

**ALASKA STATE LEGISLATURE  
SENATE RESOURCES STANDING COMMITTEE**

March 6, 2024

3:30 p.m.

**MEMBERS PRESENT**

Senator Click Bishop, Co-Chair  
Senator Cathy Giessel, Co-Chair  
Senator Bill Wielechowski, Vice Chair  
Senator Scott Kawasaki  
Senator James Kaufman  
Senator Forrest Dunbar  
Senator Matt Claman

**MEMBERS ABSENT**

All members present

**OTHER MEMBERS PRESENT**

Senator Jesse Bjorkman

**COMMITTEE CALENDAR**

SENATE BILL NO. 168

"An Act relating to wrongfully seized game."

- HEARD AND HELD

PRESENTATION(S): RESIDENT HUNTERS OF ALASKA (RHAK)

- HEARD

**HOUSE JOINT RESOLUTION**

"Urging withdrawal of proposed Bureau of Land Management regulations affecting the National Petroleum Reserve in Alaska; and urging meaningful engagement with tribes, local governments, and affected communities."

- MOVED OUT OF COMMITTEE

SENATE JOINT RESOLUTION NO. 18

Urging withdrawal of proposed Bureau of Land Management regulations affecting the National Petroleum Reserve in Alaska;

and urging meaningful engagement with tribes, local governments, and affected communities.

- BILL HEARING CANCELED

**PREVIOUS COMMITTEE ACTION**

BILL: SB 168

SHORT TITLE: COMPENSATION FOR WRONGFULLY SEIZED GAME

SPONSOR(S): SENATOR(S) BJORKMAN

01/16/24	(S)	PREFILE RELEASED 1/8/24
01/16/24	(S)	READ THE FIRST TIME - REFERRALS
01/16/24	(S)	RES
02/16/24	(S)	RES AT 3:30 PM BUTROVICH 205
02/16/24	(S)	Scheduled but Noret Heard
02/21/24	(S)	RES AT 3:30 PM BUTROVICH 205
02/21/24	(S)	Heard & Held
02/21/24	(S)	MINUTE(RES)
03/06/24	(S)	RES AT 3:30 PM BUTROVICH 205

**WITNESS REGISTER**

ELIZABETH THOMAS, representing self  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of SB 168.

MARK RICHARDS, Executive Director  
Resident Hunters of Alaska  
Fairbanks, Alaska

**POSITION STATEMENT:** Presented an overview of the Resident Hunters of Alaska (RHAK)

REPRESENTATIVE THOMAS BAKER, District 40  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor for HJR 20.

ELIZABETH REXFORD, Staff  
Representative Thomas Baker  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Briefly introduced herself.

DOREEN LEAVITT, Director  
Natural Resources  
Inupiat Community of the Arctic Slope (ICAS)

Utqiagvik, Alaska

**POSITION STATEMENT:** Invited testimony for HJR 20.

JOSIAH PATKOTAK, Mayor

Utqiagvik, Alaska

**POSITION STATEMENT:** Invited testimony for HJR 20.

BRIDGET ANDERSON, Senior Vice President

External Affairs

Arctic Slope Regional Corporation (ASRC)

Anchorage, Alaska

**POSITION STATEMENT:** Invited testimony for HJR 20.

KARA MORIARTY, President and CEO

Alaska Oil and Gas Association (AOGA)

Anchorage, Alaska

**POSITION STATEMENT:** Invited testimony for HJR 20.

ANDY MACK, Chief Executive Officer

Kuukpik Corporation

Anchorage, Alaska

**POSITION STATEMENT:** Invited testimony for HJR 20.

NAGRUK HARCHAREK, President

Voice of the Arctic Inupiat

Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HJR 20.

D.J. FAUSKE, Director

Government & External Affairs

North Slope Borough

Utqiagvik, Alaska

**POSITION STATEMENT:** Answered questions related to HJR 20.

KATIE CAPOZZI, President

Alaska Chamber of Commerce

Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HJR 20.

LEILA KIMBRELL, Executive Director

Resource Development Council (RDC)

Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HJR 20.

KEN HUCKEBA, representing self

Wasilla, Alaska

**POSITION STATEMENT:** Testified in support of HJR 20.

KEN GRIFFIN, representing self  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in support of HJR 20.

CAROLINE SCHULTZ, Director  
Government Affairs  
ConocoPhillips  
Anchorage, Alaska

**POSITION STATEMENT:** Answered questions on HJR 20.

#### **ACTION NARRATIVE**

[3:30:38 PM](#)

CO-CHAIR BISHOP called the Senate Resources Standing Committee meeting to order at 3:30 p.m. Present at the call to order were Senators Wielechowski, Kawasaki, Kaufman, Dunbar, Claman, Co-Chair Giessel, and Co-Chair Bishop.

#### **SB 168-COMPENSATION FOR WRONGFULLY SEIZED GAME**

[3:31:18 PM](#)

CO-CHAIR BISHOP announced the consideration of SENATE BILL NO. 168 "An Act relating to wrongfully seized game."

[3:31:45 PM](#)

CO-CHAIR BISHOP announced public testimony.

[3:32:06 PM](#)

ELIZABETH THOMAS, representing self, Juneau, Alaska, testified in support of SB 168. She recounted being cited for harvesting an illegal bull in 2021 and was found not guilty. She noted that the game was donated before her plea, and despite winning her appeal, she is still awaiting the return of her property.

[3:33:37 PM](#)

CHAIR KAWASAKI asked who the appeal was made to.

[3:33:44 PM](#)

MR. THOMAS replied that the Alaska State Troopers appealed the State's decision, which was made by Magistrate Newport in Petersburg.

[3:34:07 PM](#)

CO-CHAIR GIESSEL asked whether she supports or opposes SB 168.

[3:34:14 PM](#)

MS. THOMAS replied that she supports SB 168.

[3:34:25 PM](#)

SENATOR WIELECHOWSKI acknowledged having an extensive discussion with Ms. Thomas on this case. He asked for confirmation of his understanding that the situation involved hunting a moose with a broken tine, which was confiscated by an Alaska State Trooper. The moose weighed approximately 1,000 pounds, resulting in a loss of 1,000 pounds of meat, and has still not been returned after two years.

[3:34:56 PM](#)

MS. THOMAS replied that is correct.

[3:35:11 PM](#)

SENATOR DUNBAR said that at the last committee hearing, Alaska Department of Fish and Game (ADFG) claimed that efforts were made to find a replacement animal for the lost meat. He asked whether the department attempted to find a replacement animal for the lost meat and whether an alternative moose was offered.

[3:35:35 PM](#)

MS. THOMAS replied that there was a delay in communication, but recently, a law enforcement official reached out to her about potentially compensating her with a moose from Anchorage. However, specifics about the compensation amount have not been provided, and there are still many unanswered questions.

