

1

32-GH1634\G.2
Bullard
5/5/22

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE FIELDS

TO: CSHB 120(RES), Draft Version "G"

1 Page 1, lines 1 - 7:

2 Delete "relating to access roads; relating to state land; relating to contracts for
3 the sale of state land; relating to the authority of the Department of Education and
4 Early Development to dispose of state land; relating to the authority of the Department
5 of Transportation and Public Facilities to dispose of state land; relating to the authority
6 of the Department of Natural Resources over certain state land; relating to the state
7 land disposal income fund; relating to the leasing and sale of state land; relating to
8 covenants and restrictions on agricultural land;"

9

10 Page 1, line 10, through page 13, line 19:

11 Delete all material.

12

13 Page 13, line 20:

14 Delete "Sec. 17"

15 Insert "Section 1"

16

17 Renumber the following bill sections accordingly.

18

19 Page 15, line 16:

20 Delete all material.

21

22 Renumber the following bill section accordingly.

5/9/22

Fail

2

32-GH1634\G.3
Bullard
5/5/22

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE FIELDS

TO: CSHB 120(RES), Draft Version "G"

1 Page 1, line 1:

2 Delete "relating to access roads;"

3

4 Page 1, lines 2 - 3:

5 Delete "relating to the authority of the Department of Education and Early
6 Development to dispose of state land;"

7

8 Page 1, line 10, through page 3, line 31:

9 Delete all material.

10

11 Page 4, line 1:

12 Delete "Sec. 3"

13 Insert "Section 1"

14

15 Renumber the following bill sections accordingly.

5/9/22
W/d

#3

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE HANNAN

TO: CSHB 120(RES), Draft Version "G"

- 1 Page 1, line 6:
- 2 Delete "relating to the leasing and sale of state land;"
- 3
- 4 Page 7, line 20, through page 11, line 14:
- 5 Delete all material.
- 6
- 7 Renumber the following bill sections accordingly.

5/9/22
Fail

#4

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE FIELDS

TO: CSHB 120(RES), Draft Version "G"

1 Page 7, line 22, following "may":

2 Insert ", subject to (r) of this section,"

3

4 Page 8, line 17, following "may":

5 Insert ", subject to (r) of this section,"

6

7 Page 10, line 2, following "purchase.":

8 Insert "Land sold under this subsection is subject to the easement described in (r) of
9 this section."

10

11 Page 10, line 31:

12 Delete "The"

13 Insert "In addition to the public easement required under (r) of this section, the"

14

15 Page 11, lines 7 - 8:

16 Delete "In this subsection, "traditional outdoor activity" has the meaning given in
17 AS 38.04.200."

18

19 Page 11, following line 14:

20 Insert new subsections to read:

21 "(r) Notwithstanding its lease or sale, for the benefit of all state residents, state
22 land leased or sold under this section is subject, at all times, to a perpetual affirmative
23 public easement that runs with the land entitling a person to enter and use the land for

Fail

1 subsistence and recreational purposes, including hunting, fishing, and other traditional
2 outdoor activities. A person who leases or owns land subject to the easement imposed
3 by this section is not liable for the death of or injury to a person who enters or uses the
4 land for subsistence and recreational purposes, except when the trier of facts finds that
5 the person's death or injury is due to intentional, reckless, or grossly negligent actions
6 of the lessee or owner of the land. The attorney general shall bring an action in the
7 name of the state to restrain and prevent obstruction of entry and use under this
8 subsection.

9 (s) In this section, "traditional outdoor activity" has the meaning given in
10 AS 38.04.200."

#5

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE FIELDS

TO: CSHB 120(RES), Draft Version "G"

1 Page 11, following line 14:

2 Insert a new subsection to read:

3 "(r) If the commissioner reserves a public easement or right-of-way under (p)
4 of this section on or across land to be disposed of under this section, the commissioner
5 shall sell the land subject to a perpetual covenant that runs with the land, for the
6 benefit of all residents of the state, that requires the owner of the land to mark and
7 maintain a reserved public easement or right-of-way on or across the land in a manner
8 that allows the public to easily recognize and use the public easement or right-of-way.
9 The attorney general or an aggrieved person may institute a civil action, including an
10 action for injunctive relief, against a person who fails to mark or maintain a public
11 easement or right-of-way as required by this subsection."

