

**ALASKA STATE LEGISLATURE**  
**SENATE STATE AFFAIRS STANDING COMMITTEE**

February 15, 2022

3:32 p.m.

**MEMBERS PRESENT**

Senator Mike Shower, Chair  
Senator Lora Reinbold, Vice Chair  
Senator Mia Costello  
Senator Roger Holland  
Senator Scott Kawasaki

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

SENATE BILL NO. 136

"An Act relating to firearms and other weapons restrictions."

- HEARD & HELD

SENATE BILL NO. 92

"An Act relating to missing persons under 21 years of age."

- HEARD & HELD

SENATE BILL NO. 145

"An Act relating to per diem for legislators; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 152

"An Act relating to the convening of the legislature at the capital and in the Municipality of Anchorage; relating to the location of legislative sessions; and relating to the emergency relocation of functions of state government."

- HEARD & HELD

HOUSE BILL NO. 148 AM

"An Act relating to the Alaska Coordinate System of 2022."

- HEARD & HELD

HOUSE BILL NO. 123

"An Act providing for state recognition of federally recognized tribes; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 147

"An Act requiring the Department of Administration to allow individuals to execute an anatomical gift when renewing a driver's license; and establishing April of each year as Donate Life Month."

- BILL HEARING CANCELED

**PREVIOUS COMMITTEE ACTION**

BILL: SB 136

SHORT TITLE: LIMITATIONS ON FIREARMS RESTRICTIONS

SPONSOR(s): SENATOR(s) MYERS

05/05/21	(S)	READ THE FIRST TIME - REFERRALS
05/05/21	(S)	CRA, STA
05/11/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
05/11/21	(S)	-- MEETING CANCELED --
05/13/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
05/13/21	(S)	Heard & Held
05/13/21	(S)	MINUTE(CRA)
05/18/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
05/18/21	(S)	Moved CSSB 136(CRA) Out of Committee
05/18/21	(S)	MINUTE(CRA)
05/19/21	(S)	CRA RPT CS 2DP 1DNP SAME TITLE
05/19/21	(S)	DP: HUGHES, MYERS
05/19/21	(S)	DNP: GRAY-JACKSON
02/01/22	(S)	STA AT 3:30 PM BUTROVICH 205
02/01/22	(S)	Heard & Held
02/01/22	(S)	MINUTE(STA)
02/15/22	(S)	STA AT 3:30 PM BUTROVICH 205

BILL: SB 92

SHORT TITLE: MISSING PERSONS UNDER 21 YEARS OLD

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

02/22/21	(S)	READ THE FIRST TIME - REFERRALS
02/22/21	(S)	HSS, STA

03/23/21	(S)	HSS AT 1:30 PM BUTROVICH 205
03/23/21	(S)	Scheduled but Not Heard
03/30/21	(S)	HSS AT 1:30 PM BUTROVICH 205
03/30/21	(S)	Heard & Held
03/30/21	(S)	MINUTE(HSS)
04/06/21	(S)	HSS AT 1:30 PM BUTROVICH 205
04/06/21	(S)	Moved SB 92 Out of Committee
04/06/21	(S)	MINUTE(HSS)
04/07/21	(S)	HSS RPT 2DP 1NR
04/07/21	(S)	DP: WILSON, BEGICH
04/07/21	(S)	NR: REINBOLD
04/27/21	(S)	STA AT 3:30 PM BUTROVICH 205
04/27/21	(S)	Heard & Held
04/27/21	(S)	MINUTE(STA)
02/10/22	(S)	STA AT 3:30 PM BUTROVICH 205
02/10/22	(S)	Scheduled but Not Heard
02/15/22	(S)	STA AT 3:30 PM BUTROVICH 205

BILL: SB 145

SHORT TITLE: LEGISLATOR RETROACTIVE PER DIEM

SPONSOR(s): HOLLAND

01/18/22	(S)	PREFILE RELEASED 1/7/22
01/18/22	(S)	READ THE FIRST TIME - REFERRALS
01/18/22	(S)	STA, FIN
02/01/22	(S)	STA AT 3:30 PM BUTROVICH 205
02/01/22	(S)	Heard & Held
02/01/22	(S)	MINUTE(STA)
02/08/22	(S)	STA AT 3:30 PM BUTROVICH 205
02/08/22	(S)	Scheduled but Not Heard
02/15/22	(S)	STA AT 3:30 PM BUTROVICH 205

BILL: SB 152

SHORT TITLE: LEGISLATIVE SESSIONS IN ANCHORAGE

SPONSOR(s): SENATOR(s) SHOWER

01/18/22	(S)	PREFILE RELEASED 1/7/22
01/18/22	(S)	READ THE FIRST TIME - REFERRALS
01/18/22	(S)	STA, FIN
02/15/22	(S)	STA AT 3:30 PM BUTROVICH 205

BILL: HB 148

SHORT TITLE: ALASKA COORDINATE SYSTEM OF 2022

SPONSOR(s): REPRESENTATIVE(s) SHAW

03/24/21	(H)	READ THE FIRST TIME - REFERRALS
03/24/21	(H)	STA, RES

04/17/21 (H) STA AT 3:00 PM GRUENBERG 120  
 04/17/21 (H) Heard & Held  
 04/17/21 (H) MINUTE(STA)  
 04/22/21 (H) STA AT 3:00 PM GRUENBERG 120  
 04/22/21 (H) Moved HB 148 Out of Committee  
 04/22/21 (H) MINUTE(STA)  
 04/26/21 (H) STA RPT 6DP  
 04/26/21 (H) DP: VANCE, CLAMAN, STORY, KAUFMAN,  
 TARR, KREISS-TOMKINS  
 05/05/21 (H) RES AT 1:00 PM BARNES 124  
 05/05/21 (H) Moved HB 148 Out of Committee  
 05/05/21 (H) MINUTE(RES)  
 05/06/21 (H) RES RPT 4DP 1DNP 1NR 2AM  
 05/06/21 (H) DP: SCHRAGE, GILLHAM, CRONK, MCKAY  
 05/06/21 (H) DNP: RAUSCHER  
 05/06/21 (H) NR: FIELDS  
 05/06/21 (H) AM: HANNAN, PATKOTAK  
 05/15/21 (H) TRANSMITTED TO (S)  
 05/15/21 (H) VERSION: HB 148 AM  
 05/17/21 (S) READ THE FIRST TIME - REFERRALS  
 05/17/21 (S) STA, RES  
 02/03/22 (S) STA AT 3:30 PM BUTROVICH 205  
 02/03/22 (S) Heard & Held  
 02/03/22 (S) MINUTE(STA)  
 02/08/22 (S) STA AT 3:30 PM BUTROVICH 205  
 02/08/22 (S) Scheduled but Not Heard  
 02/15/22 (S) STA AT 3:30 PM BUTROVICH 205  
 02/15/22 (S) Heard & Held  
 02/15/22 (S) MINUTE(STA)  
 02/17/22 (S) STA AT 3:30 PM BUTROVICH 205  
 02/17/22 (S) Moved HB 148 am Out of Committee  
 02/17/22 (S) MINUTE(STA)  
 02/18/22 (S) STA RPT 3DP 2NR  
 02/18/22 (S) DP: SHOWER, COSTELLO, HOLLAND  
 02/18/22 (S) NR: REINBOLD, KAWASAKI  
 03/30/22 (S) RES AT 3:30 PM BUTROVICH 205  
 03/30/22 (S) <Bill Hearing Canceled>  
 04/04/22 (S) RES AT 3:30 PM BUTROVICH 205  
 04/04/22 (S) Moved HB 148 AM Out of Committee  
 04/04/22 (S) MINUTE(RES)  
 04/06/22 (S) RES RPT 4DP  
 04/06/22 (S) DP: MICCICHE, KIEHL, VON IMHOF, STEVENS  
 05/17/22 (S) RETURN TO (H), TRANSMIT TO GOV NEXT  
 05/17/22 (S) VERSION: HB 148 AM

