

HOUSE FINANCE COMMITTEE
March 26, 2024
1:34 p.m.

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CALL TO ORDER

Co-Chair Foster called the House Finance Committee meeting to order at 1:34 p.m.

MEMBERS PRESENT

Representative Bryce Edgmon, Co-Chair
Representative Neal Foster, Co-Chair
Representative DeLena Johnson, Co-Chair
Representative Julie Coulombe
Representative Mike Cronk
Representative Alyse Galvin
Representative Sara Hannan
Representative Andy Josephson
Representative Dan Ortiz
Representative Will Stapp
Representative Frank Tomaszewski

MEMBERS ABSENT

None

ALSO PRESENT

Representative Sarah Vance, Sponsor; Robert Ballinger, Staff, Representative Sarah Vance; Bryan Barlow, Deputy Commissioner, Department of Public Safety; Senator Jesse Kiehl, Sponsor; John Goeckerman, Staff, Senator Jesse Kiehl.

PRESENT VIA TELECONFERENCE

David Pruhs, Mayor, City of Fairbanks, Fairbanks; Justin Mack, Secretary Treasurer, Alaska Professional Fire Fighters' Association, Anchorage.

SUMMARY

HB 259 COUNCIL ON HUMAN AND SEX TRAFFICKING

HB 259 was HEARD and HELD in committee for further consideration.

SB 67 PFAS: USE FOR FIREFIGHTING, DISPOSAL

SB 67 was HEARD and HELD in committee for further consideration.

Co-Chair Foster reviewed the meeting agenda.

#hb259

HOUSE BILL NO. 259

"An Act establishing the Council on Human and Sex Trafficking; and relating to the Council on Domestic Violence and Sexual Assault."

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REPRESENTATIVE SARAH VANCE, SPONSOR, introduced herself.

ROBERT BALLINGER, STAFF, REPRESENTATIVE SARAH VANCE, introduced himself.

Representative Vance stated that HB 259 was a critical initiative proposing to establish the Council on Human and Sex Trafficking (CHST) permanently in state statute. The council was originally established in December of 2021 by Administrative Order (AO) 328 and played a pivotal role in combating the exploitation of Alaskans. By formalizing its existence in statute, the commitment to addressing the multifaceted challenges posed by human trafficking would be strengthened. Human traffickers utilized fraud and coercion to force victims into servitude and commercial sexual exploitation. Traffickers lured victims with promises of hard work opportunities, safe housing, and the opportunity for a better life, then exploited the individuals in numerous ways. Human trafficking had surpassed the small arms trade in revenue and generated an estimated \$150 billion in illegal revenue every year.

Representative Vance introduced the PowerPoint Presentation, "HB 259 Council on Human & Sex Trafficking" dated March 26, 2024 (copy on file). She began on slide 2 and offered some statistics about trafficking in Alaska. Within 48 hours of young people running away from home, one

out of three would be solicited for sex. In Alaska, the average age of recruitment was 14 years old to 16 years old and the average lifespan once recruited was seven years. One in four homeless women at the Anchorage Covenant House had been trafficked for sex according to a study that was conducted in 2017. Since 2007, the human trafficking hotline had identified 124 cases of human trafficking in Alaska. Nearly 45 percent of trafficked youth were Alaskan native. She relayed that there was no typical victim and no typical trafficker. Victims of human trafficking could be of any race, national origin, religion, age, gender or gender identity, sexual orientation, or socioeconomic status. Likewise, human traffickers could be family members, diplomats, business owners, labor brokers, farmers, or fishermen. Studies showed that Alaska Native youth were disproportionately affected by human trafficking. She noted that trafficking was a preventable crime.

Representative Vance continued that one of the main purposes of establishing the council in statute was to ensure that preventative work could continue. One of the primary purposes was public awareness. Most people in Alaska did not know that there was human trafficking present in almost every community. Young people were most commonly trafficked through online means and the prevalence of online grooming had dramatically increased.