Fail

#6

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE FIELDS

TO: CSHB 120(RES), Draft Version "G"

Fail

1 Page 3, following line 18:

2 Insert a new bill section to read:

3 **"* Sec. 2.** AS 14.07.030 is amended by adding a new subsection to read:

4 (c) In addition to any other notice required by law, before the department
5 acquires real property or transfers an interest in real property under (a)(6) of this
6 section, the department shall provide written notice, in the manner provided under
7 AS 38.05.945(b)(1), to each

8 (1) person who owns real property that is adjacent to or located within
9 one-half mile of the real property or interest in real property to be acquired or
10 transferred; and

11 (2) municipality or other unit of local government in which the real
12 property or interest in real property is located."

13

14 Renumber the following bill sections accordingly.

15

16 Page 3, following line 31:

17 Insert a new bill section to read:

18 **"* Sec. 4.** AS 19.30 is amended by adding a new section to read:

19 **Sec. 19.30.085. Notice.** In addition to any other notice required by law, before
20 the director of the division of lands contracts with a person for the construction of an
21 access road under AS 19.30.060 - 19.30.100, the director shall provide written notice,
22 in the manner provided under AS 38.05.945(b)(1), to each

23 (1) person who owns real property that is adjacent to or located within

one-half mile of the area in which the access road is to be constructed; and
 (2) municipality or other unit of local government in which the access
 road is to be constructed."

Renumber the following bill sections accordingly.

Page 4, following line 14:

Insert a new subsection to read:

"(d) In addition to any other notice required by law, before the department
 vacates an easement under (a) of this section or contracts to sell, lease, or exchange
 land or rights in land under (b) of this section, the department shall provide written
 notice, in the manner provided under AS 38.05.945(b)(1), to each

(1) person who owns real property that is adjacent to or located within
 one-half mile of the easement, land, or rights in land; and

(2) municipality or other unit of local government in which the
 easement, land, or rights in land is located."

Page 5, following line 20:

Insert a new subsection to read:

"(e) In addition to any other notice required by law, before the director offers
 land for sale by auction or sealed bid under this section, the director shall provide
 written notice, in the manner provided under AS 38.05.945(b)(1), to each

(1) person who owns real property that is adjacent to or located within
 one-half mile of the land to be offered for sale; and

(2) municipality or other unit of local government in which the land to
 be offered for sale is located."

Page 8, lines 9 - 16:

Delete all material and insert:

"In addition to the notice required under AS 38.05.945, the commissioner shall
 also provide

1 (1) notice, regardless of whether the land is located inside or outside a
2 municipality, to a

3 (A) regional corporation if the boundaries of the corporation as
4 established by 43 U.S.C. 1606(a) (sec. 7(a), Alaska Native Claims Settlement
5 Act) encompass the land;

6 (B) village corporation organized under 43 U.S.C. 1607(a) (sec.
7 8(a), Alaska Native Claims Settlement Act) if the land is within 25 miles of the
8 village for which the corporation was established;

9 (2) written notice to a person who owns real property that is adjacent
10 to or located within one-half mile of the land subject to classification or
11 reclassification under this subsection."
12

13 Page 11, line 2, following "governments,":

14 Insert "persons who own real property that is adjacent to or located within one-half
15 mile of the land made available for commercial development,"
16

17 Page 11, line 5, following "AS 44.37.011":

18 Insert "Notice of a proposed easement or right-of-way provided under this subsection
19 to a person who owns real property that is adjacent to or located within one-half mile of the
20 land made available for commercial development must be in written form."

#7

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 120(RES), Draft Version "G"

Pass

1 Page 1, line 3, following "land;":

2 Insert "relating to a program of state inspection for certain meat processing
3 facilities;"

4

5 Page 1, line 8, following "exchange;":

6 Insert "establishing temporary grant programs for certain meat processing
7 facilities and for farm development and improvement;"

8

9 Page 3, following line 18:

10 Insert new bill sections to read:

11 "** Sec. 2. AS 17.20.005 is amended to read:

12 **Sec. 17.20.005. Powers and duties of commissioner.** To carry out the
13 requirements of this chapter, the commissioner may issue orders, regulations, permits,
14 quarantines, and embargoes relating to

15 (1) food offered to the public or sold, subject to AS 17.20.017,
16 including

17 (A) inspection of meat, fish, poultry, and other food products;

18 (B) standards of sanitation and handling methods for all phases
19 of slaughtering, processing, storing, transporting, displaying, and selling;

20 (C) labeling; and

21 (D) the training, testing, and certification requirements for
22 individuals who handle or prepare food, their supervisors, and their employers
23 to ensure their knowledge of food safety and sanitation principles and

1 requirements;

2 (2) control and eradication of pests;