BILL: HB 123

SHORT TITLE: STATE RECOGNITION OF TRIBES

SPONSOR (S) : REPRESENTATIVE (S) ZULKOSKY

03/03/21	(H)	READ THE FIRST TIME - REFERRALS
03/03/21	(H)	TRB, STA
03/30/21	(H)	TRB AT 8:00 AM DAVIS 106
03/30/21	(H)	Heard & Held
03/30/21	(H)	MINUTE (TRB)
04/01/21	(H)	TRB AT 8:00 AM DAVIS 106
04/01/21	(H)	Moved HB 123 Out of Committee
04/01/21	(H)	MINUTE (TRB)
04/05/21	(H)	TRB RPT 3DP 1NR
04/05/21	(H)	DP: FIELDS, TARR, ZULKOSKY
04/05/21	(H)	NR: CRONK
04/17/21	(H)	STA AT 3:00 PM GRUENBERG 120
04/17/21	(H)	Heard & Held
04/17/21	(H)	MINUTE (STA)
04/22/21	(H)	STA AT 3:00 PM GRUENBERG 120
04/22/21	(H)	Moved HB 123 Out of Committee
04/22/21	(H)	MINUTE (STA)
04/26/21	(H)	STA RPT 5DP 1NR
04/26/21	(H)	DP: VANCE, CLAMAN, STORY, TARR, KREISS- TOMKINS
04/26/21	(H)	NR: KAUFMAN
05/19/21	(H)	LIMIT ALL DEBATE TO 2 MIN EACH Y23 N16 E1
05/19/21	(H)	MOTION TO TABLE UC
05/19/21	(H)	TAKEN FROM TABLE UC
05/19/21	(H)	TRANSMITTED TO (S)
05/19/21	(H)	VERSION: HB 123
01/18/22	(S)	READ THE FIRST TIME - REFERRALS
01/18/22	(S)	STA, CRA
02/10/22	(S)	STA AT 3:30 PM BUTROVICH 205
02/10/22	(S)	Heard & Held
02/10/22	(S)	MINUTE (STA)
02/15/22	(S)	STA AT 3:30 PM BUTROVICH 205

**WITNESS REGISTER**

SENATOR ROBERT MYERS  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of SB 136

MICHAELLA ANDERSON, Staff  
Senator Robert Myers  
Alaska State Legislature

Juneau, Alaska

**POSITION STATEMENT:** Provided information about SB 136 on behalf of the sponsor.

JOHN SULLIVAN representing self

Douglas, Alaska

**POSITION STATEMENT:** Raised a question about SB 136.

JAKE MCGUIGAN, Managing Director for State Affairs

National Shooting Sports Foundation (NSSF)

Massachusetts

**POSITION STATEMENT:** Testified in support of SB 136.

HOWARD APPEL, representing self

Ninilchik, Alaska

**POSITION STATEMENT:** Testified in support of SB 136.

AOIBHEANN CLINE, Northwest Regional Director

National Rifle Association (NRA)

**POSITION STATEMENT:** Testified in support of SB 136.

ANN GIFFORD, representing self

Juneau, Alaska

**POSITION STATEMENT:** Testified in opposition to SB 136.

MARIAN CLOUGH, representing self

Auke Bay, Alaska

**POSITION STATEMENT:** Testified in opposition to SB 136.

ANNETTE MARLEY, representing self

Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to SB 136.

KELLY HOWELL, Special Assistant

Office of the Commissioner

Department of Public Safety (DPS)

Anchorage, Alaska

**POSITION STATEMENT:** Presented SB 92 on behalf of the administration.

LISA PURINTON, Chief

Criminal Records and Identification Bureau

Department of Public Safety

Anchorage, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on SB 92.

JAMES COCKRELL, Commissioner  
Department of Public Safety  
Anchorage, Alaska

**POSITION STATEMENT:** Answered questions and provided information during the hearing on SB 92.

SHONDA ERICKSON, Staff  
Senator Mike Shower  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented the sectional analysis for SB 152 on behalf of the sponsor.

WILLY KEPPEL, representing self  
Quinhagak, Alaska

**POSITION STATEMENT:** Testified in support of SB 152.

SCOTT OGAN, Staff  
Senator Mike Shower  
Palmer, Alaska

**POSITION STATEMENT:** Discussed proposed changes to SB 152 on behalf of the sponsor.

REPRESENTATIVE LADDIE SHAW  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of HB 148.

JACQUELYN ARNACIAR BOYER, Policy and Campaign Director  
Native Peoples Action and Native Peoples Action Community Fund  
Palmer, Alaska

**POSITION STATEMENT:** Stated strong support for HB 123.

SHARON HILDEBRAND, Village Outreach Liaison  
Doyon Limited  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 123.

LISA RUSH, representing  
Alaska Black Caucus (ABC)  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 123.

ALMERIA ALCANTRA, representing self  
Palmer, Alaska

**POSITION STATEMENT:** Testified in support of HB 123.

JANINE AVNER, President  
Board of Directors  
Baan O Yeel Kon Corporation  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 123.

EDEN ROMEO, representing self  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 123.

CARRIE STEVENS, representing self  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 123.

DELORES LARSON, representing  
United Tribes of Bristol Bay (UTBB)  
Koliganek, Alaska

**POSITION STATEMENT:** Testified in full support of HB 123 on behalf of UTBB.

MARGARET TARRANT, representing self  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 123.

