

ALASKA STATE LEGISLATURE
SENATE RESOURCES STANDING COMMITTEE

March 20, 2024

3:32 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

COMMITTEE CALENDAR

SENATE BILL NO. 168

"An Act relating to wrongfully seized game."

- MOVED CSSB 168 (RES) OUT OF COMMITTEE

SENATE BILL NO. 194

"An Act relating to temporarily reduced royalty on oil and gas from pools without previous commercial sales in the Cook Inlet sedimentary basin; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 175

"An Act relating to an electronic product stewardship program; relating to collection, recycling, and disposal of electronic equipment; establishing the electronics recycling advisory council; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 143

"An Act relating to the Department of Environmental Conservation; relating to advanced recycling and advanced recycling facilities; relating to waste; and providing for an effective date."

-HEARD & HELD

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 Not 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
03/06/24	(S)	Heard & Held
03/06/24	(S)	MINUTE(RES)
03/18/24	(S)	RES AT 3:30 PM BUTROVICH 205
03/18/24	(S)	<Bill Hearing Canceled>
03/20/24	(S)	RES AT 3:30 PM BUTROVICH 205

BILL: SB 194

SHORT TITLE: REDUCE ROYALTY ON COOK INLET OIL & GAS

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

01/18/24	(S)	READ THE FIRST TIME - REFERRALS
01/18/24	(S)	RES, FIN
02/23/24	(S)	RES AT 3:30 PM BUTROVICH 205
02/23/24	(S)	Heard & Held
02/23/24	(S)	MINUTE(RES)
03/20/24	(S)	RES AT 3:30 PM BUTROVICH 205

BILL: SB 175

SHORT TITLE: ELECTRONIC DEVICE RECYCLING

SPONSOR(s): TOBIN

01/16/24	(S)	PREFILE RELEASED 1/12/24
01/16/24	(S)	READ THE FIRST TIME - REFERRALS
01/16/24	(S)	RES, FIN
03/15/24	(S)	RES AT 3:30 PM BUTROVICH 205
03/15/24	(S)	Heard & Held
03/15/24	(S)	MINUTE(RES)
03/20/24	(S)	RES AT 3:30 PM BUTROVICH 205

BILL: HB 143

SHORT TITLE: ADVANCED RECYCLING AND FACILITIES
SPONSOR(s): MCKAY

02/26/24	(S)	READ THE FIRST TIME - REFERRALS
02/26/24	(S)	RES, L&C
03/15/24	(S)	RES AT 3:30 PM BUTROVICH 205
03/15/24	(S)	Heard & Held
03/15/24	(S)	MINUTE(RES)
03/20/24	(S)	RES AT 3:30 PM BUTROVICH 205

WITNESS REGISTER

ANNE RITTGERS, Staff
Senator Click Bishop
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the explanation for changes for SB 168.

ALPHEUS BULLARD, Attorney
Division of Legal and Research Services
Legislative Affairs Agency
Juneau, Alaska

POSITION STATEMENT: Testified on SB 168.

SENATOR JESSE BJORKMAN, District D
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of SB 168.

SATCHEL PONDOLFINO, representing self
Homer, Alaska

POSITION STATEMENT: Testified in support of SB 175.

KAYLA BOURDON, representing self
Kawerak Inc.
Nome, Alaska

POSITION STATEMENT: Testified in support of SB 175.

LYNN ZENDER, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 175.

BENNY PISCOYA, representing self
Nome, Alaska

POSITION STATEMENT: Testified in support of SB 175.

DENISE OLIN, representing self
Nome, Alaska

POSITION STATEMENT: Testified in support of SB 175.

KARLA JENSEN, representing self
Pedro Bay, Alaska

POSITION STATEMENT: Testified in support of SB 175.

ALLY PECK, representing self
Washington, D.C

POSITION STATEMENT: Testified in opposition to SB 175.

AMANDA TOERDAL, representing self
Nome, Alaska

POSITION STATEMENT: Testified in support of SB 175.

NATHAN BARING, representing self
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 175.

VANESSA TAHBONE, representing self
Nome, Alaska

POSITION STATEMENT: Testified in support of SB 175.

LOUIE FLORA, Staff
Senator Löki Tobin
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT Testified on SB 175.

LYNN ZENDER, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 175.

CHRISTINA CARPENTER, Deputy Commissioner
Alaska Department of Environmental Conservation (DEC)
Anchorage, Alaska

POSITION STATEMENT: Testified on SB 175.

TREVOR JEPSEN, Staff
Representative Tom McKay
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified on HB 143.

PATRICK SIMPSON, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 143.

ACTION NARRATIVE

[3:32:17 PM](#)

CO-CHAIR CLICK BISHOP called the Senate Resources Standing Committee meeting to order at 3:32 p.m. Present at the call to order were Senators Wielechowski, Kawasaki, Kaufman, Dunbar, Co-Chair Giessel, and Co-Chair Bishop. Senator Claman arrived thereafter.