[3:36:26 PM](#)

CO-CHAIR BISHOP closed public testimony and held SB 168 in committee.

**PRESENTATION: RESIDENT HUNTERS OF ALASKA (RHAK)**

[3:36:31 PM](#)

CO-CHAIR BISHOP announced the consideration of a presentation by the Resident Hunters of Alaska (RHAK).

[3:37:01 PM](#)

MARK RICHARDS, Executive Director, Resident Hunters of Alaska, Fairbanks, Alaska, presented an overview of the Resident Hunters of Alaska (RHAK). He said RHAK is a hunting conservation organization with approximately 3,500 members statewide. Its primary focus is to ensure that future generations of Alaskans have the same hunting opportunities that are available today.

[3:37:28 PM](#)

CO-CHAIR BISHOP announced Senator Bjorkman was in attendance.

[3:37:48 PM](#)

MR. RICHARDS moved to slide 2 and summarized board oversight of state hunting opportunities:

[Original punctuation provided.]

**Our State Constitution Mandates a Resident Hunting Priority**

"The state of Alaska constitution is unique, in that it contains an article that exclusively addresses the management of natural resources within state lands and waters. Article VIII of the Alaska Constitution is the result of historic achievement in which the state of Alaska established the chief principle that **all resources should be managed under a public trust doctrine for the citizens of Alaska**. Under section two of Article VIII, the Alaska "legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the state, including land and waters, **for the maximum benefit of the people.**"

MR. RICHARDS stated that RHAK is linked to art. VIII, Constitution of the State of Alaska, which designates wildlife resources as a public trust intended for the benefit and common use of Alaskans, meaning residents should have priority in harvesting wildlife, whether for food or trophies. However, the constitution is not being upheld. Alaska is the only western state without restrictions on non-resident hunters to ensure that resident hunters have priority. He offered to discuss potential solutions to address the problems caused by this lack of regulation.

[3:38:34 PM](#)

SENATOR DUNBAR recalled having a conversation with Mr. Richards and wanted to put it on the record. He noted that the constitutional doctrine encompasses more than just personal use, such as commercial fishing. He asked if the maximum benefit for Alaskans could also include activities like wildlife viewing, and inquired whether the position is that the maximum benefit always means resident hunting, or if there is a broader interpretation of that provision.

[3:39:18 PM](#)

MR. RICHARDS said it has been argued in court that allowing many non-resident hunters could provide significant financial benefits accrued to the department, state, and guide industry. However, as argued by RHAK's attorney, the specific provisions in art. III take precedence over the general provisions in art. II, Constitution of the State of Alaska. The common use clause in art. III mandates that residents have hunting priority.

[3:40:10 PM](#)

MR. RICHARDS moved to slide 3 and detailed the four regulatory boards overseeing hunters and guides:

[Original punctuation provided.]

**Alaska Board of Game (BOG):**

7-member panel appointed by the Governor and confirmed by the legislature. Broad authority from legislature over all hunting seasons, bag limits, allocations among user groups. Regulates the number of hunters in the field. Directs ADFG how to manage our wildlife

**ADF&G Division of Wildlife Conservation (DWC):**

Research and Survey & Inventory of game populations. Advises BOG. Manages our wildlife according to BOG directives. Neutral on all allocation proposals. Conducts predator reduction programs authorized by the BOG.

**Big Game Commercial Services Board (BGCSB)**

Licenses guides & regulates the number of guides in the field, also regulates transporters

**Federal Subsistence Board (FSB)**

Regulates hunting seasons and hunters on federal lands, ability to lock out non-federally qualified hunters on federal lands

[3:41:04 PM](#)

CO-CHAIR BISHOP asked for confirmation of his understanding that the commissioner has the authority to override a board decision.

[3:41:18 PM](#)

MR. RICHARDS replied that it is technically correct.

[3:41:23 PM](#)

SENATOR KAUFMAN said his comment was also about line of authority; it seemed odd that authority was totally delegated to the board.

[3:41:35 PM](#)

MR. RICHARDS replied that the legislature granted broad authority to both the Board of Game and the Board of Fisheries to allow them to function effectively, as it would be impractical for these matters to keep coming back to the legislature. However, he noted that he has never seen the commissioner override a decision made by the Board of Game, even after appeals or when decisions were perceived as incorrect.

[3:42:00 PM](#)

MR. RICHARDS moved to slide 4 and explained the concerns surrounding hunting regulations:

[Original punctuation provided.]

#### **WHAT ARE THE ISSUES?**

There is no statutory requirement that the Board of Game shall allocate our wildlife resources to prioritize resident hunting opportunities. So, we end up with:

- No clear resident hunting priority for Intensive Management game populations
- A moose draw permit that allocates 50 percent of the permits to nonresidents
- A caribou draw permit that allocates 25 percent of the permits to nonresidents.
- Unlimited nonresident Dall sheep hunting in some areas that leads to sheep conservation concerns, hunting restrictions and closures
- A coveted Kodiak brown bear draw hunt for residents with odds so low that one may never draw in their lifetime, but nonresident guided hunters are awarded up to 40 percent of all the permits and are guaranteed an opportunity to hunt

MR. RICHARDS stated that locations with draw permit hunts indicate insufficient wildlife populations to allow everyone the opportunity to hunt. Despite laws and regulations that emphasize the importance of big game species like moose and caribou for providing food for Alaskans, the Board of Game has made

decisions that contradict these laws and regulations. For example, a moose draw hunt allocates 50 percent of the permits to non-residents, and the board has made most of those permits guided to benefit individual guides. Additionally, the popular caribou draw hunt allocates 25 percent of permits to non-residents. The board allows unlimited non-resident sheep hunting on state lands with declining sheep populations, permitting non-resident guided hunters to take 60 percent to 90 percent of the sheep. The board also allocates up to 40 percent of coveted Kodiak Brown Bear draw permits to non-resident guided hunters, purposely gaming the system in favor of these hunters.

[3:43:14 PM](#)

MR. RICHARDS moved to slide 5 and explained the Central Arctic Caribou Herd (CAH) Crash of 2016:

[Original punctuation provided.]

**Central Arctic Caribou Herd (CAH) Crash 2016**

- CAH is Intensive Management population important for providing food for Alaskans
- Population objective: 28,000 - 32,000 animals
- Herd declined to 22,000 animals in 2016, hunting restrictions necessary for all
- Board of Game restricted resident and nonresident hunting seasons and bag limits and the next 2 years nonresidents took majority of the harvest from that declining caribou herd.

[3:43:56 PM](#)

MR. RICHARDS moved to slide 6 and spoke to the Kodiak brown bear draw permit system:

[Original punctuation provided.]