RHONDA PITKA, Chief  
Village of Beaver  
Beaver, Alaska

**POSITION STATEMENT:** Stated support for HB 123 on behalf of the Beaver Village Council.

BROOKE WOODS, representing self  
Rampart, Alaska

**POSITION STATEMENT:** Testified in support of HB 123.

ROSE O'HARA-JOLLEY, representing self  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 123.

DEWEY HOFFMAN, Deputy Director  
Tribal Government and Client Services  
Tanana Chiefs Conference (TCC)  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 123.

MICHAEL GARVEY, Advocacy Director  
American Civil Liberties Union (ACLU) of Alaska  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 123.

WILLY KEPPEL, representing self  
Quinhagak, Alaska

**POSITION STATEMENT:** Testified in opposition to HB 123.

**ACTION NARRATIVE**

[3:32:35 PM](#)

**CHAIR MIKE SHOWER** called the Senate State Affairs Standing Committee meeting to order at 3:32 p.m. Present at the call to order were Senators Holland, Kawasaki, Costello, Reinbold, and Chair Shower.

**SB 136-LIMITATIONS ON FIREARMS RESTRICTIONS**

[3:33:33 PM](#)

**CHAIR SHOWER** announced the consideration of SENATE BILL NO. 136 "An Act relating to firearms and other weapons restrictions."

[This was the second hearing, public testimony was noticed, and CSSB 136(CRA) was before the committee.]

[3:34:11 PM](#)

**SENATOR ROBERT MYERS**, Alaska State Legislature, Juneau, Alaska, sponsor of SB 136, refreshed the committee's recall of the bill. He explained that SB 136 seeks to ensure that rules related to the ownership or use of firearms do not change based on a disaster declaration at either the state or municipal level.

[3:35:16 PM](#)

**SENATOR KAWASAKI** asked how the possession or use of illegal firearms would be treated, should the bill pass.

**SENATOR MEYER** answered that the bill does not change any rules relating to firearms, so an illegal firearm would still be illegal if the bill were to pass. Similarly, the bill does not propose to change the law prohibiting a felon from possessing or using a firearm. SB 136 simply says that new firearm rules cannot be created by executive authority when there is a disaster declaration.

**CHAIR SHOWER** summarized that SB 136 would only be in effect during the limited window of a disaster declaration.

SENATOR MEYER agreed that was correct.

[3:36:17 PM](#)

SENATOR KAWASAKI noted that the definition of "firearm" in AS 11.81.900 talks about things that use propulsion such as guns and shotguns, but it is not specific. It does not talk about a shotgun with a barrel shorter than 16 inches or a machine gun that someone may not have a license to carry. He asked if that might compromise the bill.

SENATOR MEYER replied he did not believe so. The definition is intentionally broad and it does not change what is or is not prohibited. The goal is to clarify that an executive authority may not use the powers granted under a disaster declaration to impose additional firearms rules. He acknowledged that the legislature would still have the authority to change rules during a disaster declaration.

[3:37:50 PM](#)

MICHAELLA ANDERSON, Staff, Senator Robert Myers, Alaska State Legislature, Juneau, Alaska, added that the term "additional rules" is defined as anything that removes Second Amendment rights. This includes forbidding the use and carry of firearms and closing gun and ammunition stores or firing ranges.

CHAIR SHOWER offered to invite the Department of Law to a future meeting if there were follow-up questions.

[3:38:38 PM](#)

CHAIR SHOWER opened public testimony on SB 136.

[3:39:12 PM](#)

JOHN SULLIVAN representing self, Douglas, Alaska referenced [page 2], line 9 and offered his understanding that the bill allows someone to carry and shoot a gun in both emergency and non-emergency situations, regardless of whether they can legally possess a firearm. He mentioned hurricane Katrina and the people on the bridge in New Orleans and restated that SB 136 says that anybody is able to carry a gun in an emergency. He said that is the "beef" he has with SB 136.

SENATOR COSTELLO said she understands the language on page 2, line 9 to say the opposite. She read the new Sec. 44.99.510 (b):

(b) This section does not apply to the possession of a firearm, a firearm accessory, ammunition, or other weapon by a person who is prohibited from legally

possessing a firearm, a firearm accessory, ammunition, or other weapon under state law

SENATOR COSTELLO suggested the legal drafters comment on this subsection because it is an important part of the bill and should be clarified.

CHAIR SHOWER concurred with her interpretation and said he would hold the bill if the attorneys were not available.

[3:44:16 PM](#)

JAKE MCGUIGAN, Managing Director for State Affairs, National Shooting Sports Foundation (NSSF), Massachusetts, testified in support of SB 136. He stated that NSSF is the trade association that represents manufacturers, distributors, and retailers in the firearms industry. He thanked the sponsor for introducing the bill to address the issue that has arisen the last two years, which is retailers and shooting ranges being required to close based on state or local emergency declarations. Texas is a good example. It has strong preemption laws but local governments, including in the Houston area, shut down firearms retailers and shooting ranges during COVID-19 lockdowns. NSSF supports SB 136 because many states did not deem the firearms industry essential during the pandemic, so people who were trying to exercise their Second Amendment rights were prevented from doing so. Some states forced the issue by shutting down the state background check system. He highlighted that about 40 states declared the firearms industry essential during the pandemic, but that left 10 states that restricted both Second Amendment rights and firearm retailers' ability to conduct business.

MR.MCGUIGAN highlighted that the firearms industry is now open nationwide and gun sales have broken records. Over 13 million people became new gun owners over the last two years. He surmised that the number would have been even higher if people had been able to exercise their Second Amendment right in those 10 states. He reiterated support for SB 136.

[3:47:57 PM](#)

HOWARD APPEL, representing self, Ninilchik, Alaska, testified in support of SB 136. He shared an observation he made when he was visiting his son in Washington state during the pandemic. Every time he passed by a particular gun shop it had a line of people outside that extended past three storefronts. His son attributed it to the restrictions that the City of Seattle imposed on firearms businesses. He noted that churches were also closed,

but liquor stores and bars remained open. That made no sense; thus his support for SB 136.

[3:49:49 PM](#)

AOIBHEANN CLINE, Northwest Regional Director, National Rifle Association (NRA), testified in support of SB 136. She stated that SB 136 does not change firearms laws in Alaska. Prohibited persons would still be unable to possess firearms during an emergency. The bill simply states that firearms businesses cannot be infringed under the color of an emergency declaration. This protects Alaskans' right to self-defense, firearms, ammunition, and shooting ranges when there is an emergency declaration. She said the bill is in response to real life examples of restrictions based on emergency declarations from across the country. She recounted that the NRA sued Los Angeles County after it deemed firearms businesses were not essential. The Ninth Circuit Court of Appeals ruled that unconstitutional. She restated that SB 136 simply protects firearms businesses and Alaskans' Second Amendment right to access firearms during an emergency declaration.

