

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

HOUSE CS FOR CS FOR SENATE BILL NO. 67(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 5/3/24
Referred: Rules

Sponsor(s): SENATORS KIEHL, Gray-Jackson, Dunbar, Giessel, Claman, Kawasaki, Tobin, Stevens, Wielechowski

REPRESENTATIVES Galvin, Hannan, Fields, Josephson, Story, Schrage

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to firefighting substances; and providing for an effective date."**

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

3 * **Section 1.** AS 46.03 is amended by adding a new section to read:

4 **Article 3A. Firefighting Substances Disposal Reimbursements.**

5 **Sec. 46.03.135. Firefighting substances disposal reimbursements.** (a) A
6 firefighting substances disposal reimbursement program is established in the
7 department.

8 (b) The department shall accept an application for disposal reimbursement on
9 a form provided by the department from a person domiciled in

10 (1) a community in the state with a population of less than 2,000 that is
11 off the road system who received a firefighting substance that contains a
12 perfluoroalkyl substance or polyfluoroalkyl substance; or

13 (2) the state who received a firefighting substance that contains a
14 perfluoroalkyl substance or polyfluoroalkyl substance from a partially state-funded
15 fire safety project.

1 (c) The department may accept a reimbursement application only if the
2 application provides proper disposal documentation showing compliance with
3 regulations adopted by the department and any other applicable law.

4 (d) The department shall prioritize reimbursements as follows:

5 (1) activities related to the proper disposal of a firefighting substance
6 that contains a perfluoroalkyl substance or polyfluoroalkyl substance, including
7 disposal of the equipment containing the substance;

8 (2) activities related to the proper disposal of firefighting equipment
9 residually contaminated by a perfluoroalkyl substance or polyfluoroalkyl substance;

10 (3) replacement of equipment containing or residually contaminated by
11 a perfluoroalkyl substance or polyfluoroalkyl substance.

12 * **Sec. 2.** AS 46.03 is amended by adding a new section to article 5 to read:

13 **Sec. 46.03.340. Use of firefighting foam.** (a) Notwithstanding AS 46.03.320,
14 a person may not use a firefighting foam that contains a perfluoroalkyl substance or
15 polyfluoroalkyl substance in the state unless the use is permitted under (b) of this
16 section or required by federal law.

17 (b) Unless the state fire marshal adopts regulations under (c) of this section
18 requiring use of an alternative firefighting foam, a person may use a firefighting foam
19 that contains a perfluoroalkyl substance or polyfluoroalkyl substance to respond to a
20 fire that originates in relation to oil or gas production, transmission, transportation, or
21 refining in the state.

22 (c) If the state fire marshal determines an alternative firefighting foam listed
23 by an organization recognized by the federal Occupational Safety and Health
24 Administration's Nationally Recognized Testing Laboratory Program is safe and
25 effective, the state fire marshal shall adopt regulations requiring use of the alternative
26 firefighting foam. The regulations must state the proposed effective date of the
27 regulations.

28 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
29 read:

30 **TRANSITION: REGULATIONS.** The commissioner of environmental conservation
31 may adopt or amend regulations as necessary to implement the changes made by this Act. The

1 regulations take effect under AS 44.62 (Administrative Procedure Act) but not before the
2 effective date of law implemented by the regulation.

3 * **Sec. 4.** Section 3 of this Act takes effect immediately under AS 01.10.070(c).

4 * **Sec. 5.** Except as provided in sec. 4 of this Act, this Act takes effect January 1, 2025.