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Representative Vance recounted a story provided by Crisis Alaska about a 14-year-old girl in Soldotna who was a frequent online video game player. The girl developed a friendship with another person with whom she played an online game, who eventually suggested that the two play games on other platforms. After some time, the 14-year-old girl shared photos with the other individual. The other individual was able to gather information about the girl and eventually became engaged in sexual exploitation.

Representative Vance relayed that about a decade ago, former Alaska Governor Sean Parnell created the Alaska Task Force on Crimes and Human Trafficking, Promoting Prostitution, and Sex Trafficking. The task force coordinated with the Cook Inlet Tribal Council and put together the ad hoc non-governmental organization (NGO) working group on sex trafficking in Alaska. The research

from the working group was foundational to the work of the current council. The first recommendation of the task force in 2013 was to establish a permanent working group on human and sex trafficking as a vehicle to continue the work of the task force. Unfortunately, the work was long neglected until Governor Dunleavy established the new council in 2021.

Representative Vance explained that CHST played a vital role in the ongoing battle against trafficking that was referred to as modern-day slavery. The council operated on multiple fronts starting with the crucial task of raising awareness about the pervasive issue of human trafficking. By shedding light on the deceptive tactics employed by traffickers, the council aimed to empower communities with the knowledge to recognize and combat exploitation. Additionally, the council engaged in extensive research to provide comprehensive reports on the prevalence of trafficking in Alaska, offering valuable insights into the diverse forms of exploitation. The reports could help provide a foundation for informed decision making and strategic planning. The most recent report by the council was provided to the committee as a supporting document (copy on file). The council actively proposed solutions to protect victims in addition to promoting awareness. By identifying and advocating for measures that could disrupt the operations of traffickers and provide support to survivors, the council contributed significantly to the fight against human trafficking.

Representative Vance advanced to slide 3 and noted that the council's report from September 2022 had been provided to the committee (copy on file). On page 5 of the report, the recommended action was to enact state statutes that placed the council within the Department of Public Safety (DPS), established the council as a monitoring body, and established the term for the council appointments and duties. She stated that HB 259 was a fulfillment of the recommendation.

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Representative Vance continued to slide 4 and relayed that the council would provide planning and coordination of programs specific to victim services, education, public awareness, data collection and dissemination, and reducing demand for human and sex trafficking. The council developed

standardized data and annual reports, awarded grants and provided audits, and increased education and public awareness.

Representative Vance continued to slide 5 and explained that the goal was to facilitate a smooth and cost-effective transition to the permanent council. The intention was for the council to maintain most of its current membership and align its structure with that of the Council on Domestic Violence and Sexual Assault (CDVSA). She turned to slide 6 and noted that additionally, the council would share an executive director with CDVSA and additional expenses associated with hiring a new director would be eliminated. The structure of the 17-member council mirrored AO 328. The fiscal note was about \$333,000 in the first year which would pay for two new employees and the expenses of the office, and the cost would decrease in subsequent years. Over time, the council could return to the legislature with any future requests as the responsibilities and duties of the council grew. She was aware that the council would be unable to fulfill the same mandates that CDVSA was currently working under, but it could build upon current work to increase public awareness. She concluded the presentation.

Representative Vance read a portion of the sponsor statement (copy on file):

House Bill 259 not only recognizes the pervasive issue of human trafficking but also acknowledges the critical role the Council plays in combating it. Ensuring the Council's permanence in statute signifies a long-term commitment to eradicating human trafficking in Alaska. The Council's continuous presence will enhance the coordination, resources, and strategies necessary for an effective response to this complex problem. By addressing the ever-present threat of human trafficking, House Bill 259 reaffirms Alaska's dedication to safeguarding the well-being and rights of all its residents.

Representative Vance invited a testifier from DPS to make comments.