[3:51:57 PM](#) }

ANN GIFFORD, representing self, Juneau, Alaska, stated that she is a retired attorney who opposes SB 136, in part because it is broader than restrictions on firearm businesses. She directed attention to subsection (a)(1) on page 1 that forbids the possession or use of a firearm. The concern is that this would tie the hands of the governor and other state leaders during the chaos of a disaster when it is not clear what action these leaders might need to take. For example, curfews and other limitations on people's activities are needed when Alaska experiences an earthquake, tsunami, or large fire. Limiting individuals' use of firearms in a specific area is one of the time and place restrictions on Second Amendment rights that has been recognized as constitutional. It is the kind of action a government might need to take to maintain public order and safety. She opined that ruling those options out would be a mistake because it is not possible to anticipate all the ways they may be needed. She urged the committee not to pass SB 136.

CHAIR SHOWER asked if it would improve the bill to delete the word "use" on page 1, paragraphs (1) and (2).

MS. GIFFORD said yes, but the talk about any kind of rule that forbids possession or use of a firearm is the greatest concern.

CHAIR SHOWER suggested she send any other thoughts on the bill to [senatestataffairs@akleg.gov](mailto:senatestataffairs@akleg.gov).

[3:55:01 PM](#)

MARIAN CLOUGH, representing self, Auke Bay, Alaska, testified in opposition to SB 136. She stated that as a mom, a grandma, and a gun owner she does not believe SB 136 is about protecting gun ownership. Rather, it is about giving special privileges to gun dealers. She opined that it also invites endless and distracting legal battles. She pointed out that government is supposed to protect citizens during disasters and she questions how guaranteeing gun stores and ranges the right to stay open helps in the event of fires, tsunamis, landslides, or volcanic eruptions. She asked if gun stores should remain open if there were armed riots. She offered her belief that in an epidemic as contagious as Omicron and lethal as Ebola, the only hope would be the strictest of protocols with only essential facilities such as grocery stores and medical facilities remaining open. By contrast, SB 136 would mandate that gun shops and ranges remain open even if they were super-spreaders. She urged the committee to ensure that state and municipal agencies have the ability to respond to disasters, unencumbered by the political agendas of interest groups. She asked the committee not to pass SB 136.

[3:57:08 PM](#)

ANNETTE MARLEY, representing self, Anchorage, Alaska, stated that as a mother and public health professional she was asking the committee to oppose SB 136. It makes no sense to preemptively force the governor and local communities to keep shooting ranges and gun stores open during an emergency declaration, she said. Measures to protect public safety are needed during emergency situations, not a special law that prohibits the regulation of guns. She opined that undermining government authority to take such measures set the stage for usurping other authorities. She suggested the committee instead focus on legislation that prepares for emergencies, through advanced food security, emergency shelters, and improving the state's public health system. She said SB 136 does not merit passage.

[3:59:03 PM](#)

CHAIR SHOWER closed public testimony on SB 136.

[3:59:09 PM](#)

At ease

[4:00:05 PM](#)

CHAIR SHOWER reconvened the meeting.

SENATOR COSTELLO referenced earlier testimony and urged the committee to ask Legislative Legal Services to clarify that the language on page 2, lines 9-11 states that a person who is not allowed to possess a gun will not be able to possess a gun during an emergency declaration under SB 136.

CHAIR SHOWER asked the sponsor to request Legislative Legal Services and the Department of Law review the bill in light of the questions that were raised and respond to the committee in writing.

[4:01:29 PM](#)

SENATOR HOLLAND shared that he was living in Louisiana during hurricane Katrina and he saw that the police were not prepared to document property ownership so it could be returned. He noted that murders were also committed in the city during that time. He said that is the other side of the story and he believes that disarming citizens during times like that is something to consider.

CHAIR SHOWER mentioned that some of his friends who were members of the guard and serving in the city at that time have some horrific stories about what happened.

SENATOR KAWASAKI asked whether art. III, sec. 20 of the Alaska Constitution on martial law would supersede the statute.

[4:02:51 PM](#)

SENATOR MEYER replied the bill is not about martial law, but he believes those provisions in the state constitution would override SB 156. He committed to follow up to make sure that was correct.

[4:03:22 PM](#)

CHAIR SHOWER held SB 136 in committee.

**SB 92-MISSING PERSONS UNDER 21 YEARS OLD**

[4:03:25 PM](#)

CHAIR SHOWER announced the consideration of SENATE BILL NO. 92 "An Act relating to missing persons under 21 years of age."

[4:04:02 PM](#)

KELLY HOWELL, Special Assistant, Office of the Commissioner, Department of Public Safety (DPS), Anchorage, Alaska, presented

SB 92 on behalf of the administration. She explained that SB 92 shortens the timeframe in which law enforcement must file a missing person's report from 24 hours to two hours and it expands the age for missing children from age 18 to age 21. She noted that the intention is to capture the vulnerable college-age population. These changes comply with two federal laws that passed after children went missing. One was a college student who was never found and the other was for young Adam Walsh who was abducted and murdered. The latter case elicited the law that shortened the timeframe to two hours.

[4:05:52 PM](#)

MS. HOWELL presented the sectional analysis for SB 92.

**Section 1:** Includes conforming language related to the duty of law enforcement agencies to reflect changes made in Section 2.

**Section 2:** Adds a new subsection to AS 18.65.620, requiring law enforcement agencies to transmit a missing person's report for a person under the age of 21 to the Alaska Public Safety Information Network and the National Crime Information Center as soon as practicable, but not later than two hours after completing the report. If the person is later found, the agency shall remove that information from those databases as soon as practicable, but not later than 24 hours after learning the person has been located.

**Section 3:** Contains conforming language to AS 47.10.141, runaway and missing children, to the changes made in section 2. All reporting procedures for persons under the age of 21 are moved to AS 18.65, as amended in Section 2 of the bill.

The bill has no specific effective date and would become effective 90 days after becoming law.

[4:07:49 PM](#)

CHAIR SHOWER referenced the document in the bill packets that shows the data for missing persons under 21 years old broken down by circumstance, race, and gender. He asked if the bill is talking about the "unknown" circumstance for the missing child.

MS. HOWELL said the statistics include all the missing persons under age 21, regardless of the circumstance for which they were

missing. The unknown circumstance reflects the cases that law enforcement does not know why the child went missing.

SENATOR KAWASAKI referenced slide 5 and asked if she believes that most law enforcement agencies are able to comply with the more restrictive federal requirements.

MS. HOWELL answered yes; the more restrictive requirements are part of the current training for the Public Safety Information Network.