SB 168-COMPENSATION FOR WRONGFULLY SEIZED GAME

[3:32:48 PM](#)

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

[3:33:08 PM](#)

CO-CHAIR BISHOP solicited a motion.

[3:33:13 PM](#)

CO-CHAIR GIESSEL moved to adopt the Senate committee substitute (CS) for SB 168, work order 33-LS1071\R, as the working document.

[3:33:27 PM](#)

CO-CHAIR BISHOP objected for purposes of discussion.

[3:33:34 PM](#)

ANNE RITTGERS, Staff, Senator Click Bishop, Alaska State Legislature, Juneau, Alaska, presented the explanation of changes for SB 168:

[Original punctuation provided.]

Explanation of Changes

SENATE CS for Senate Bill 168 (RES)
Version 33-LS1071\A to 33-LS1071\R

The Senate Resource Committee adopted the following changes:

Updated Title

Section 1 (AS 16.05.197), page 1, lines 3-11,

- Changes compensation source from the "department" to the "state"

- Names seized animals eligible for restitution: bear, bison, caribou, deer, elk, goat, moose, sheep or musk ox
- Defines monetary compensation eligibility to those who are later found not guilty of violating the statute or regulation or if the conviction is overturned on appeal or otherwise set aside

Section 2 - new section

Allows for monetary compensation to be paid equivalent to existing restitution statute, AS 16.05.925(b), and adjusts the amount of restitution for inflation

[3:33:58 PM](#)

SENATOR CLAMAN joined the meeting.

[3:34:46 PM](#)

SENATOR DUNBAR asked whether the price of beef was removed under these changes.

[3:35:00 PM](#)

MS. RITTGERS confirmed that it was removed. She recommended reviewing page 2, line 3 of SB 168. The animals are listed with a dollar amount in restitution payments.

[3:35:22 PM](#)

CO-CHAIR BISHOP removed his objection to the adoption of CS for SB 168.

[3:35:32 PM](#)

SENATOR CLAMAN asked what would happen if meat were seized and a not-guilty verdict was determined.

[3:35:59 PM](#)

ALPHEUS BULLARD, Attorney, Division of Legal and Research Services, Legislative Affairs Agency, Juneau, Alaska, testified on SB 168. He introduced himself.

[3:37:05 PM](#)

SENATOR CLAMAN asked what would happen if prosecution declined to prosecute, but the game is no longer in the appropriate condition to return to the hunter, and a not-guilty finding is determined.

[3:36:51 PM](#)

MR. BULLARD replied that without a conviction, there would be no compensation provided to the individual.

[3:37:04 PM](#)

SENATOR CLAMAN clarified that a guilty verdict would not result in compensation, whereas his question is specifically about a not-guilty finding based on a decision to not prosecute.

[3:37:25 PM](#)

MR. BULLARD replied that those terms provide that a conviction is required for compensation for the case to be overturned or set aside. If the department decided not to prosecute, there would not be an opportunity for an individual to receive compensation from the state.

[3:38:07 PM](#)

SENATOR CLAMAN stated that it corroborated his belief.

[3:38:28 PM](#)

SENATOR DUNBAR requested input from a representative from the Department of Law. He asked how frequently the state is found to be in the right when prosecuting for wrongfully seized game. He wondered if this legislation has a positive fiscal note considering there would be an increase in penalty amounts and additional monetary damages collected under section 2 of CSSB 168. He opined that it is an unusual practice to pay monetary damages. However, it is not unusual to fine individuals for wrongful practices. He asked whether the department provided a differing fiscal note.

[3:39:51 PM](#)

MS. RITTGERS noted that the Alaska Department of Fish and Game (ADFG) submitted an indeterminate fiscal note and indicated that if Version R was adopted by the committee, it would reconsider that based on the new committee substitute.

[3:40:03 PM](#)

SENATOR DUNBAR asked if a representative from ADFG is available to comment.

[3:40:09 PM](#)

CO-CHAIR BISHOP replied no and asked whether he would like the committee to set aside SB 168.

[3:40:12 PM](#)

SENATOR DUNBAR stated that he would not unnecessarily delay progress on SB 168 and mentioned that the bill would be heard in

Senate Finance Committee. He noted that it is an interesting question and reiterated that it could have a positive fiscal impact if fines are more frequent than compensation.

[3:40:27 PM](#)

CO-CHAIR BISHOP replied that it is a restitution bill.

[3:40:29 PM](#)

SENATOR DUNBAR asked for clarification AS 16.05.925(b)(2) and wondered whether restitution to the state occurs more frequently than compensation to hunters.

[3:40:52 PM](#)

CO-CHAIR BISHOP asked whether he believes CSSB 168 indicates a positive note.

[3:40:54 PM](#)

SENATOR DUNBAR replied yes.