BRYAN BARLOW, DEPUTY COMMISSIONER, DEPARTMENT OF PUBLIC SAFETY, introduced himself and noted that he was also the chair of CHST. He remarked that the bill was a worthy

effort and the council had conducted important work. The council had many experienced, passionate, and serious members who had come together and collaborated on the proposal to work under the model of one director overseeing both councils. He noted that he had seen success with the model and thought that it would strike the balance between being fiscally responsible and being effective. He understood that there were some concerns about diminishing the effectiveness of CDVSA by sharing one director, but he did not think there would be negative consequences. He did not want to dilute the effectiveness of either council and wanted to continue to represent and care for the needs of victims. He shared that he was available for questions.

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Co-Chair Edgmon thought the bill seemed highly prescriptive. He asked if the mandate to select two members by majority vote to serve on a joint hiring committee was in statute for CDVSA.

Mr. Ballinger responded that the mandate was not in statute because it was similar to one used by the boards that oversaw alcohol and medical marijuana. He explained that the new statute would be designed to allow the two entities to collaborate to select a director, which would be new to the law because of the fact that it would need both councils to work together to select a director.

Co-Chair Edgmon explained that it was his first time learning about the bill. He thought a 17-person membership seemed too large. He asked if there was any consideration of reducing the size to make the council more agile. He shared that he was one of 11 members on the Task Force on Broadband and it was difficult to organize meetings between 11 people.

Representative Vance explained that she worked with the council and pondered how she could make it function in a way that was familiar to the legislature. She relayed that upon working with the council, it became clear that the other departments needed to be included in the discussion because it was a broad issue with a significant impact. There were many individuals who had much to contribute to the conversation. Each commissioner or appointee had unique insight and the collaborations had produced helpful data and research.

Mr. Barlow added that Co-Chair Edgmon's observation was noted. He agreed that the council was large; however, the issue had impacted many different areas of society and numerous viewpoints and experiences were needed in order to understand how broad the problem was in Alaska. He relayed that the council had been able to meet about every other month. The council had been successful for the last couple of years with the help of its committed members.

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Representative Hannan asked how many members were currently on CDVSA.

Mr. Barlow responded that he believed there were 11 members.

Representative Hannan relayed that one of her concerns was that the executive director would go from reporting to a board of 11 members to reporting to 28 members spread across two different boards. She thought it seemed like a setup for failure. She noted that Representative Vance's presentation was focused on sex trafficking, but human trafficking for labor purposes was a broader category. She asked for more details on the levels of human trafficking in the state and the scale of the problem.

Representative Vance explained that she referred to labor trafficking in the bill as human trafficking, which was distinctly different from sex trafficking. There was little known about labor trafficking in Alaska until recently. She had held a presentation in the House Judiciary Committee on the topic and recalled that there were about 92 cases of labor trafficking in Alaska over the last year, and the cases occurred most often in the fishing industry and in nail salons. She noted that it was a work in progress and her focus was on sex trafficking because it was more prevalent; however, she did not want to deny the presence of labor trafficking.

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Mr. Barlow acknowledged that the executive director would have an increased workload with the two boards. He offered reassurance that significant thought had been put into the decision and the goal was to balance effectiveness and

fiscal responsibility. The model had succeeded in other areas of state government. He thought that Representative Hannan had a valid point about the size of the boards, but he felt strongly that the model would work well and not diminish the effectiveness of the council.

Representative Hannan understood that the alcohol and marijuana boards operated under the same model and had one executive director; however, the two organizations had the exact same mission and were focused on statutory regulatory behavior of a business. She noted that the concern was that CDVSA already had a full plate and the executive director already had a substantial workload. She did not want to see the council be put at risk and negatively impacted or overworked when it was already struggling to keep up with its current workload.

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Representative Coulombe stated that she was concerned that the state already could not fund the council sufficiently. She did not want to set up the council to fail. She asked for more detailed information on why it would not be more effective to implement an entirely separate council with a different management structure. She noted that many of the appointments in the mission seemed very similar to CDVSA. She asked for clarification on what the new council would add that was not already being addressed by CDVSA.