SENATOR KAWASAKI asked whether there is a penalty for non-compliance.

MS. HOWELL deferred to Lisa Purinton who could talk about the audits for the Public Safety Information Network and the consequences of not entering the reports timely.

[4:10:50 PM](#)

LISA PURINTON, Chief, Criminal Records and Identification Bureau, Department of Public Safety, Anchorage, Alaska, explained that the FBI will review the records during its tri-annual audit to ensure compliance with the two-hour federal requirement. The penalty for non-compliance falls on the public and the persons who are missing because it delays law enforcement's ability to act.

SENATOR KAWASAKI asked if the state is exposed to any liability if an agency does not enter the information into the state and federal systems.

MS. PURINTON said she was not able to answer legal questions.

CHAIR SHOWER asked Ms. Howell to contact the Department of Law (DOL) and get the answer before the next hearing.

[4:12:40 PM](#)

JAMES COCKRELL, Commissioner, Department of Public Safety, Anchorage, Alaska, pointed out that this is already federal law so the liability wouldn't change if it were also a requirement under state law. He stressed the importance of shortening the reporting timeframe to two hours, citing the hypothetical example of an 18-year-old who disappears from the Fairbanks campus when it is 40 degrees below zero. Waiting 24 hours for that report to go out dramatically increases likelihood of a bad outcome. If this change saves just one life, it is worthwhile, he said.

SENATOR COSTELLO asked if other states have similar specifics in statute and if the state could lose federal funding if the state law doesn't match the federal law.

MS. HOWELL deferred the question to Ms. Purinton.

MS. PURINTON answered that she was unaware of any penalties attached to noncompliance with the two-hour reporting requirement. However, the national missing and murdered indigenous peoples movement could change in the future.

SENATOR COSTELLO repeated her first question about the number of states that have similar specifics in statute.

MS. PURINTON said she didn't know but she would follow up with the FBI to get the information.

[4:15:17 PM](#)

SENATOR REINBOLD stated that she had been unsuccessful in her efforts to track what happened to the millions of dollars that were appropriated several years ago for missing and murdered indigenous women. She asked if SB 92 mirrors that project or if somebody could give an update on the disposition of those funds.

MS. HOWELL confirmed that the state received several million dollars after former Attorney General William Barr visited the state and declared a public safety crisis in Alaska. The state has also received funding for the missing and murdered indigenous women initiatives. She offered to provide the information that DPS received from the U.S. Department of Justice and the Community Oriented Policing Services (COPS) Office regarding the federal funding the state received related to the public safety emergency declaration.

SENATOR REINBOLD expressed appreciation and clarified for the record that Kelly Howell was the last speaker.

[4:16:58 PM](#)

SENATOR KAWASAKI commented that vulnerable populations include not only missing and murdered indigenous women and young people under age 21, but also senior citizens. He acknowledged that SB 92 was not the right vehicle, but he would follow-up with DPS to discuss vulnerabilities in the senior population.

CHAIR SHOWER agreed with Senator Kawasaki's assessment.

[4:17:46 PM](#)

CHAIR SHOWER held SB 92 in committee.

**SB 145-LEGISLATOR RETROACTIVE PER DIEM**

[4:17:56 PM](#)

CHAIR SHOWER announced the consideration of SENATE BILL NO. 145 "An Act relating to per diem for legislators; and providing for an effective date."

[The bill was previously heard on 2/1/2022.]

[4:18:23 PM](#)

SENATOR HOLLAND, speaking as sponsor of SB 145, recapped that the current statute regarding per diem for legislators states that legislators are not entitled to daily per diem for the period that a budget is not in place [after the 121st day]. That has somehow been interpreted to mean that legislators are allowed retroactive per diem payments. SB 145 honors the intent of a past ballot initiative and quells the concern that legislators have a monetary incentive to go into special session before passing the operating budget.

[4:20:04 PM](#)

SENATOR KAWASAKI questioned whether this would give the executive branch an advantage when it negotiates the budget with the legislative branch. He offered his experience that special sessions are often because of the "Third Floor."

SENATOR HOLLAND replied he did not believe that separation of powers was involved. The bill simply seeks to clarify what is already in statute.

SENATOR COSTELLO asked whether the budget would need to pass both bodies to be considered passed.

SENATOR HOLLAND offered his belief that both bodies would need to pass the budget and send it to the governor.

CHAIR SHOWER pointed to the last sentence in Section 1, which is in current statute.

In this subsection, "passed by the legislature" has the meaning given in AS 01.10.070.

SENATOR COSTELLO asked the sponsor if he had contemplated that if the budget is not passed before day 121, there could be an

incentive to move the special session to a community where a majority of legislators live and would not collect per diem.

SENATOR HOLLAND said he wasn't sure what she was asking.

[4:23:15 PM](#)

SENATOR COSTELLO said she supports aligning laws with voters' intent when they pass initiatives, but her concern is that some people may not be able to afford to do without per diem and that may have unintended consequences.

[4:24:16 PM](#)

SENATOR HOLLAND said the concern about creating a legislature of elite incomes would not be a problem if legislators were to prioritize the job of passing the budget in 121 days. He added that he would support leaving the capital in Juneau but moving the legislature to Anchorage.

CHAIR SHOWER pointed out that legislatures in some states, Texas for example, meet every other year and get the job done.

SENATOR HOLLAND said the legislature does get distracted with issues like the size of the permanent fund dividend (PFD) and that should be fixed so it's automatic. He noted that the Fiscal Plan Working Group pushed for that last year. He offered his view that collecting \$300 per day in per diem after day 121 could be a motivation to not pass the budget timely. He disclosed that he did not collect per diem in the first or second special session last year to honor the intent of the voters when they passed the initiative on the topic of per diem.

SENATOR REINBOLD commented that leadership will have to lead to ensure that the Senate receives the budget from the House before it's down to the wire. She added that she believes the budget process is backwards and the solution is to place a cap on the budget. She voiced support for the bill and thanked the sponsor for bringing it forward.

CHAIR SHOWER commented on the difference between talking about moving the legislature as opposed to moving the capital.

[4:29:16 PM](#)

SENATOR HOLLAND summarized that SB 145 does not change the law; it reinforces and clarifies the existing statute.

CHAIR SHOWER held SB 145 in committee.

**SB 152-LEGISLATOR RETROACTIVE PER DIEM**

[4:29:59 PM](#)

CHAIR SHOWER announced the consideration of SENATE BILL NO. 152 "An Act relating to the convening of the legislature at the capital and in the Municipality of Anchorage; relating to the location of legislative sessions; and relating to the emergency relocation of functions of state government."

CHAIR MIKE SHOWER, speaking as sponsor, introduced SB 152 by paraphrasing the sponsor statement.