**Kodiak brown bear draw permit system**

Resident hunters: must apply for a draw permit, pay application fee, with a 1-3 percent chance of drawing most permits

Nonresident guided hunters: do not have to submit a draw permit application, or pay a fee, have 100% opportunity to hunt Kodiak brown bear

MR. RICHARDS stated that the social media post referenced depicts a non-resident who went on five guided Kodiak brown bear hunts before obtaining a coveted 10-foot bear. He cited a reply from a resident hunter congratulating the non-resident but also expressing frustration over the disparity, as the resident had to wait 10 years to draw a permit while the non-resident could hunt whenever desired.

[3:44:32 PM](#)

MR. RICHARDS moved to slide 7, which shows a map of the Alaska Drawing Permit Hunt Supplement for 2024-2025. He spoke to the categorization of drawing permits for non-guided and non-resident guided hunters on Kodiak. He said the map highlights various permit hunt areas within the Kodiak National Wildlife Refuge where guides have exclusive concessions. Despite being labeled as lottery-based draw permits, these non-resident permits are actually allocated to individual guides for each concession area to manage as they see fit. On the right side of the slide, there is an advertisement from a guide in one of these exclusive concession areas, promoting the ability to bypass the permit process entirely. This practice has been ongoing for decades. Proposals to change the structure of these hunts for non-resident guided hunters have been submitted but consistently voted down. At the last regional meeting changes were again requested. The Chairman of the Board of Game remarked on the record that these hunts are incorrectly labeled as draw hunts since non-residents have 100 percent opportunity. Despite this acknowledgment, the board voted against the proposed changes, allowing the scheme to persist. It is appalling that residents can apply for Kodiak brown bear permits their entire lives without success, while non-residents with guided hunts have 100 percent opportunity.

[3:46:08 PM](#)

MR. RICHARDS moved to slide 8 and spoke to an existing draw permit lawsuit:

[Original punctuation provided.]

**Cassell v State of Alaska, Board of Game**  
brought by Dr. Robert Cassell from Wasilla

**What the lawsuit is about:** Up to 40 percent of all Kodiak Brown Bear draw permits are allocated to guided out-of-state hunters. This type of exclusive allocation of permits to nonresident hunters is a

special privilege not allowed according to Article 8 of our state constitution:

*Section 3. Common Use*

*Wherever occurring in their natural state, fish, wildlife, and waters are **reserved to the people for common use.***

MR. RICHARDS said art. VIII, Constitution of the State of Alaska clearly mandates that Alaskans have common use of wildlife resources. Granting exclusive hunting privileges to non-residents crosses this line and is unconstitutional. The Cassell v State of Alaska, Board of Game lawsuit was recently heard by the Alaska Supreme Court, and a decision is expected to take at least one year. Regardless of the court's ruling, he does not expect the case to resolve the issue. He suggested that as demonstrated by numerous examples, a legislative solution will likely be required to address the problem.

[3:47:01 PM](#)

SENATOR DUNBAR asked how non-residents are permitted to engage in commercial fishing in Alaska if the interpretation is that wildlife resources should be reserved for common use by residents only.

[3:47:38 PM](#)

MR. RICHARDS explained that it's not a direct comparison because the constitution has been amended to allow limited entry for fishing. He clarified that his focus is on hunting rather than fishing issues.

[3:48:01 PM](#)

SENATOR DUNBAR asked for confirmation of his understanding that the provision under art. VIII, Constitution of the State of Alaska encompasses fish, wildlife, and water.

[3:48:08 PM](#)

MR. RICHARDS acknowledged current state fishery issues and agreed it could be interpreted that way.

[3:48:14 PM](#)

SENATOR WIELECHOWSKI inquired about funding concerns if the case is ruled unconstitutional, noting that a large percentage of the Division of Wildlife Conservation's budget comes from non-resident hunting. He inquired about ideas for addressing this issue, given that non-resident hunting contributes approximately

81 percent of the budget, along with the three-to-one Pittman-Robertson match.

[3:48:56 PM](#)

MR. RICHARDS noted that 75 percent of funding for wildlife conservation comes from non-resident hunters. He added that in every western state with strict non-resident limits, non-residents still provide the bulk of funding due to higher license and tag fees. Despite raising non-resident tag fees in Alaska, they remain the lowest compared to other western states, where a sheep tag can cost around \$2,500. He pointed out that one significant issue is the "must be guided" law [AS 16.05.408.], which limits funding opportunities. For example, there are about 15,000 non-resident big game hunters in Alaska annually, with 8,000 to 9,000 being do-it-yourself caribou and moose hunters. If Alaska were to offer unguided permits for species like brown bears in areas where more bears are needed to be taken, it could generate significant revenue. Hunters would pay application fees, a license fee, and \$1,000 for a tag if they win the permit. Opening such hunts could raise substantial funds and address some of the issues created by the current guide law.

[3:51:12 PM](#)

MR. RICHARDS moved to slide 9 and spoke to non-resident sheep hunting on state lands:

[Original punctuation provided.]

#### **Unlimited Nonresident Sheep Hunting on State Lands**

If you had the only state in the country with thinhorn Dall sheep, what would happen if you:

Allowed unlimited nonresident sheep hunting opportunity

Required all nonresidents to hire a guide to hunt sheep • Didn't place any limits on guides

A guided sheep hunt costs upwards of \$25,000

MR. RICHARDS said the demand for Dall sheep by hunters from the lower 48 states and globally far exceeds availability. Thin horned Dall sheep are found only in Alaska and Yukon and Northwest Territories of Canada. The Board of Game's management of declining sheep populations on state lands has led to issues driven by money and greed, resulting in non-resident guided

sheep hunters crowding out residents and taking the majority of the harvest, particularly in Unit 19C in the western Alaska Range. This outcome was anticipated by wildlife managers from the lower 48. Since RHAK's formation in 2016, they have submitted proposals to the Board of Game to limit non-resident sheep hunters on state lands to address crowding, conflicts, and guide issues. However, these proposals have been consistently voted down, despite the Board of Game's acknowledgment of these problems. He questioned why the Board refuses to limit non-resident sheep hunters and noted that the board, the guide lobby, and the Big Game Commercial Services Board attribute the problem to too many guides, suggesting that limiting the number of guides is the solution. He mentioned that nearly \$1 million was spent on a proposed guide concession program, which was legally questionable and failed to pass. This program is now being reintroduced as the sole solution to the known problems.

[3:52:44 PM](#)

MR. RICHARDS moved to slide 10, which depicts a diagram of the Board of Game's perspective on issues surrounding hunting opportunities. He questioned why the Board of Game has refused to limit non-resident sheep hunters. The board, along with the guide lobby and the Big Game Commercial Services Board, attributes the issue to too many guides, claiming that the only solution is to strictly limit their number. The state previously spent nearly \$1 million on a proposed guide concession program for state lands under the Department of Natural Resources (DNR). This legislation, which had a \$1 million fiscal note and was legally questionable, failed to pass but is now being reintroduced.