Representative Vance responded that in 2023, there was a section of a bill focused on crime that included the responsibilities of human sex trafficking within CDVSA. There was much consternation that the council was already overwhelmed by its original mandate. There were other concerns because the issue of trafficking was distinctly different because trafficking victims and survivors had different needs than victims of domestic violence. For example, a trafficking survivor was triggered upon rescue by a bottle of travel shampoo and body wash in the shower because travel products were the only products the individual had access to while the individual was being trafficked.

Representative Vance thought it was important to create a distinction between the two councils and ensure the success of both. She spoke with the sponsor of the crime-related bill in 2023 and was told that the intent was to ensure

that the issue of trafficking was being addressed. She began working with DPS to determine what could be done to place the council in statute permanently because the work needed to continue and the council needed to grow. The solution that emerged from the discussions was to fund a director and a couple of administrative support positions. The work had been neglected for a period of time and was not picked up again until 2021. The council would be able to distribute grants once the council was solidified in statute. She relayed that resources were limited to those who were providing services to trafficking victims and she wanted to provide the means for the council to get off the ground.

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Representative Coulombe understood that one of the fiscal notes stated that additional funding could be requested for public awareness campaigns, stakeholder engagement, and federal authority to receive federal grants. She thought it might create competition between the two councils because both councils needed the same resources. She asked if it was a realistic anticipation that the two councils would be fighting for funds instead of blending together.

Representative Vance responded that as far as she was aware, federal grants were highly prescriptive. There were grants that were specific to human and sex trafficking that CDVSA would not be eligible to receive because CDVSA was focused on domestic violence and sexual assault. There may be overlap in some grants but CHST would be pursuing grants specific to trafficking. She wanted to offer reassurance that there should not be competition between councils. The work was meant to help support victims and creating a distinction between the two councils was important because human trafficking was often misidentified as domestic violence. She thought it would be a positive partnership and in no way a competition.

Representative Coulombe asked if most people who were trafficked were victims of domestic assault and sexual abuse.

Representative Vance replied that at least a third of traffickers were familial and trafficking was likely to be first reported as domestic violence. With more education, it was easier to identify trafficking. She added that the

two councils sharing a director should eliminate competition between the two. The councils had many of the same mandates and provided many of the same types of services.

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Representative Ortiz asked Mr. Ballinger what the most beneficial impact on the fight against human and sex trafficking would be if the bill were to pass. He asked what would be achieved if the new council was established.

Mr. Ballinger replied that he was likely the least equipped person to answer the question but he could answer legal questions. He thought it would be helpful to have discussions between experts on creative ways to address the problem.

Representative Vance responded that the first thing that could happen would be that the work would continue. She reiterated that the work had ceased for a long period of time. One of the first recommendations of the original task force created by Governor Parnell was to put signage out in public places providing a hotline number to potential victims. One of the most important places for the signs was in airports. She wrote a letter to the Department of Transportation and Public Facilities (DOT) to ask if the department was planning on posting signs in the airports in the state. The department responded that it would post the signs but after some time had passed, she received a memo that it had not happened. She relayed that three years passed and nothing had changed, despite her efforts and communication with DOT. She was pleased to report that due to the help from CDVSA, signs were now posted in the bathrooms in airports in the state. There were also plans to put the signs up on ferries. The issue was growing and the victims were becoming younger and younger. She was passionate about the work continuing because the problem was not going away.

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Representative Ortiz relayed that he had requested a concise summary of what the bill would accomplish, but he realized it was a difficult ask. He understood that the bill would raise public awareness of the issue.

Representative Vance responded that the purpose of the council was much more than simply spreading public awareness. Solidifying the council in statute would allow it to receive and distribute grants and provide necessary resources to victims. There were minimal resources currently available to individuals who had been trafficked. The bill would allow for the acquisition of more federal dollars and partnerships within the state and also provide for more data gathering and research. The state currently had limited services to provide help to victims, but establishing the council in statute would allow the state to receive more federal dollars and create the necessary partnerships to provide services that were not presently available.

Representative Ortiz asked whether there was any portion or sector of the state that specifically worked to prevent human and sex trafficking. He asked if there were individuals dedicated specifically to the issue.