3 (3) enforcement of hazard analysis critical control point programs for
4 seafood processing that are developed in cooperation with appropriate industry
5 representatives or, to the extent not inconsistent with this chapter or regulations
6 adopted under the authority of this chapter, that are established by regulations of the
7 United States Food and Drug Administration as they may periodically be revised;

8 (4) labeling, subject to AS 17.20.013, and grading of milk and milk
9 products and standards of sanitation for dairies offering to the public or selling milk or
10 milk products to at least the minimum of current recommendations of the United
11 States Public Health Service pasteurized milk ordinance as it may periodically be
12 revised;

13 (5) standards and conditions for the operation and siting of aquatic
14 farms and related hatcheries, including

15 (A) restrictions on the use of chemicals; and

16 (B) requirements to protect the public from contaminated
17 aquatic farm products that pose a risk to health;

18 (6) monitoring aquatic farms and aquatic farm products to ensure
19 compliance with this chapter and, to the extent not inconsistent with this chapter or
20 regulations adopted under the authority of this chapter, with the requirements of the
21 national shellfish sanitation program manual of operations published by the United
22 States Food and Drug Administration as it may periodically be revised;

23 (7) tests and analyses that may be made and hearings that may be held
24 to determine whether the commissioner will issue a stop order or quarantine;

25 (8) transportation of, use of, disposal of, recalls of, or warnings
26 concerning quarantined or embargoed items;

27 (9) cooperation with federal and other state agencies.

28 * **Sec. 3.** AS 17.20 is amended by adding a new section to read:

29 **Sec. 17.20.017. Inspection of processed meat products.** (a) The department
30 may adopt regulations to establish a program of state inspection for the processing and
31 sale of meat products, including meat products from amenable species.

(b) The department may administer and enforce regulations adopted under (a) of this section for a program of state inspection for the processing and sale of meat products from amenable species only if the program is approved by the federal government.

(c) Regulations adopted by the department under this section must impose requirements that are not less stringent than the requirements imposed under 21 U.S.C. 601 - 695 (Federal Meat Inspection Act) and 7 U.S.C. 1901 - 1907 (Humane Methods of Slaughter Act).

(d) Subject to (b) of this section, and except as provided in (e) of this section, if the department adopts regulations to establish a program of state inspection for the processing and sale of meat products, the department shall

(1) license facilities that process meat products for sale to the public;

(2) adopt license requirements and fees for facilities that process meat products for sale to the public; and

(3) use officers and employees of the department to inspect facilities that are licensed under this subsection.

(e) The department may not establish, administer, or enforce a program of inspection under this section for facilities that process meat products from equines.

(f) In this section,

(1) "amenable species" has the meaning given in 21 U.S.C. 601(w);

(2) "equine" means a member of the family Equidae."

Renumber the following bill sections accordingly.

Page 15, following line 15:

Insert new bill sections to read:

**** Sec. 21.** The uncoded law of the State of Alaska is amended by adding a new section to read:

TEMPORARY GRANT PROGRAM FOR MEAT PROCESSING FACILITIES. (a) The Department of Environmental Conservation shall establish a grant program by regulation for the purpose of funding

1 (1) upgrades to a facility that is expected to operate under a program of state
2 inspection authorized under AS 17.20.017, added by sec. 3 of this Act;

3 (2) construction of a new facility that is expected to operate under a program
4 of state inspection authorized under AS 17.20.017, added by sec. 3 of this Act; and

5 (3) expansion of a facility that operates under a program of federal inspection
6 that plans to increase processing of meat from animals raised in the state.

7 (b) In administering the grant program established under (a) of this section, the
8 Department of Environmental Conservation

9 (1) shall develop criteria for awarding a grant and a process for applying for a
10 grant that includes requiring

11 (A) a grant applicant to submit a business plan that provides

12 (i) how the applicant will meet the criteria required by the
13 department to approve a grant under this section;

14 (ii) a timeline for the applicant to meet the upgrades,
15 construction, or expansion funded by the grant; and

16 (B) the department to

17 (i) approve an applicant's business plan before awarding a
18 grant;

19 (ii) visit an applicant's facility or the site of a facility proposed
20 by an applicant to be upgraded, constructed, or expanded with grant funds;

21 (2) shall

22 (A) award grants preferentially to support facilities that prioritize
23 seasonally feasible processing of meat from animals raised in the state; and

24 (B) require a recipient of a grant to report to the department on the use
25 of grant funds;

26 (3) may make grants of up to \$150,000 to an applicant whose business plan is
27 approved under this subsection for eligible expenses approved by the department;

28 (4) may make grants under this section until July 1, 2023.

29 (c) A recipient of a grant made under this section may use grant funds for costs
30 related to activities described in (a) of this section that are approved by the department,
31 including costs of technical assistance and the purchase of equipment.