[3:53:41 PM](#)

MR. RICHARDS moved to slide 11 and explained alternatives to the proposed Guide Concession Program (GCP):

[Original punctuation provided.]

**DNR Alternatives to the Proposed Guide Concession Program (GCP)**

"The first BOG [Board of Game] alternative to the GCP is for the board to further restrict non-resident hunting opportunity. This could be accomplished by expanding the drawing and/or registration permit systems for non-residents, while simultaneously reducing or eliminating non-resident general harvest seasons and bag limits. This alternative would help to

address the issues of quality of experience and conflicts between users by decreasing the number of non-resident hunters in the field. It may also address wildlife conservation concerns in cases where overharvest is an issue."

"The first BGCSB alternative to the GCP is for the board to reduce the number of GUAs [guide use areas] a guide could register for. Currently a guide in the state of Alaska can register in three GUAs per year (not including Predator Control Areas). Reducing the number of GUAs a guide can register for could reduce the number of guides in a GUA, which would address the issues of quality of experience and user conflicts."

MR. RICHARDS listed alternative solutions to the proposed guide concession program, including options the Board of Game has been asked to consider, such as placing limits on non-resident hunters through a permit system. He said the slide also shows how the Big Game Commercial Services Board could regulate guides using various mechanisms under its authority. He expressed disagreement from the Board of Game, the Big Game Commercial Services Board, and the guide lobby for insisting that the guide concession program is the only solution to these problems, arguing that it primarily benefits the guide industry. He recommended that solutions should be evaluated based on what is best for the resource and resident hunters, rather than solely considering the interests of the guide industry.

[3:54:43 PM](#)

CO-CHAIR GIESSEL disagreed, noting that the guide concession bill, which passed the legislature a few years ago, was vetoed by the governor. She pointed out that the federal government has a guide concession program for federal lands.

[3:55:02 PM](#)

MR. RICHARDS confirmed that the federal government has a guide concession program, which the guide industry aims to emulate.

[3:55:14 PM](#)

MR. RICHARDS moved to slide 12 demonstrating a diagram of inconsistent wildlife management practices and policies between the Knowles and Palin administrations. He spoke to inherent structural problems in wildlife management and said depending on who is governor, he or she appoints a Fish and Game commissioner who aligns with their agenda and to stack the Board of Game as he or she sees fit, which results in a pendulum effect. This has

led to inconsistent policies and sometimes dramatic changes in policies. He opined that this is a poor way of conducting wildlife management and favors commercial interests. Guides dominate the Board of Game; 100,000 Alaskans purchase hunting licenses each year with less than one percent being guides.

[3:56:39 PM](#)

MR. RICHARDS moved to slide 13 and spoke to the Board of Game appointment process:

[Original punctuation provided.]

**Board of Game Appointment Process and other Reforms**  
(AS 16.05.221)

Members are appointed based on their **"interest in public affairs, good judgment, knowledge, and ability in the field of action of the board, and with a view to providing diversity of interest and points of view in the membership."**

**We are not adhering to the "diversity of interests" on the board**

MR. RICHARDS suggested that one of the main issues legislators should address is the current structure of the Board of Game, particularly in the appointment of its members. The state is not adhering to the statute's requirement for a diversity of interest in these appointments and the Board of Game continues to lack this diversity. He opined that it is crucial to have representation from the commercial industry on the board, but it is evident that commercial interests often dominate. While commercial interests are important, they should not overshadow the interests of Alaskans and the well-being of our wildlife populations. Additionally, the state permits board members who are affiliated with and voting members of other organizations, which is currently the case with one board member. He suggested that anyone appointed to the board who holds a voting position in an organization involved in Board of Game issues should be required to step down from their organizational role while serving on the board.

[3:57:46 PM](#)

MR. RICHARDS moved to slide 14 and spoke to non-resident and non-resident alien permits:

[Original punctuation provided.]

**Amendment to AS 16.05.256 Nonresident and Nonresident Alien Permits**

(SB 77 during the 31st legislature)

Whenever it is necessary to restrict the taking of big game so that the opportunity for state residents to take big game can be reasonably satisfied in accordance with sustained yield principles, the Board of Game **shall** [MAY], through a permit system, limit the taking of big game by nonresident and nonresident aliens to accomplish that purpose.

MR. RICHARDS urged the consideration of a legislative measure requiring that any new hunting restrictions imposed by the Board of Game should ensure that non-resident hunters bear the full impact of those restrictions. He referenced Senate Bill 77, carried by Senator Coghill during the 31st legislature, which proposed a one-word change to AS 16.05.256 regarding non-resident and non-resident alien permits. This bill was introduced in response to the central Arctic Caribou Herd decline, where board-imposed restrictions allowed non-residents to take the majority of the harvest. The Board of Game managed to avoid imposing the full impact of new hunting restrictions on non-resident hunters partly due to the inclusion of the word "may" in the statute.

[3:58:40 PM](#)

MR. RICHARDS moved to slide 16 and spoke to regulations of the Board of Game:

[Original punctuation provided.]

**16.05.255 (d) Regulations of the Board of Game**

Regulations adopted under (a) of this section must provide that, consistent with the provisions of AS 16.05.258, the taking of moose, deer, elk, and caribou by residents for personal or family consumption has preference over taking by nonresidents

**What exactly is a "preference"? Is allowing nonresidents to take the majority of the Central Arctic Caribou herd harvest a resident preference? Is allocating 25 percent of a caribou draw permit to nonresidents a resident preference?**

MR. RICHARDS pointed out that the intensive management law was initially promoted to boost low prey populations and ensure food for Alaskans. The harvest objectives for all identified intensive management game populations are specifically set for residents. He questioned why non-resident hunting opportunities are allowed when these populations are below their objectives. He cited the 40 Mile Caribou Herd, an intensive management population currently in decline, as a potential example of a future similar to the Nelchina Herd, which has been closed to all hunting. Despite this, non-residents are still allowed to take 25 percent of the total fall harvest.

[3:59:30 PM](#)

MR. RICHARDS moved to slide 17 and spoke to possible amendments to intensive management statutes:

[Original punctuation provided.]

**Intensive Management AS 16.05.255 (e) - (g) & (k)**

(e) The Board of Game shall adopt regulations to provide for intensive management programs to restore the abundance or productivity of identified big game prey populations as necessary to achieve human consumptive use goals of the board in an area where the board has determined that (1) consumptive use of the big game prey population is a preferred use

**Are these human consumptive use goals to benefit Alaskans? Why do we allow nonresident hunting of IM game populations that are under the population and/or harvest objectives?**

MR. RICHARDS spoke to potential amendments to the intensive management definitions to clarify that the goals are intended specifically to benefit Alaskans. Similar amendments could also be applied to AS 16.05.255.