Mr. Barlow responded that members of the Alaska Bureau of Investigation were trained investigators in a myriad of different crimes and were responsible for investigating cases of sex trafficking and prostitution with a focus on demand. He did not think the work done by investigators was enough to properly address the problem; however, the resources could only go so far. The bill would allow the state to apply for more grants and acquire more resources.

Representative Ortiz remarked that no one could question the value of the ongoing cost to support the council, but he wondered if it would be Representative Vance's assessment that the wisest and most effective use of additional resources would be to allocate additional funds to the council. He asked if supporting the council itself would be the most effective way to fight human and sex trafficking.

Representative Vance responded in the affirmative. She shared that currently, some victims had nowhere to go, particularly those with mental health needs. The council would be able to pursue and distribute grants and provide resources to trafficking victims if the bill were to pass. The council could also better pursue investigations and use dollars from grants to fund investigators. She wanted to make sure that when victims were rescued, there was a safe place for the victims to go.

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Representative Stapp referred to page 5, lines 12 and 13 of the bill which mentioned the appointment of two members who were mayors or elected officials in local government to the council. He was aware that mayors were local government officials. He understood that the bill would allow the Anchorage mayor and the presiding officer of the Anchorage Assembly to be appointed to the same council for the state. He was unsure if it was the intent of the sponsor. He asked if geographic diversity in terms of appointees was desired.

Representative Vance replied that the mayor of Anchorage was included on the council. She thought that Mr. Barlow could speak to the geographic diversity. The larger cities in Alaska were vulnerable to being targeted by traffickers and many individuals who lived in rural areas came to Anchorage. The presence of the elected officials would highlight what was going on in the community.

Mr. Barlow responded that geographic diversity of the council was valued. Initially, the mayor of Anchorage and the mayor of Fairbanks were members on the council. Currently, the Anchorage mayor and the Kotzebue mayor were members.

Representative Stapp relayed that he understood that the bill would allow two members from Kotzebue to serve as the only members. He understood that the council would hold public meetings with a minimum of one meeting per quarter. He asked if Representative Vance foresaw the council meeting more frequently than it currently did or less frequently.

Representative Vance responded that there were subcommittees that met outside of the regular meetings in order to accomplish some of the tasks. She thought the frequency of the meetings would depend upon the objectives.

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Mr. Barlow responded that the quantity or rate of meetings would be higher while the focus of the council was still being established, but it would reduce over time. There could be more meetings based on need at the advice of the chair.

Representative Stapp understood that the bill would enable all 17 members to receive travel expenses and per diem. He did not think the expenses were being accounted for in any of the fiscal notes. He thought it should be assumed that expenses would be incurred. He noted that DPS had many vacancies and he wondered why existing positions could not simply be reclassified instead of adding new positions that would likely also be vacant.

Mr. Barlow agreed that DPS had a high number of vacancies and it was a daily endeavor to fill the vacancies. He thought Representative Stapp had a valid point about the per diem costs. The council met in person once per year, but it tried to meet remotely when possible in order to be fiscally responsible.

Representative Stapp thought there was nothing in the bill that dictated that any of the meetings should be conducted remotely.

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Representative Galvin thanked Representative Vance for bringing the issue forward. She had heard that 14 years old to 16 years old was the average age of recruitment for trafficking victims and there had been 124 trafficking cases since 2007 in Alaska, which would be about 18 cases per year. She asked for confirmation that her information was correct.

Representative Vance thanked Representative Galvin for her acknowledgement of the work. She thought that the numbers did not average out, but when the federal government first passed trafficking laws, Alaska was the first place for one of the biggest busts which involved saving a high number of victims at one. She stressed that there was not an average number of cases per year.

Representative Galvin responded that it was helpful to understand that the data was difficult. She understood that the number of domestic violence and sexual assault victims every year was substantial. She noted that there was overlap with trafficking victims, but she did not think that it should be referred to as a subset of domestic violence and sexual assault. She asked if the working group with which Representative Vance had been collaborating on

trafficking issues also had experience with domestic violence and sexual assault.