[Original punctuation provided with a minor formatting change.]

Senate Bill 152 envisions splitting the legislative sessions between Juneau and Anchorage. The first half of the 2-year session would be held in the Capital City of Juneau. The second half of the session would meet in the City of Anchorage. The idea came from the Alaska Federation of Natives solution to their conflict with competing constituencies. They decided to split their annual conferences between Anchorage and Fairbanks. It has been a resounding success. The citizens of Alaska are frustrated and disillusioned with their representatives hidden from reach in Juneau. Covid has further exasperated this frustration with Canadian travel restrictions and COVID concerns with traveling by air. The capitol was locked down to visitors all session in 2021.

Some major legislative issues seem to be decided with little or no consideration to their constituents' wishes. Special interest groups work the capitol to protect their constituencies. Committees often have public testimony with no one that shows up to make comments. Many have simply given up and decided it's not worth their time and money to talk to isolated legislators.

Legislators often come back for brief 'town halls' where the public is invited to testify for maybe two or three minutes. Meanwhile back in the halls of Juneau, professional lobbyists are paid six and seven figures to influence legislators with unlimited access and influence. Power is consolidated to a few senior legislators in control of key committees that decide what bills are heard and what bills die, and what they

can get for their district to make it happen. The sponsor believes the best government is local government. Working class people do not have the time and money to meet face to face with their legislators in Juneau during session. If a majority of legislators were living within the community where the session is held at least every two years, they would have no choice but to hear from their neighbors, when they shop in the grocery store, at the gas station, in local eateries, and in the halls and committee rooms where the legislature is meeting.

Many people that may serve are put off by the thought of moving to Juneau for 3-4 months or longer every year. It narrows down the pool of not only those that serve in office, but their staff. A legislature that is responsive to the will of the people they derive their power from would be a refreshing thing. COVID has exacerbated it even worse. The capitol was locked down all year in 2021.

The goal is not to move the capitol, nor is it the goal to move the primary administrative function of government. The goal is to make lawmakers accessible and thus accountable to their constituents, during the critical last year of the session. Continuing to keep the legislators sequestered in Juneau during session, where the only real access is an expensive airplane ticket and high-cost hotels for a person to show up and visit, allows undue influence to a privileged class of people and their professional lobbyists and the administration.

[4:33:33 PM](#)

SHONDA ERICKSON, Staff, Senator Mike Shower, Alaska State Legislature, Juneau, Alaska, presented the sectional analysis for SB 152 on behalf of the sponsor.

[Original punctuation provided with minor formatting changes.]

**Sec 1;** Conforming language regarding the location of session where election fundraising can occur.

**Sec 2;** Conforming language regarding including a municipality where the legislature is convened as a place where a contribution may not be solicited or accepted while the legislature is convened.

**Sec 3;** Substantive part of the legislation; Authorizes Legislative Council to designate a location for the Anchorage legislative session.

**Sec 4;** Conforming language regarding the location of the preceding session.

**Sec 5;** Conforming language regarding selecting a chief clerk and secretary in the senate.

**Sec 6;** Conforming language regarding reimbursement of moving expenses.

**Sec 7;** Conforming language regarding lobbyist registration.

**Sec 8;** Conforming language regarding where a directory of lobbyists is placed.

**Sec 9;** Conforming language regarding where an annual student guest attends session.

**Sec 10;** Conforming language regarding location of essay contest in the statute.

**Sec 11;** Conforming language in ethics statute using non geo referenced language changes.

**Sec 12;** Conforming language in ethics statute about use of a legislator's office and the location of said office.

**Sec 13;** Conforming language using non-geo referenced language changes in ethics statute about fundraising events, and the location of said events.

**Sec 14;** Conforming language making non-geo referenced language changes in ethics statute about welcome gifts to the legislature.

**Sec 15;** Conforming language regarding where an emergency transfer of seat of government would be held

CHAIR SHOWER highlighted that the bill actually makes very few changes; much of it reflects conforming changes.

[4:37:01 PM](#)

CHAIR SHOWER opened public testimony on SB 152.

[4:37:17 PM](#)

WILLY KEPPEL, representing self, Quinhagak, Alaska, testified in support of SB 152. He opined that there was no need to move the capital, but there is a need to move the legislature. He said he just flew from Quinhagak to Anchorage at a cost of \$1,000, and it would be even more expensive to buy another ticket to fly on to Juneau. He described this as a double cost to visit the legislature and be able to testify [in person]. He opined that Alaskans should only have to take one plane to visit the legislature.

[4:39:57 PM](#)

CHAIR SHOWER closed public testimony on SB 152.

He asked Mr. Ogan to talk about the changes he was proposing to SB 152 and related his intention to adopt a committee substitute at the next meeting.

[4:40:16 PM](#)

SCOTT OGAN, Staff, Senator Mike Shower, Palmer, Alaska, discussed proposed changes to SB 152 on behalf of the sponsor, describing them as technical. The original version eliminates reference to the capital city or Juneau and that term would be restored, he said.

CHAIR SHOWER asked if he had any comment after hearing the sectional analysis.

MR. OGAN commented on grocery store politics and opined that when legislators are in Juneau they are not exposed to their constituents as they rub elbows at the grocery store. Face to face encounters elicit topics that might not seem important enough for a phone call. He described the bill as a good policy idea.

[4:42:49 PM](#)

SENATOR HOLLAND asked if there was a particular reason that the Municipality of Anchorage was selected as opposed to simply identifying it as a location other than Juneau.

CHAIR SHOWER said he selected Anchorage because more than half the legislature resides in the MatSu/Anchorage area, it would provide the greatest bang for the buck, facilities are readily

available, and Anchorage is a travel hub. He added that he would be open to any location that is on the road system.

[4:44:03 PM](#)

CHAIR SHOWER held SB 152 in committee.

**HB 148-ALASKA COORDINATE SYSTEM OF 2022**

[4:44:11 PM](#)

CHAIR SHOWER announced the consideration of HOUSE BILL NO. 148 am "An Act relating to the Alaska Coordinate System of 2022."

[This was the second hearing and public testimony was noticed.]

He asked the sponsor if he had any comments before he looked to the will of the committee.

[4:44:44 PM](#)

REPRESENTATIVE LADDIE SHAW, Alaska State Legislature, Juneau, Alaska, sponsor of HB 148, thanked the committee for hearing the bill, which would help the state in many ways.

CHAIR SHOWER asked if there were any questions for the sponsor.

SENATOR HOLLAND said he views the bill as a technical correction to advance technology so surveys are more accurate.

[4:45:40 PM](#)

CHAIR SHOWER opened public testimony on HB 148 and noted that Gwen Gervelis was available to respond to questions.