1 (d) The department may charge an administrative fee to the recipient of a grant made
 2 under this section to cover the department's costs of administering the temporary grant
 3 program. The department

4 (1) shall deduct the fee from the grant funds provided to the recipient; and

5 (2) may not charge a recipient more than three percent of the amount of a
 6 grant made to the recipient applicant under this section.

7 (e) The temporary meat processing facilities grant fund is established in the
 8 department and consists of appropriations to the fund. Appropriations to the fund do not lapse.

9 (f) Except as otherwise provided by this section, if work on a project under (a) of this
 10 section is not concluded by June 30, 2028, the grant recipient shall repay to the fund any
 11 money not spent from the grant. Grant funds used for expenses that are not eligible under (c)
 12 of this section or that are not accounted for in the recipient's business plan approved by the
 13 department under (b) of this section must also be repaid to the fund. On and after July 1, 2023,
 14 any money repaid by a grant recipient shall be deposited into the general fund.

15 * Sec. 22. The uncodified law of the State of Alaska is amended by adding a new section to
 16 read:

17 TEMPORARY GRANT PROGRAM FOR FARM DEVELOPMENT AND
 18 IMPROVEMENT. (a) The division of the Department of Natural Resources with
 19 responsibility for agriculture shall establish a grant program by regulation for the purpose of
 20 funding investments in agriculture to build resiliency in the state's food supply.

21 (b) In administering the grant program established under (a) of this section, the
 22 Department of Natural Resources

23 (1) shall develop criteria for awarding a grant and a process for applying for a
 24 grant that includes requiring

25 (A) a grant applicant to submit a business plan that provides

26 (i) how the applicant will meet the criteria required by the
 27 department to approve a grant under this section;

28 (ii) a timeline for the applicant to meet the upgrades,
 29 construction, or expansion funded by the grant; and

30 (B) the department to

31 (i) approve an applicant's business plan before awarding a

- 1 grant;
- 2 (ii) visit an applicant's farm, facility, or other site that would
- 3 receive funding under a grant made under this section;
- 4 (2) shall require a recipient of a grant to report to the department on the use of
- 5 grant funds;
- 6 (3) may make grants of up to \$150,000 to an applicant for eligible farm
- 7 development and improvement expenses approved by the department;
- 8 (4) may make grants under this section until July 1, 2023.
- 9 (c) Eligible expenses under (b)(3) of this section include expenses relating to
- 10 (1) clearing of land for agricultural purposes; and
- 11 (2) the purchase, building, installation, maintenance, or improvement of
- 12 (A) irrigation, drainage, and other water management systems;
- 13 (B) fencing, trellising, barns, greenhouses, or other farm buildings or
- 14 structures;
- 15 (C) agricultural processing and farm equipment, including milking and
- 16 pasteurization equipment;
- 17 (D) livestock, feed, seeds, fertilizer, and seasonal extension equipment;
- 18 and
- 19 (E) bees and beekeeping equipment.
- 20 (d) The department may charge an administrative fee to the recipient of a grant made
- 21 under this section to cover the department's costs of administering the temporary grant
- 22 program. The administrative fee
- 23 (1) shall be deducted from the grant funds provided to the recipient; and
- 24 (2) may not exceed three percent of the amount of a grant made under this
- 25 section.
- 26 (e) The temporary farm development and improvement grant fund is established in
- 27 the department and consists of appropriations to the fund. Appropriations to the fund do not
- 28 lapse.
- 29 (f) Except as otherwise provided by this section, if work on a project under (a) of this
- 30 section is not concluded by June 30, 2028, the grant recipient must repay to the fund any
- 31 money not spent from a grant received under this section. Grant funds used for expenses that

are not eligible under (c) of this section or that are not accounted for in a recipient's business plan approved by the department under (b) of this section must also be repaid to the fund. On and after July 1, 2023, any money repaid by a grant recipient shall be deposited into the general fund.

* **Sec. 23.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Department of Environmental Conservation and the Department of Natural Resources shall adopt regulations necessary to implement secs. 2, 3, 21, and 22 of this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of the law implemented by the regulation."

Renumber the following bill sections accordingly.

Page 15, following line 16:

Insert new bill sections to read:

"* **Sec. 25.** Sections 21 and 22 of this Act are repealed January 1, 2029.

* **Sec. 26.** Sections 21 and 22 of this Act take effect January 1, 2023."

Renumber the following bill section accordingly.

Page 15, line 17:

Delete "This"

Insert "Except as provided by sec. 26 of this Act, this"