Representative Vance responded in the affirmative. There were many partnerships and there was incredible overlap. She relayed that trafficking was more common in Alaska than previously thought. Representative Vance had a friend who only recently realized that she was being groomed upon reading through the steps of exploitation, grooming, and coercion. More victims would be helped as knowledge about sexual exploitation increased. The council was working to identify sexual exploitation and help partners understand how to help victims. The services and resources needed for a victim of domestic violence or sexual assault were different than what was needed to help victims of sexual exploitation.

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Representative Galvin commented that she was trying to understand how domestic violence and sexual assault overlapped with trafficking. She wondered if there would be a jockeying for resources if the two were combined or if the resource types were different. She noted that former Governor Parnell tried to accomplish a similar task, but it was a significant request for the commissioners to meet four times a year. She thought it was reasonable to teach awareness as part of early learning curriculum. She thought trafficking seemed to be a subset of domestic violence and sexual assault but noted that she did not know enough about the topic to categorize it. She understood that public awareness was the most important strategy and that funds needed to be dedicated to the effort.

Representative Galvin noted that page 5 of the bill stated that one member of the council would represent an Alaska Native organization. The data stated that currently 45 percent of trafficked youth were identified as Alaska Native. She assumed that the membership was specifically designed to ensure that there would be input from an Alaska Native organization. She asked whether Representative Vance had considered mandating that more than one member of the council represent Alaska Natives, particularly considering the population was more vulnerable.

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Representative Vance responded that the language was broad in order to be inclusive of many organizations, such as the Alaska Native Women's Resource Center. She explained that the structure of the membership was the work of CHST and the council thought it would be the most effective structure. She fully embraced and endorsed the structure of the council. The model had been working well and she was amazed at the dedication to the work. She had not heard any complaints about certain members not being at the meeting, but she was open to the recommendations of the committee. She deferred to Mr. Barlow on the specific outlay of the membership.

Mr. Barlow reiterated that the structure had been effective. He thought that the council being solidified in statute would allow it to pursue specific actions regarding education and victim services. The council would also be able to meet different needs within certain groups, such as Alaska Natives. He would be open to reevaluating the structure if necessary.

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Representative Galvin asked how "effective" was defined. She had heard that the number of victims was increasing and she was concerned. She understood that the members were working together effectively, but wondered about the overall outcomes of the work. She was also worried about the costs associated with Representative Stapp's comments.

Mr. Barlow responded that the 17 members had come together and worked on an important cause. The members were collectively focused and despite the lack of additional funding and staff, the council had completed the required reports and determined its areas of focus. He thought that the bill represented the next step for the council and hoped that it could continue its work, seek funding, and move forward.

Co-Chair Foster invited the sponsor to make any closing comments.

Representative Vance thanked the committee for its time and for asking great questions. She thought the questions showed how important the issue was to everyone.

HB 259 was HEARD and HELD in committee for further consideration.

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RECONVENED

#sb67

SENATE BILL NO. 67

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

[2:50:07 PM](#)

SENATOR JESSE KIEHL, SPONSOR, introduced SB 67 and explained that per and polyfluoroalkyl substances (PFAS) were a group of chemicals harmful to human health. The chemicals were linked to serious health conditions including low birth weight, thyroid disease, and cancer, even in extremely small concentrations. He relayed that PFAS were an efficient firefighting tool because the chemicals were waterproof and fire resistant; however, PFAS were difficult to get rid of and toxic. When PFAS were used in firefighting, it was common for the chemicals to infiltrate drinking water. As more locations around Alaska were tested for PFAS contamination due to the use of firefighting foam, it was discovered that PFAS contamination was more common than previously thought.