[4:46:10 PM](#)

GWEN GERVELIS, Surveys Section Chief, Division of Mining, Land, and Water, Department of Natural Resources, Anchorage, Alaska, confirmed that she was available to answer questions.

[4:46:34 PM](#)

CHAIR SHOWER discerned that there was nobody in the room or online who wished to comment and he closed public testimony on HB 148.

CHAIR SHOWER noted that he had lost a quorum, so he would hold HB 123 until the next meeting.

**HB 123-STATE RECOGNITION OF TRIBES**

[4:47:11 PM](#)

CHAIR SHOWER announced the consideration of HOUSE BILL NO. 123 "An Act providing for state recognition of federally recognized tribes; and providing for an effective date."

[4:47:47 PM](#)

CHAIR SHOWER opened public testimony on HB 123.

[4:48:10 PM](#)

JACQUELYN ARNACIAR BOYER, Policy and Campaign Director, Native Peoples Action and Native Peoples Action Community Fund, Palmer, Alaska, stated strong support for HB 123. She said state recognition of federally recognized tribes in Alaska through legislative action is long overdue. It will heal and validate the legitimacy of Native people in Alaska and the federally recognized tribes to which they belong. It will mean so much, she said.

[4:49:38 PM](#)

SHARON HILDEBRAND, Village Outreach Liaison, Doyon Limited, Fairbanks, Alaska, testified in support of HB 123 on behalf of Doyon Limited and as a tribal member of the Native Village of Nulato that is located on the banks of the Yukon River. She shared that she told her sons that she loved them before they left for school. She does that because simple statements of recognition do make a difference. If the state were to recognize the tribes in Alaska, it would make a difference.

MS. HILDEBRAND related that Doyon Limited is celebrating its 50th anniversary this year as one of the original 13 Native corporations established under the terms of the Alaska Native Claims Settlement Act (ANCSA). The tribes have been instrumental in making ANCSA a success. She highlighted that tribal powers have been recorded throughout history. She recounted that in early 1915 Judge Wickersham met with tribal chiefs from the Interior to discuss issues of encroachment. He came to the meeting in support of forming a reservation system in Alaska. However, he listened to everybody who spoke and ultimately supported the notion that tribes need to participate in their relationship with the government to acquire medical, educational, and employment opportunities. The reservation system that Judge Wickersham initially supported was not implemented because he chose to listen to the tribes. That made a difference; telling her sons she loves them makes a difference; and it will make a difference if the legislature recognizes the 229 tribes in Alaska. It will make a difference in her sons' future.

[4:52:43 PM](#)

LISA RUSH, Alaska Black Caucus (ABC), Anchorage, Alaska, testified in support of HB 123. She stated that ABC advocates for Black, indigenous, and other people of color to eliminate all forms of racial prejudice and keep people aware of the adverse effects of racial, educational, political, and economic discrimination. She encouraged the committee and entire Senate to pass HB 123 to require the state to formally recognize the sovereign status of the 229 federally recognized tribes in Alaska. She said this is a first step in unlocking Alaska's problem-solving potential. The state and tribes can then leverage their combined status to tackle the challenges facing the state and enhance the lives of all Alaskans.

[4:55:12 PM](#)}

ALMERIA ALCANTRA, representing self, Palmer, Alaska, testified in support of HB 123. She stated that her family has lived on Ahtna land near what is known as Palmer for ten thousand years. She grew up in the culture and learned from elders and family. She said she wants to ensure that her children and all future generations have access to traditional knowledge and ways of life and that their history, culture, communities, government, and relationship to the state are recognized. She said that acknowledging tribal sovereignty and rights will create a safe and sustainable future for the next generations.

[4:56:20 PM](#)

JANINE AVNER, President, Board of Directors, Baan O Yeel Kon Corporation, Fairbanks, Alaska, stated that she was also representing herself as an Athabaskan, Koyukon, and a Rampart Village tribal member in the Doyon region. As a practicing attorney she has worked with numerous entities on governance issues and today she was advocating for passage of HB 123, which would compel the State of Alaska to recognize the 229 federally recognized tribes in Alaska. It is time for the state to formalize and codify this recognition. It will bring clarity and transparency, which is the vehicle for better communication, partnership building, and better outcomes in all sectors. The bottom line is that everyone wants to make a positive difference. Ownership brings excellence as evidenced by the success of the extraordinary tribal healthcare system in Alaska. Having a voice and representation at the table will also bring into focus the hardships Native communities face and the services and infrastructure that are needed. Self-governance is already taking place but it needs legitimacy. Some partnerships with the state have been good and it is time to build on and expand those in all departments.

MS. AVNER offered her belief that this is a pivotal time in the country's history and it was time to listen and respect each other and work together. Alaska tribes are competing daily with tribes in the Lower 48 for federal funding and state support would help to balance the scale. HB 123 is a win-win and could be a game-changer for the state.

[5:00:49 PM](#)

EDEN ROMEO, representing self, Anchorage, Alaska, testified in support of HB 123. She said she was pleased to see such support for tribal recognition when HB 123 passed the House because she believes that the recognition is an inherent sovereignty of Alaska's 229 federally recognized tribes. It is long overdue. Alaska's indigenous people have practiced their own cultures and self-governance for time immemorial. The federal government has recognized 574 tribes, including the 229 tribes in Alaska, but the state recognizes none of these tribes as a sovereign. HB 123 recognizes tribes but it does not change any legal rights. State recognition carries weight and will open opportunities for federal funding and the potential for government-to-government relationships. She concluded that the state has nothing to lose by recognizing the inherent sovereignty of tribes in Alaska and it is a little frustrating that this is not already policy. She urged the committee to pass HB 123.

[5:03:05 PM](#)

CARRIE STEVENS, representing self, Fairbanks, Alaska, testified in support of HB 123. She stated that HB 123 provides for the wellness of all Alaskans. It creates a path forward of healing and working together for the unified wellness of place and people. She clarified that the bill does not give any new status, legal authority, jurisdiction, funding, or rights to the existing federally recognized tribes in Alaska. She urged the members to reach out to UAF faculty, of which she is a member, for more information on such issues. She highlighted that tribal governments bring over \$2 billion to the state each year in health care and Bureau of Indian Affairs funding. This money could be used to build a stronger Alaska together, she said. Over \$11 million was for climate resilience. Working together is a path forward for all Alaska's children. The bill is about recognition; it does not create any new jurisdictions. It represents hope for all Alaska citizens and true recognition of the First Alaskans.