[3:59:54 PM](#)

MR. RICHARDS moved to slide 18 and described possible amendment language:

[Original punctuation provided.]

**Amending Intensive Management Definitions**

AS 16.05.255(k) defines various aspects of Intensive Management Law. It is often argued that IM Law does not specifically mention a benefit to Alaskan residents. Possible amendments:

AS 16.05.255(k)(2): "high level of human harvest" means the allocation of a sufficient portion of the harvestable surplus of a game population to Alaska residents to achieve a high probability of success for human harvest of the game population and considering hunter demand;

AS 16.05.255(k)(3): "identified big game prey population" means a population of ungulates that is identified by the Board of Game and that is important for providing high levels of harvest for Alaska residents for human consumptive use;

AS 16.05.255(k)(4): "intensive management" means ...to enhance, extend, and develop the population to maintain high levels or provide for higher levels of human harvest for Alaska residents...

MR. RICHARDS suggested that amendments to the intensive management definitions would clarify that these goals are intended to specifically benefit Alaskans.

[4:00:22 PM](#)

MR. RICHARDS moved to slide 18 and spoke to a possible amendment to include sheep under statute involving intensive management:

[Original punctuation provided.]

**Amending Intensive Management language to add Sheep**

16.05.255(a)(13)(d): Regulations adopted under (a) of this section must provide that, consistent with the provisions of AS 16.05.258, the taking of moose, deer, elk, [AND] caribou and sheep by residents for personal or family consumption has preference over taking by nonresidents.

MR. RICHARDS noted that there are proposals to conduct predator reduction efforts to benefit sheep populations. However, since sheep are not included in the intensive management statutes, this poses a challenge. He suggested that adding sheep to the

intensive management list of species would greatly help ensure that residents have a priority for hunting Dall sheep.

[4:00:54 PM](#)

MR. RICHARDS moved to slide 19 and spoke to drawing permit hunts:

[Original punctuation provided.]

#### **Drawing Permit Hunts**

- There is nothing in statute that directs the allocation of drawing permit hunts for moose and caribou
- Many drawing permit hunts are open to both residents and nonresidents equally
- Hunt bookers who work with guides can flood the application pool to where nonresidents win a high volume of permits

MR. RICHARDS said draw permit hunts are used when wildlife populations cannot support hunting opportunities for everyone. He noted that there is no statute requiring the Board of Game to ensure a clear resident priority for these permits. Consequently, moose permits are allocated 50 percent to non-residents, caribou permits 25 percent to non-residents, and Kodiak Brown Bear permits 40 percent to non-residents. He emphasized that the state constitution mandates giving residents a clear hunting priority for all wildlife resources, but there is no statute directing the Board of Game to enforce this priority.

[4:01:43 PM](#)

SENATOR DUNBAR questioned whether the applicants would be the actual non-resident hunters or their guides. He then inquired if non-resident hunters would have a designated set-aside, potentially creating a similar situation as the state faces now, or if all applicants would be in the same pool, which could statistically reduce the chances for Alaskans to draw a permit due to the influx of thousands of applicants from the lower 48 states.

[4:02:21 PM](#)

MR. RICHARDS explained that the board allocates some permits specifically for non-resident guided hunts, often requiring a

signed guide contract before applying. In these cases, either the guide or the non-resident can apply. However, many draw permits are open to everyone equally. Hunt bookers often make agreements with guides and flood the application pool with tens of thousands of permits, allowing non-residents to obtain a high volume of these permits. He noted that other western states have strict limits on non-resident hunters, typically allocating 90 percent to residents and 10 percent to non-residents, with some variability. In Alaska, there are no comparable restrictions, resulting in significantly different outcomes. He conveyed that non-resident hunters appreciate the opportunities in Alaska. However, they have also admitted that their own states would never allow such a system.

[4:03:42 PM](#)

SENATOR DUNBAR asked him to describe the proposed solution for brown bear hunting in Kodiak.

[4:03:53 PM](#)

MR. RICHARDS explained that allowing residents to participate in a draw permit lottery with only a one to three percent chance of success, while non-resident guided hunters have 100 percent opportunity, is clearly unjust. He emphasized that no other state permits such a disparity. He further argued that the allocation of draw permits should be adjusted, noting that no other Western state allows such high non-resident opportunities for coveted game species, particularly in draw permit hunts.

[4:05:08 PM](#)

MR. RICHARDS moved to slide 20 and summarized the intent to limit non-resident hunting:

[Original punctuation provided.]

We want to share our state with nonresident hunters,  
but there needs to be limits

We have nothing against guides, but the commercial  
hunting industry can't be allowed to continue to  
dominate decisions

Nonresident hunter dollars are important, but we can't  
base allocation decisions on who brings in the most  
money.

MR. RICHARDS urged that while non-resident hunters are welcome in Alaska and the state aims to share its wildlife resources, limits must be imposed. He acknowledged that guides offer a

valuable service but asserted that the commercial hunting industry should not dominate wildlife management decisions and allocations. Despite the importance of non-resident hunters' financial contributions, decisions cannot be based solely on revenue, as this conflicts with the state constitution and the North American model of wildlife conservation, which ensures equal consideration for all users. However, the state should not give preference to non-resident hunters.

[4:06:27 PM](#)

At ease

[4:07:27 PM](#)

CO-CHAIR GIESSEL reconvened the meeting.

[4:07:34 PM](#)

CO-CHAIR GIESSEL announced the consideration of HOUSE JOINT RESOLUTION NO. 20 Urging withdrawal of proposed Bureau of Land Management regulations affecting the National Petroleum Reserve in Alaska; and urging meaningful engagement with tribes, local governments, and affected communities.

**HJR 20-NAT'L PETROLEUM RESERVE IN ALASKA.**

[4:08:00 PM](#)

THOMAS BAKER, District 40, State Representative, Alaska State Legislature, Juneau, Alaska, presented the sponsor statement for HJR 20:

**Sponsor Statement - HJR 20**

HJR 20 urges that the Bureau of Land Management (BLM) withdraw a proposed rule affecting the National Petroleum Reserve in Alaska (NPR-A). The Resolution also urges meaningful engagement with tribes, local governments and impacted communities. There are many flaws with this proposed policy. In short, the rule lacks meaningful engagement, lacks legal durability and has flawed economics.

REPRESENTATIVE BAKER noted that he brought forth HJR 20 in response to BLM's proposed rule, which is a critical issue for his constituents and the organizations represented. The proposed rule was submitted to the Office of Information and Regulatory Affairs (OIRA) on February 14 and has a minimum 30-day review period before a final decision is made. He urged the committee to support HJR 20.