Senator Kiehl explained that SB 67 would take a "no new spills" approach to the problem. The bill would require anyone with firefighting foam that contained PFAS to make a switch to fluorine-free alternatives that were already approved for use in airports. The Federal Aviation Association (FAA) had adopted the military specifications and it was particularly interested in the fluorine-free foam's ability to quickly extinguish jet fuel fires on top of an aircraft carrier. The FAA had approved the fluorine-free foams that had been in use in other places around the world for many years and the alternatives were available. The bill had a delayed implementation for the oil and gas industry because fluorine-free foams that would successfully extinguish oil and gas fires were not yet available. The goal of the bill was to protect people's

health, not cost workers their lives. He shared that the technology was improving and tools would soon be available for the oil and gas industry. Several of Alaska's firefighting professionals, including the current fire marshal, were either involved in or were closely monitoring research in other states, but Alaska was not yet ready for the switch.

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Senator Kiehl explained that the next major provision in SB 67 was also focused on the no new spills goal. Some years back, the state collaborated with the Rasmuson Foundation and the Alaska Village Initiative to put together firefighting carts called Code Red carts. The carts could be pulled behind a four-wheeler and could be transported easily to fight fires. The carts were provided to 136 rural communities and the cargo included a canister of PFAS firefighting foam concentrate. At present, 85 percent of the carts were broken and could not be used to fight fires, but the concentrate was still present in villages all across Alaska. The bill required that the state would ensure that the concentrate was properly disposed of and it would not be left in rural villages where there was a risk of spillage.

Senator Kiehl relayed that the bill needed two fixes: the first was the effective date and the second was tweaking some language in the bill to make it acceptable to the administration. He had received proposed language from the Department of Environmental Conservation (DEC) earlier in the day and he would soon be drafting the language into an amendment. He would share the language with the committee once it was written into the amendment. The work had been collaborative and productive and he hoped to bring the committee the new language in the near future.

Senator Kiehl noted that there were invited testifiers waiting to provide testimony. He introduced Mr. John Goeckerman, who was serving as an intern in his office through the University of Alaska and Ted Stevens Foundation's legislative internship program. He shared that his staff could provide a sectional analysis at the chair's discretion.

Co-Chair Foster suggested that the committee hear the sectional analysis.

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JOHN GOECKERMAN, STAFF, SENATOR JESSE KIEHL, reviewed the sectional analysis (copy on file):

Sec. 1 of the bill creates a new section:

Sec. 46.03.340(a): Everyone outside the oil & gas industry must stop using PFAS-containing foams, unless federal law preempts Alaska law.

Sec. 46.03.340(b): People fighting fires in the oil & gas industry may continue using PFAS-containing foams until an alternative is approved by regulation.

Sec. 46.03.340(c): The state fire marshal can determine there is a safe and effective PFASfree foam for fighting oil or gas fires if the alternate foam is listed by an organization in OSHA's Nationally Recognized Testing Laboratory Program. The fire marshal must require the new foam by regulation, with a stated effective date.

Sec. 46.03.340(d): DEC must take up to 40 gallons per year of PFAS-containing firefighting foam from Alaskans for disposal.

Sec. 2 of the bill sets an effective date of January 1, 2024.

Co-Chair Foster relayed that the committee would hear from invited testifiers.

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DAVID PRUHS, MAYOR, CITY OF FAIRBANKS, FAIRBANKS (via teleconference), testified that the City of Fairbanks had a PFAS contamination environmental issue. He relayed that Fairbanks had a firefighting training center with a containment system and firefighters would light up oil in the containment system and put the fire out. The containment system did not fail, but the firefighters sprayed outside of the containment system and chemicals leached into the water table and migrated in a northwest path for about four miles. The city had spent approximately

\$5.4 million to connect houses to water systems to prevent contamination, but the problem was still pervasive. He often asked himself what he could do that might impact the state in 20 years. He thought that banning PFAS would have a positive impact in 20 years and it would have a positive effect on the environment.

