

SENATE BILL NO. 120

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY SENATOR GRAY-JACKSON

Introduced: 3/5/25

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing the Alaska Climate Change Emergency Response Commission;**
2 **and relating to the powers and duties of the Alaska Climate Change Emergency**
3 **Response Commission."**

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

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 FINDINGS. The legislature finds that a state of emergency exists because of the threat
8 climate change poses on communities in the state, the state economy, traditional ways of life,
9 fish and game populations, and natural ecosystems.

10 * **Sec. 2.** AS 44.19 is amended by adding new sections to read:

11 **Article 6. Alaska Climate Change Emergency Response Commission.**

12 **Sec. 44.19.651. Commission established.** The Alaska Climate Change
13 Emergency Response Commission is established in the Office of the Governor.

14 **Sec. 44.19.653. Composition of commission.** (a) The commission consists of

1 15 members, six of whom are departmental representatives who serve by virtue of
2 office, and nine of whom are municipal representatives.

3 (b) The following departmental representatives shall serve by virtue of office:

- 4 (1) the commissioner of fish and game;
5 (2) the commissioner of environmental conservation;
6 (3) the commissioner of natural resources;
7 (4) the commissioner of commerce, community, and economic
8 development;
9 (5) the commissioner of transportation and public facilities;
10 (6) the director of the division in the Department of Commerce,
11 Community, and Economic Development responsible for community and regional
12 affairs.

13 (c) The governor shall appoint nine municipal representatives to the
14 commission. Each municipal representative must be a mayor or member of an
15 assembly or council of a municipality. The governor shall appoint one municipal
16 representative from each of the following general regions:

- 17 (1) Northwest Alaska, including, generally, the area of the North Slope
18 Borough and the Northwest Arctic Borough;
19 (2) Bering Strait area, including, generally, the area of the Bering Strait
20 regional educational attendance area;
21 (3) Southwest Alaska, including, generally, the area within the Lower
22 Yukon, Lower Kuskokwim, and Southwest regional educational attendance areas and
23 the Lake and Peninsula and Bristol Bay Boroughs;
24 (4) Kodiak-Aleutians area, including the area of the Kodiak Island and
25 Aleutians East Boroughs and the Aleutian, Adak, and Pribilof regional educational
26 attendance areas;
27 (5) Upper Cook Inlet area, including the Municipality of Anchorage
28 and the Matanuska-Susitna Borough;
29 (6) Lower Cook Inlet area, including, generally, the area within the
30 Kenai Peninsula Borough;
31 (7) Prince William Sound area, including, generally, the area east of

1 the Kenai Peninsula Borough to 141 West longitude;

2 (8) northern Southeast Alaska, including the area southeast of 141
3 degrees West longitude and north of 57 degrees North latitude and the entirety of the
4 City and Borough of Sitka; and

5 (9) southern Southeast Alaska, including the portion of Southeast
6 Alaska not contained in the area described in (8) of this subsection.

7 (d) Municipal representatives serve at the pleasure of the governor. Municipal
8 representatives serve staggered terms of three years, until reappointed or replaced. A
9 municipal representative may be reappointed. If a municipal representative ceases to
10 be a mayor, assembly member, or council member in the municipality the governor
11 appointed the representative to represent, that representative's seat becomes vacant. If
12 a municipal representative's seat becomes vacant for any reason before the expiration
13 of that representative's term, the governor shall, within 30 days after the occurrence of
14 the vacancy, appoint a municipal representative from the same region to serve the
15 unexpired portion of the term.

16 (e) The commission shall, by majority vote, elect co-chairs. One co-chair shall
17 be a departmental representative member, and one co-chair shall be a municipal
18 representative member.

19 **Sec. 44.19.655. Compensation.** Members of the commission serve without
20 compensation but are entitled to per diem and travel expenses authorized for boards
21 and commissions under AS 39.20.180.

22 **Sec. 44.19.657. Meetings.** Three departmental representative members
23 designated under AS 44.19.653(b) and four municipal representative members
24 appointed under AS 44.19.653(c) constitute a quorum for conducting business and
25 exercising the powers of the commission. The commission shall meet at least
26 quarterly, at the call of a co-chair, at the request of the majority of the members, or at a
27 regularly scheduled time as determined by a majority of the members. The
28 commission shall keep a record of its proceedings and make the record available for
29 public inspection.

30 **Sec. 44.19.659. Alternate members.** (a) Each member of the commission
31 shall have a permanent alternate to serve at meetings of the commission as follows:

1 (1) for a municipal representative member appointed under
 2 AS 44.19.653(c), the governor shall appoint a permanent alternate who, at the time of
 3 appointment and throughout the period of service as a permanent alternate, is the
 4 mayor or a member of the assembly or council of a municipality within the region
 5 from which the permanent member was appointed; in appointing a permanent alternate
 6 under this paragraph, the governor shall consider the recommendations of the
 7 permanent member;

8 (2) for a departmental representative member designated under
 9 AS 44.19.653(b)(1) - (5), a deputy commissioner of the relevant department or the
 10 director of a division of the department; and

11 (3) for a departmental representative member designated under
 12 AS 44.19.653(b)(6), the member's designee within that office.