[4:09:12 PM](#)

ELIZABETH REXFORD, Staff, Representative Thomas Baker, Alaska State Legislature, Juneau, Alaska, introduced herself.

[4:09:34 PM](#)

CO-CHAIR GIESSEL announced invited testimony.

[4:10:05 PM](#)

DOREEN LEAVITT, Director, Natural Resources, Inupiat Community of the Arctic Slope (ICAS), Utqiagvik, Alaska, stated that she represents the Inupiat Community of the Arctic Slope (ICAST). She stated she supports HJR 20 as a resident of Kavik, a tribal citizen of the Native Village of Barrow, and a tribal citizen of the Inupiat Community of the Arctic Slope. She explained that ICAST is a federally recognized tribe under the Indian Reorganization Act of 1934, with membership from the Native Villages of Utqiagvik (Barrow), Point Lay, Kaktovik, Nuiqsut, Wainwright, Anaktuvuk Pass, and Point Hope. The tribe's mission is to exercise sovereign rights and powers for the benefit of tribal citizens, conserve and retain tribal lands and resources pursuant to Inupiat Tribal Law and customs, and improve services for members and future generations. She highlighted the importance of tribal government voices in laws and Constitution, noting that all eight communities and nine federally recognized tribes are directly affected by federal land decisions, including NPRA, which is fully encompassed by the North Slope Borough. The tribes have a legal entitlement to proper consultation. The tribes were excluded from the decision-making process when the proposed rule for managing and protecting the National Petroleum Reserve in Alaska was announced on September 6, 2023, stating that this exclusion violated the federal government's legal obligation for government-to-government consultation. This significantly impacted the nine federally recognized tribes of ICAST, with nearly 14,000 tribal citizens residing mainly within the North Slope region and NPRA. The proposed rule, established on September 8, 2023, with only a 60-day comment period and deemed not economically significant, would affect land management, regional tax bases, and access to privately held lands, impacting the economics, health, and the culture of tribal communities. She conveyed that ICAST disagrees with the ruling of economic insignificance, which is a key reason for supporting HJR 20. She described the BLM's failure to properly engage with the most affected communities and the poor timing and lack of respect for their ways of life as significant issues. She noted that meetings were scheduled at the last minute, rescheduled unexpectedly, or postponed without new

dates, and requests for rescheduling were often ignored. She urged the committee to carefully consider the impact on the people of the North Slope. She stressed that if HJR 20 is not supported, it will have significant consequences for their communities.

[4:14:07 PM](#)

CO-CHAIR GIESSEL commented that her testimony brought back memories of working for the North Slope Borough school district for nine years. She expressed gratitude for the opportunity.

[4:15:18 PM](#)

JOSIAH PATKOTAK, Mayor, Utqiagvik, Alaska, said he has the honor of serving as the mayor of the North Slope Borough and is currently in his fifth month in office. He thanked the committee and Representative Baker for their efforts in ensuring that the concerns regarding the ruling are elevated in the spirit of partnership in Alaska. Unity has been previously successful with the legislature in resolving NPRA-related issues demonstrating the effectiveness of uniting on such matters. He noted that Ms. Levitt did an excellent job summarizing many of his viewpoints, particularly regarding the ruling's classification as economically insignificant. He highlighted that the North Slope Borough is responsible for providing all municipal services that might otherwise be handled by multiple entities. This includes waste management, road maintenance, power generation, search and rescue, and law enforcement, all of which are critical to the community. North Slope Borough was not consulted about the economic impact of the proposed rule, and he questioned whether the Department of Revenue or the state had fully assessed this impact. He expressed concern about the process not involving the North Slope Borough in evaluating the rule's economic significance. He stressed the importance of proper consultation and oversight and said the ruling's impact extends beyond financial considerations to include essential services. He said he anticipates that the representatives sponsoring the legislation would provide valuable input and thanked the committee for their attention to this issue. He recalled discussing these topics with many committee members and opined that there is a shared perspective on the importance of maintaining a stable economy and participation in it.

[4:22:13 PM](#)

CO-CHAIR GIESSEL recognized his leadership in the North Slope Borough.

[4:23:03 PM](#)

BRIDGET ANDERSON, Senior Vice President, External Affairs, Arctic Slope Regional Corporation (ASRC), Anchorage, Alaska, stated that she is a shareholder of ASRC and a tribal citizen of the Inupiat Community of the Arctic Slope and the Native Village of Barrow. She said ASRC fully supports HJR 20 and values its recognition of the federal government's obligation to engage meaningfully with tribes, Alaska Native corporations, local governments, and affected communities. She noted that there is a unified stance among the North Slope region's elected officials opposing the rulemaking in the NPRA, both in process and substance. BLM has admitted that no North Slope entity, tribal local government, or Alaska Native Corporation has endorsed the proposed rule. She highlighted that, beyond the potential long-term negative economic impacts to the region, as discussed by Mayor Puj and Doreen Levitt, the lack of meaningful and early engagement with ASRC and other regional entities is troubling. Federal agencies are required to consult with Alaska Native corporations under Executive Order 13.175 and by Congressional direction. Despite this, there was insufficient communication before the draft rule's release, and since its announcement on September 6, there have been no explanations from the government regarding the rule's necessity or the failure to follow proper consultation procedures. ASRC represents eight North Slope communities with over 14,000 Inupiat shareholders and holds lands within and adjacent to the NPRA. Any federal actions that limit access for economic or cultural activities will have a negative impact on ASRC and its shareholders. She affirmed ASRC's strong support for this resolution and stated that adopting it would reflect the unified stance of the North Slope in favor of HJR 20.

[4:26:09 PM](#)

KARA MORIARTY, President and CEO, Alaska Oil and Gas Association (AOGA), Anchorage, Alaska, explained that AOGA represents the majority of oil and gas companies in Alaska. A recent report by McKinley Research Group concluded that the oil and gas industry in the state remains, quote, 'a significant source of jobs, has the highest economic impact of any other industry in Alaska, and is clearly part of Alaska's future.' The report indicated that the industry expects to invest over \$14 billion in capital expenditures from 2023 through 2028, with a substantial portion of that being spent in the National Petroleum Reserve-Alaska (NPRA). Currently, over 1,800 people are working in the NPRA this construction season alone. She noted that House Joint Resolution 20 appropriately requests the Bureau of Land Management (BLM) to withdraw its proposed NPRA rule. The rule, as currently written, represents a complete shift in BLM's

management of the area, introducing many new standards and procedural requirements that could adversely impact future operations in the NPRA. Additionally, the proposed rule conflicts with congressional intent to promote private oil and gas leasing in the NPRA and affects the rights of current leaseholders, raising concerns about the rule's legal durability. She noted that the committee has a copy of AOGA's detailed concerns about the rule from both a process and legal perspective. Supporting this resolution would help the Alaska State Legislature maintain its commitment to a fair and balanced regulatory approach for the long-term economic and environmental sustainability of the NPRA.