[5:05:09 PM](#)

DELORES LARSON, representing United Tribes of Bristol Bay (UTBB), Koliganek, Alaska, stated that UTBB's mission is to protect the cultures and traditional ways of life of the Yupik, Alutiiq, and Dena'ina people. It represents 15 tribal governments and more than 80 percent of the population of Bristol Bay. On behalf of UTBB, she voiced full support for HB 123 and the formal recognition of the 229 federally recognized tribes in Alaska. This would allow the governments to work cooperatively to better serve all Alaskans in the challenging areas of public safety, health care, education and housing, among others. Not recognizing tribes is a disservice to all citizens. She pointed out that the inherent sovereignty of Alaska's tribes was not granted by federal or state action because it predates these governments. However, state recognition of Alaska's tribes would acknowledge the added strength of working together. She urged the committee to support this landmark step and pass HB 123.

[5:08:01 PM](#)

MARGARET TARRANT, representing self, Anchorage, Alaska, testified in support of HB 123. She stated that she is a tribal citizen of the Mandan, Hidatsa, and Arikara nations of North Dakota and the mother of Inupiaq children. She reported that she grew up on the East Coast and witnessed first-hand the benefits of state recognition of tribal nations when she visited her sister-in-law's family that is part of the Shinnecock Indian Nation of Long Island, New York. At the time the federal government did not recognize these tribal nations but state recognition made it possible for the nations to access federal funding for educational, judicial, and health programs. Her nieces and nephews were able to go to their own school and learn about the history and culture of the Shinnecock Nation. Both a health clinic and community center were built. Because of the support from the State of New York, she has great-nieces and great-nephews who know who they are and where they come from. She questioned why the state did not recognize its tribes when it would enable Alaska Natives to access programs that would help preserve what culture they have left. She urged the legislature to give her Inupiaq children the same opportunities that indigenous children in other states enjoy.

[5:10:22 PM](#)

RHONDA PITKA, Chief, Village of Beaver, Beaver, Alaska, stated support for HB 123 on behalf of the Beaver Village Council. She described the legislation as an important step forward for the state and tribal governments. She said the state has treated tribal recognition differently from administration to

administration which led to a schizophrenic and often volatile relationship between the state and tribal entities. In 1990, Governor Steve Cowper issued Administrative Order 123 recognizing tribes in Alaska and Governor Walter Hickel rescinded the order. Thereafter, Governor Tony Knowles recognized tribes in Administrative Order 186 and through an agreement that was intended to establish a lasting government-to-government relationship with Alaska's sovereign tribes. The three subsequent governors simply ignored both the Executive Order and the agreement. In 2017 the attorney general in the Walker administration analyzed the issue and found that tribes do exist in Alaska and are governments with inherent sovereignty. She pointed out that Alaska tribes have already contributed to solutions on the issues related to health care, public safety, child welfare, hunting and fishing, and food security. Passing HB 123 will show the rest of the nation how tribes in Alaska and the State of Alaska can work together for the betterment of their citizens.

[5:13:12 PM](#)

BROOKE WOODS, representing self, Rampart, Alaska, testified in support of HB 123. She described HB 123 as an important step in strengthening the partnership between Alaska Native tribes and the State of Alaska. It recognizes and enhances the ability of tribes to continue the tradition of providing vital resources to the state. With state recognition and support, tribes find more support for their governmental and judicial activities. She said the legislation does not change the status of tribes, but it would affect the tumultuous relationship between the state and its 229 federally recognized tribes. Passing the bill will show tribal citizens that the state recognizes not just the problems, but also the successes. It will force acknowledgment that tribes in Alaska are leading the country in healthcare and that they are working to retain Native languages and their intimate knowledge of the land, rivers, animals, and fish. She urged the committee to pass HB 123 in its current form.

[5:15:14 PM](#)

ROSE O'HARA-JOLLEY, representing self, Fairbanks, Alaska, testified in support of HB 123. She said state recognition will strengthen the existing government-to-government relationship. She expressed appreciation for the stewardship of the land called Alaska since time immemorial. Tribal recognition is one step in ensuring that everyone works together to care for the place that all Alaskans call home. She restated support for HB 123 and expressed hope that the committee would too.

[5:16:14 PM](#)

DEWEY HOFFMAN, Tribal Government and Client Services Deputy Director, Tanana Chiefs Conference (TCC), Fairbanks, Alaska, testified in support of HB 123. He stated that TCC is an Alaska tribal health and social services consortium that provides a unified voice to advance sovereign tribal governance through promotion of physical and mental wellness, education, socioeconomic development and culture of the Interior Alaska Native community. He related that he was also offering testimony on behalf of the Alaska Regional Coalition, which is a consortium of four Alaska Native tribal nonprofits and one regional tribe. Altogether, ARC represents about 160 communities and 65,000 people. He explained that each tribe is a distinct tribal government entity that works to define local goals and priorities and build capacity. He said the policy of self-determination is a powerful tool to define and meet ongoing needs of tribes. Tribes work together to promote healing, responsive planning and educational efforts. He stated full support for HB 123 and the long-standing efforts to strengthen the relationship between Alaska Native tribes and the State of Alaska.

[5:18:13 PM](#)

MICHAEL GARVEY, Advocacy Director, American Civil Liberties Union (ACLU) of Alaska, Anchorage, Alaska, testified in support of HB 123. He stated that all people in the U.S. are entitled to their constitutional rights and indigenous people also have the right to tribal self-governance. He described HB 123 as an overdue step to correct the state's history of denying the existence of tribes. The tribes in Alaska have governed their communities for millennia, yet state law still reflects the era when Alaska denied the legitimacy of tribal governments. Formally recognizing the tribes in Alaska in statute is a step toward reconciliation and will allow state law to reflect their inherent sovereignty. HB 123 is also good policy. It offers an opportunity for Alaska to build a better relationship between state government and tribes. The government-to-government partnership will benefit the entire state. He stated particular support for partnerships to further community health and safety and work toward reducing the disproportionate rate of Alaska Natives who are incarcerated. With an equal seat at the table, Alaska Native leadership can help the state tackle these and other long-standing issues. He restated support for HB 123.

[5:20:19 PM](#)

WILLY KEPPEL, representing self, Quinhagak, Alaska, stated total opposition to HB 123 because it contains the word "sovereignty."

He opined that means that every Alaska Native who lives in the Bush loses their right to use state courts to settle disputes and challenge tribal courts. He charged that on the Yukon-Kuskokwim Delta, the court routinely banished people from their village and sent them to Bethel, Fairbanks, or Anchorage where they became homeless. He stated support for tribes and villages working together and then said the bill needs language that gives Native children "American" rights. He concluded saying, "This reservation status is a bad, bad idea."

[5:22:05 PM](#)

CHAIR SHOWER closed public testimony on HB 123 and held the bill for future consideration.

[5:23:13 PM](#)

There being no further business to come before the committee, Chair Shower adjourned the Senate State Affairs Standing Committee meeting at 5:23 p.m.