) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

### ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? no  
 If yes, by what date are the regulations to be adopted, amended or repealed? n/a

### Why this fiscal note differs from previous version:

Not applicable; initial version.

Prepared By: Jay Butler, MD, Chief Medical Officer/Director  
 Division: Public Health  
 Approved By: Shawnda O'Brien, Asst. Commissioner  
 Agency: Health and Social Services

Phone: (907)269-6680  
 Date: 02/13/2017 12:00 PM  
 Date: 02/13/17

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2017 LEGISLATIVE SESSION

## Analysis

HB020 broadens application of AS 25.05.261(a), *Who may solemnize*, by adding the category of elected public officials to those legally eligible to perform this service.

The bill similarly broadens the circumstances covered by AS 25.05.281, *Marriage solemnized by unauthorized person*; if a person falsely claiming to be an elected official solemnizes a marriage and that marriage is consummated on the belief that the individuals have been lawfully married, the marriage is valid.

This bill has no programmatic or fiscal impact to the Department of Health and Social Services.