[4:29:02 PM](#)

ANDY MACK, Chief Executive Officer, Kuukpik Corporation, Anchorage, Alaska, invited testimony for HJR 20, agreed with the remarks given by Mayor Patkotak. He urged the need for continued economic development in the NPRA for both local and state purposes. NPRA remains the most productive area for ongoing oil exploration. While acknowledging significant activity in other areas, he emphasized the NPRA's critical importance to Alaska. The village corporation for Noatak owns 145,000 acres of surface land and shares subsurface rights with other owners. The corporation has been involved in most major development decisions in the NPRA over the past 20 to 25 years and opposes the current proposed rule, which he believes did not originate from the North Slope. Substantial communication exists between regional and local entities, however, the proposal seems to have been developed outside of Alaska. He expressed concern that such proposals often do not align well with local needs and values, as well as the impact on subsistence living. He quoted the proposed rule, stating, "The bureau will provide appropriate access to and within special areas for subsistence purposes to the extent consistent with assuring maximum protection for all significant resource values found in the areas." He expressed concern that this approach could lead to subsistence being valued less than other interests, despite its critical importance to the community. He affirmed the corporation's commitment to protecting subsistence while supporting reasonable development, and underscored their focus on the long-term economic viability of the North Slope borough and its communities.

[4:32:31 PM](#)

CO-CHAIR GIESSEL concluded invited testimony and opened public testimony.

[4:33:23 PM](#)

NAGRUK HARCHAREK, President, Voice of the Arctic Inupiat, Anchorage, Alaska, testified in support of HJR 20. He said the Voice of the Arctic Inupiat is a non-profit 24-member board that is made up of elected leaders from the region, including city mayors, presidents, corporation CEOs, and leaders of various regional organizations such as tribal colleges and school district. He said the board recently developed a similar resolution to HJR 20 opposing the NPRA rule. He noted that the resolution and related documents are available online, highlighting the Federal administration's conflicting rhetoric and actions, which he believes are silencing their voices. He reiterated that the entire NPRA is within the North Slope, and no entity in the region supports the proposed rule. HJR 20 includes a comprehensive timeline of interactions with the Federal government regarding the NPRA proposed rule, outlining the consultation and public meeting process failures. He emphasized the request to review the economic significance and analysis of the proposed rule. He mentioned that the board passed a motion supporting HDR 20 two weeks ago. He thanked Representative Baker for introducing HDR 20 and addressing their board and announced that the board will be issuing a letter of support for the resolution.

[4:35:36 PM](#)

D.J. FAUSKE, Director, Government & External Affairs, North Slope Borough, Utqiagvik, Alaska, listed the four communities associated with the NPRA.

[4:36:47 PM](#)

KATIE CAPOZZI, President, Alaska Chamber of Commerce, Anchorage, Alaska, testified in support of HJR 20. She said the Alaska Chamber, founded in 1953, is Alaska's leading statewide business advocacy organization, with a mission to promote a healthy business environment in the state. The Chamber has over 700 members, representing businesses of all sizes and industries across Alaska, directly impacting 58,000 Alaskan workers and \$4.6 billion in wages. She reiterated support for HJR 20.

[4:37:57 PM](#)

LEILA KIMBRELL, Executive Director, Resource Development Council (RDC), Anchorage, Alaska, testified in support for HJR 20. She said RDC, founded in 1975, is dedicated to advancing Alaska through responsible resource development across various industries, including oil and gas, mining, fishing, timber, and tourism. She expressed opposition to the proposed NPRA rule, noting that RDC is pleased to see the resolution moving swiftly

through the House and urged similar prompt action in the Senate. She compared the current situation to last year's HJR 6, which united the legislature in support of the Willow project and sent a strong bipartisan message to Washington. The proposed rule threatens to undermine the purpose of the NPRA by creating a presumption against oil and gas development, which could eliminate essential revenue, job opportunities, and vital services in North Slope and Alaska Native communities. It fails to balance responsible development with environmental protection and reiterated support for HJR 20 to safeguard Alaska's future.

[4:40:51 PM](#)

KEN HUCKEBA, representing self, Wasilla, Alaska, testified in support of HJR 20. He said the resolution is crucial for addressing the national security and production concerns related to the NPRA. He expressed support for the resolution's intention to remove unnecessary regulations but emphasized that any references to carbon sequestration should be removed. He argued that carbon sequestration is an unproven and risky industry that could jeopardize national security and future revenues, as seen in recent failures in Australia and other places. He urged that language related to carbon sequestration be excluded from the resolution, as its inclusion undermines the resolution's purpose and reflects a lack of confidence in its intent.

[4:43:19 PM](#)

KEN GRIFFIN, representing self, Wasilla, Alaska, testified in support of HJR 20. He said the inclusion of carbon sequestration provisions in the resolution is detrimental to Alaska. He suggested that carbon sequestration has proven harmful to economies elsewhere and questioned why Alaska would be different. He opined that carbon sequestration could worsen Alaska's already poor economic situation. He emphasized his belief in state sovereignty and criticized the federal reach into state matters, asserting that Alaska should not act as a victim. He expressed support for HJR 20 but strongly opposed any language related to carbon sequestration, believing it to be financially motivated and not beneficial for Alaska.

[4:46:00 PM](#)

CO-CHAIR GIESSEL closed public testimony on HJR 20.

[4:46:11 PM](#)

CO-CHAIR GIESSEL highlighted the sections from lines 11 to 15 of HJR 20, which discuss the increases in life expectancy between 1980 and 2014. She recalled reading about this information in a medical article.

[4:46:38 PM](#)

SENATOR WIELECHOWSKI inquired about the number of Alaska hires for the projects currently occurring in the NPRA.

[4:46:59 PM](#)

MS. MORIARTY said she did not have the specific Alaska hire numbers for current NPRA projects. However, according to AOGA's most recent economic report, its member companies have an 87 percent Alaska hire rate. She offered to follow up to provide specifics.

[4:47:34 PM](#)

SENATOR WIELECHOWSKI asked about the impact of the Willow Project on the state treasury for the upcoming fiscal year.

[4:47:42 PM](#)

MS. MORIARTY replied that she does not have that information available.

[4:47:51 PM](#)

CO-CHAIR GIESSEL invited Caroline Schultz, Director of Government Affairs for ConocoPhillips, to respond.