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JUSTIN MACK, SECRETARY TREASURER, ALASKA PROFESSIONAL FIRE FIGHTERS' ASSOCIATION, ANCHORAGE (via teleconference), testified in support of SB 67. He currently served with the Alaska Professional Firefighters, the Anchorage Firefighters Union, the Firefighter Cancer Support Network, and was a captain at Fire Station 3 in Mountain View with the Anchorage Fire Department. One of the things that he had learned about the profession was how dangerous fires could be. There were known threats such as a burning building, a roof collapse, a commercial building collapse, but the threat he did not one understand as a new firefighter was exposure to dangerous chemicals that could lead to cancer. He relayed that exposure to chemicals was responsible for the highest number of firefighter deaths. The connection between PFAS and cancer was incredibly strong. In 2022, the International Agency for Research on Cancer changed its view and made the occupation of firefighting a Group 1 carcinogen, which meant the profession itself was carcinogenic to humans. He explained that Group 1 classification was used when there was the strongest level of evidence that a substance could cause cancer. Firefighters were exposed to toxic chemicals through the firefighting foam and the protective equipment that firefighters wore.

Mr. Mack added that PFAS was a broad category and only one of the areas of exposure. The PFAS firefighting foam worked by creating a blanket over a liquid seal that acted as a barrier preventing flammable vapors from escaping the liquid. The foam helped to both extinguish the fire and to prevent additional ignition of vapors. The problem was that although foams containing PFAS were more effective than fluorine-free foams, PFAS had harmful effects on humans and animals. The chemicals would not degrade naturally in the environment. In January of 2023, the Department of Defense issued a new performance specification for firefighting foams used by the military. The specification outlined the functional requirements for firefighting foams used on

military bases and were required to be able to effectively extinguish Class B hydrocarbon liquid fuel fires without containing PFAS. The next step that several groups were working on was how to improve the foams to increase effectiveness in fighting fires. He thought that the foam products would become available on a larger scale as more testing was done.

Mr. Mack continued that exposure to PFAS had been linked to several issues including cancer, reproductive problems, immune system disorders, and hormonal disruption, and firefighters were at an increased risk of exposure. Legislation was crucial to limit the use of PFAS in firefighting foams and promote the adoption of safer alternatives. By restricting the use of PFAS-containing foams, the legislature could reduce firefighters' exposure to the harmful chemicals and mitigate the environmental impacts of PFAS contamination. Additionally, legislation could promote support of PFAS-free firefighting foams that were effective in extinguishing fires without posing health and environmental risks. He concluded that addressing firefighter safety concerns surrounding PFAS required comprehensive legislation to limit the use of PFAS firefighting foams and mitigate the environmental impact. By prioritizing and adopting safer alternatives and implementing measures to prevent PFAS contamination of drinking water, the legislature could safeguard the health and wellness of firefighters and communities.

[3:05:41 PM](#)

Co-Chair Foster asked how many gallons of PFAS foam were on the firefighting carts that were distributed to the rural villages. He was trying to determine how many of the carts could be taken back per year.

Senator Kiehl responded that the cap of 40 gallons written in the bill was targeted at the Code Red carts. The carts had a five gallon concentrate and a 30 gallon premix tank. The cap of 40 gallons was chosen to allow for a buffer.

Representative Josephson recalled that Senator Kiehl mentioned an upcoming amendment related to the take back provision. He asked whether the administration was working with the senator on take back provision language only or was it also working with the senator on finding an alternative to PFAS itself.

Senator Kiehl responded that the amendment language was related to the take back provision and PFAS foam in villages and small remote areas. He thought that members of the committee would recall that the governor's capital budget included funding for DOT to replace PFAS foams at DOT-operated airports, which he applauded. He understood that DOT was the second largest owner of PFAS foam in the state. He thought that DOT was on the right track, and it was now buying fluorine-free foams.

Co-Chair Foster invited the senator to make any closing comments.

Senator Kiehl appreciated that the committee had taken time to focus on the issue and looked forward to working with the committee again once the amendment language from the administration was finalized.

HB 259 was HEARD and HELD in committee for further consideration.

Co-Chair Foster reviewed the agenda for the following day's meeting.

ADJOURNMENT

3:09:30 PM

The meeting was adjourned at 3:09 p.m.