13 (b) A member of the commission who is unable to attend a meeting shall
 14 advise the permanent alternate, who may attend the meeting and act in the place of the
 15 member.

16 **Sec. 44.19.661. Executive director.** The commission may employ an
 17 executive director who serves at the pleasure of the commission. The executive
 18 director may not be a member of the commission. The executive director may contract
 19 with or employ personnel or consultants that the executive director considers
 20 necessary to carry out the powers and duties of the commission. The executive
 21 director is in the exempt service under AS 39.25 (State Personnel Act).

22 **Sec. 44.19.663. Powers of the commission.** The commission may

23 (1) apply for and accept grants, contributions, and appropriations,
 24 including application for and acceptance of federal, international, or private funds that
 25 may become available for financing infrastructure adaptation, renewable energy
 26 technology, community relocation, food and transportation security, education and
 27 research, or other needs related to climate change;

28 (2) contract for necessary services;

29 (3) consult and cooperate with

30 (A) public or private persons, organizations, and groups
 31 interested in, affected by, or concerned with climate change effects and

1 response;

2 (B) climate scientists holding doctorate degrees who are
3 affiliated with an academic or nonprofit institution; and

4 (C) agents and officials in the different regions of the state and
5 federal and state agencies concerned with or having jurisdiction over climate
6 change effects and response;

7 (4) establish the duties of the executive director of the commission;

8 (5) assess fees for grant writing and other assistance; and

9 (6) take any reasonable action necessary to carry out the provisions of
10 AS 44.19.651 - 44.19.672.

11 **Sec. 44.19.665. Duties of the commission.** The commission shall

12 (1) prepare a strategic response plan to address climate change threats
13 that includes

14 (A) identification of areas in the state and sectors of the state
15 economy that are particularly vulnerable to the effects of climate change;

16 (B) options for assisting communities and sectors of the
17 economy identified as being particularly vulnerable to the effects of climate
18 change; and

19 (C) identification of specific threats posed by climate change
20 on areas in the state and sectors of the state economy and a course of action to
21 address the identified threats;

22 (2) provide grant writing and general assistance to governmental and
23 nongovernmental entities in the state on climate change response issues, prioritizing
24 assistance to rural governments, nonprofits serving rural areas, and tribal
25 organizations;

26 (3) develop a program for the distribution of funds to assist local
27 governments to respond to climate change effects;

28 (4) establish continuing coordination among state agencies to facilitate
29 the development and implementation of the climate change response strategy;

30 (5) coordinate with the University of Alaska in efforts to seek out
31 grants or other aid for climate change education and research;

1 (6) inform the public of available assistance for responding to climate
2 change effects, including an outreach program to rural governments, nonprofits
3 serving rural areas, and tribal organizations;

4 (7) advance the implementation of technology that provides for
5 renewable energy, local food systems, and adaptive infrastructure in the state by
6 recommending legislation and policies to incentivize its development;

7 (8) monitor and report on the effects of climate change on existing
8 infrastructure, ecosystems, geophysical features, and communities in the state;

9 (9) identify opportunities to reduce greenhouse gas emissions from in-
10 state sources, including the expanded use of alternative fuels, energy conservation,
11 energy efficiency, renewable energy, land use management, and transportation
12 planning; and

13 (10) recommend legislative and administrative action to implement the
14 climate change response strategy.

15 **Sec. 44.19.667. Fees.** The commission shall adopt regulations under AS 44.62
16 (Administrative Procedure Act) to establish fees for grant writing or other assistance
17 provided to a client by the commission. The fees must be based on a sliding scale
18 formula that takes into account the client's need. A client that is a governmental or
19 tribal entity may not be charged a fee.

20 **Sec. 44.19.669. Annual report and recommendations.** The commission shall
21 submit to the governor and the legislature an annual report of the activities of the
22 commission for the previous calendar year that includes a list of threats identified by
23 the commission, an assessment of progress in addressing the threats, an assessment of
24 compliance with the strategic response plan, and any recommendations for legislative
25 and administrative action. The commission shall submit a report under this section not
26 later than February 1 of each year and shall deliver the report to the senate secretary
27 and the chief clerk of the house of representatives and notify the legislature that the
28 report is available.

29 **Sec. 44.19.672. Definition.** In AS 44.19.651 - 44.19.672, "commission" means
30 the Alaska Climate Change Emergency Response Commission.

31 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 TERMS OF INITIAL MEMBERS OF THE ALASKA CLIMATE CHANGE
3 EMERGENCY RESPONSE COMMISSION. Notwithstanding AS 39.05.055, the governor
4 shall appoint the initial members of the Alaska Climate Change Emergency Response
5 Commission under AS 44.19.653(c) to staggered terms as follows:

- 6 (1) three members shall be appointed to serve three years;
7 (2) three members shall be appointed to serve two years; and
8 (3) three members shall be appointed to serve one year.

9 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
10 read:

11 TRANSITION: WRITTEN INFORMATION FROM CLIMATE CHANGE SUB-
12 CABINET. The governor shall provide all written reports, recommendations, and research
13 developed by the Climate Change Sub-Cabinet established under Administrative Order No.
14 238 to the Alaska Climate Change Emergency Response Commission established under
15 AS 44.19.651 within 30 days after the effective date of this Act.