[4:48:21 PM](#)

CAROLINE SCHULTZ, Director, Government Affairs, ConocoPhillips Anchorage, Alaska, answered questions on HJR 20. She said she did not have specific information on the economic impact of the Willow Project on the state treasury for the upcoming fiscal year. However, she recommended referring to the Department of Revenue's recently published Willow white paper, available on its tax homepage. The document provides a comprehensive analysis of the fiscal impacts, including near-term and long-term effects on the state, the North Slope Borough, and other relevant entities.

[4:49:13 PM](#)

SENATOR DUNBAR asked about the specific concerns with the proposed rule, beyond the procedural issues related to tribal consultation. She mentioned that while she is persuaded by the testimony regarding the inadequate consultation with tribes, she is interested in understanding the substance of the proposed rule. Specifically, she inquired about the issues related to the five special areas mentioned in the rule, which has not been updated since 1977 and appears to be intended to promote subsistence. He requested more information on how the rule's substance could potentially be problematic.

[4:50:14 PM](#)

REPRESENTATIVE BAKER replied that the rule would effectively convert millions of acres within the National Petroleum Reserve in Alaska into wilderness, which would prohibit the use of motorized vehicles. This change would significantly impact individuals who currently rely on motorized access to their ANCSA allotments, hunting camps, or other important areas. For example, someone with a cabin on ancestral land would be required to walk or swim to these locations rather than using vehicles, reducing their ability to access resources in a modern context. This limitation would affect the practical use of the land and resources, impacting local communities and their customary practices.

[4:51:35 PM](#)

MS. MORIARTY added that the proposed rule contradicts the congressional intent of the National Petroleum Reserve Act (NPROA), which aimed to increase domestic oil supply as quickly as possible. Instead, the proposed rule introduces a new presumption that oil and gas activities should not be permitted unless it is clearly demonstrated that they have no or minimal adverse effects on significant resource values. This shift from a development-focused approach to one requiring proof of minimal impact fundamentally alters the purpose of the NPROA. She also highlighted process issues, such as new requirements in the rule that would allow for delays and denials of actions based on vague concepts of uncertainty. This ambiguity could lead to misinterpretation and create significant obstacles for approving future and new activities on existing leases. She referred to a comprehensive 24-page letter submitted by RDC detailing these legal and process concerns.

[4:54:43 PM](#)

CO-CHAIR GIESSEL invited D.J. Fauske, Director of Government and External Affairs for the North Slope Borough, to speak to the fiscal impacts of the Willow project on the state treasury.

[4:55:05 PM](#)

MR. FAUSKE asked Senator Wielechowski to repeat the question.

[4:55:08 PM](#)

SENATOR WIELECHOWSKI repeated the question.

[4:55:28 PM](#)

MR. FAUSKE stated that, according to the fall revenue forecast, the estimated revenue from NPROA funds is approximately \$2.3

billion, with \$1.3 billion going to the State of Alaska from production, property, and income taxes, and \$1.2 billion to the North Slope Borough. This estimate does not include the \$3.9 billion in federal royalties.

[4:56:13 PM](#)

SENATOR WIELECHOWSKI asked whether the Willow project is projected to generate billions of dollars this fiscal year, even though it is not yet producing any oil.

[4:56:25 PM](#)

MR. FAUSKE replied that the project is not generating revenue this fiscal year. He said that the North Slope Borough supports the resolution for various reasons, including not only economic growth but also access to land. He noted that the NPRA was promised for a specific purpose, and those promises have not been upheld. He added that the Department of the Interior and the Bureau of Land Management have intentionally skipped legal steps in their own process. He expressed appreciation for organizations like Voice of the Arctic and mentioned that not a single organization in their region opposed the extension or the proposed rule and emphasized their desire for their voices to be heard. He acknowledged Senator Wielechowski's long-standing efforts to support Alaskans.

[4:57:23 PM](#)

SENATOR WIELECHOWSKI asked whether the law was broken and inquired about the current status of the relevant lawsuit.

[4:57:42 PM](#)

REPRESENTATIVE BAKER said to his knowledge, there are no documented lawsuits currently. The issue has primarily been addressed through resolutions and letters to the federal government. He mentioned that Congresswoman Mary Peltola had to arrange a private meeting with Secretary Deb Haaland to discuss the matter due to the timing. He is unaware of any lawsuits filed, given the short timeframe, but noted that someone else in the room or online might have more information.

[4:58:39 PM](#)

MS. MORIARTY clarified that no lawsuits have been filed against the rule because it has not yet been officially adopted; it is still in the review process. The public comment period has closed, and the rule is currently under final review by the OIRA office. Should the rule be finalized and approved, she anticipates that litigation challenges could arise, as there are

identified concerns that the rule may not align with congressional intent or existing laws governing the NPRA.

[4:59:24 PM](#)

SENATOR WIELECHOWSKI inquired whether having a Coastal Zone Management Program in place would have mandated consultation with tribes, the borough, and the state prior to the actions currently being undertaken.

[4:59:40 PM](#)

REPRESENTATIVE BAKER mentioned that the BLM provided opportunities for consultation, but noted that the timing of the consultation period coincided with the Fall whaling season, when many residents of the NPRA and North Slope are engaged in activities and are unable to participate effectively. He invited Mr. Fauske or someone from the North Slope Borough to speak more on this issue.

[5:00:51 PM](#)

MR. FAUSKE said the Inupiat Community of the Arctic Slope would be better suited to address the tribal component of the question regarding the North Slope borough process. He offered to share detailed information with the committee in writing.

[5:01:32 PM](#)

SENATOR KAWASAKI inquired whether updating carbon sequestration and global decarbonization goals was a significant aspect of the legislation that has already passed the House or if it was merely an additional element included in the bill.

[5:02:05 PM](#)

REPRESENTATIVE BAKER replied that the inclusion of carbon sequestration and global decarbonization goals in HJR 20 was intentional. He clarified that carbon sequestration is already being practiced on the North Slope and that the resolution aims to ensure that the state retains the opportunity to explore these options. If the rule is passed, it would limit the state's ability to influence future resource development and renewable energy projects. He noted that some investors require companies to consider carbon sequestration to meet emissions standards, which could impact investment decisions and operational practices. The inclusion of this topic in the resolution underscores the state's and communities' voice in these matters.

[5:04:20 PM](#)

CO-CHAIR GIESSEL solicited a motion.

5:04:26 PM

CO-CHAIR BISHOP moved to report HJR 20, work order 33-LS1312\A, from committee with individual recommendations.

5:04:50 PM

CO-CHAIR GIESSEL found no objection and HJR 20 was reported from the Senate Resources Standing Committee.

5:05:13 PM

CO-CHAIR GIESSEL There being no further business to come before the committee, Co-Chair Giessel adjourned the Senate Resources Standing Committee meeting at 5:05 p.m.