[3:40:55 PM](#)

CO-CHAIR BISHOP remarked that Senator Dunbar asked a good question.

[3:40:58 PM](#)

CO-CHAIR GIESSEL recommended asking the bill sponsor for input on the prevalence of convictions versus restitution.

[3:41:20 PM](#)

SENATOR JESSE BJORKMAN, District D, Alaska State Legislature, Juneau, Alaska, sponsor of SB 168. He said most cases that brought causal action for the legislation are dismissed. He opined that Senator Claman's question was well taken.

[3:41:56 PM](#)

SENATOR DUNBAR expressed appreciation for the fairness of the committee substitute version of SB 168, which details restitution payments to the state and vice versa. He acknowledged the significant increase in restitution payment amounts and realized that the cases presented to Senator Bjorkman entail wrongdoings, whereas the state is found to be in the right. He asked whether he is aware of the frequency of these scenarios.

[3:42:30 PM](#)

SENATOR BJORKMAN replied he is unsure of the total number of annual violations that would lead to a restitution payment that reflects the schedule. While he acknowledged the intent of the

question, he noted that he could not decisively take a position without first obtaining relevant data but noted Senator Dunbar may be onto something.

[3:43:00 PM](#)

SENATOR WIELECHOWSKI asked Mr. Bullard whether AS 16.05.197 implies that compensation is unnecessary if the game is seized and charges are later dismissed, or if existing law requires compensation to the individual.

[3:43:43 PM](#)

MR. BULLARD replied that it is his understanding there is no common law principle or other statute that would require a different result. The provision would operate as written.

[3:44:02 PM](#)

SENATOR WIELECHOWSKI asked for confirmation of his understanding that there is an existing provision that requires compensation for wrongfully seized game.

[3:44:15 PM](#)

MR. BULLARD stated that he is unaware of that requirement.

[3:44:23 PM](#)

SENATOR WIELECHOWSKI asked if oversight is needed and whether he recommends making changes to bill language in Senate Finance Committee.

[3:44:28 PM](#)

CO-CHAIR BISHOP asked if the judge has the authority to require ADFG to compensate for wrongfully seized game.

(TIMESTAMP)

SENATOR CLAMAN clarified that he is asking about the judge's ability to require compensation once the case is dismissed rather than following a not-guilty finding.

(TIMESTAMP)

CO-CHAIR BISHOP confirmed that is correct.

[3:44:55 PM](#)

MR. BULLARD replied that every situation is different. He stated that he is unaware of a universal principle that would mandate a judge to require that. That said, the specific facts of a particular case could result in a judge making that determination.

[3:45:24 PM](#)

At ease

[3:45:45 PM](#)

CO-CHAIR BISHOP reconvened the meeting.

[3:45:53 PM](#)

SENATOR CLAMAN noted that he largely understands the intent of SB 168. He opined that compensation should be required in the instance of a case dismissal to avoid the risk of small claims actions. He expressed his belief that the existing gap under SB 168 should be filled. However, he acknowledged that the Senate Finance Committee could address that question.

[3:46:52 PM](#)

CO-CHAIR BISHOP wondered whether it could potentially turn into a positive fiscal note.

[3:46:59 PM](#)

CO-CHAIR restated he removed his objection; found no further objection and CSSB 168 was adopted as the working document.

[3:47:08 PM](#)

CO-CHAIR GIESSEL moved to report CSHB 168, work order 33-LS1071\R, from committee with individual recommendations and attached fiscal note(s).

[3:47:25 PM](#)

CO-CHAIR BISHOP found no objection and CSHB 168(RES) was reported from the Senate Resources Standing Committee.

[3:47:29 PM](#)

At ease

SB 194-REDUCE ROYALTY ON COOK INLET OIL & GAS

[3:50:01 PM](#)

CO-CHAIR GIESSEL reconvened the meeting and announced the consideration of SENATE BILL NO. 194 "An Act relating to temporarily reduced royalty on oil and gas from pools without previous commercial sales in the Cook Inlet sedimentary basin; and providing for an effective date."

[3:50:17 PM](#)

CO-CHAIR GIESSEL opened public testimony on SB 194; finding none, she closed public testimony.

[3:50:35 PM](#)

CO-CHAIR GIESSEL held SB 194 in committee.

SB 175-ELECTRONIC DEVICE RECYCLING

[3:50:43 PM](#)

CO-CHAIR GIESSEL announced the consideration of SENATE BILL NO. 175 "An Act relating to the office of management and budget; and providing for an effective date."

[3:50:53 PM](#)

CO-CHAIR GIESSEL opened public testimony on SB 175.

[3:51:08 PM](#)

SATCHEL PONDOLFINO, representing self, Homer, Alaska, testified in support of SB 175. She introduced herself as the Lower Inlet Organizer for Cook Inletkeeper, which is the only organization on the ports that can recycle electronics. She said she works for the community nonprofit Cook Inletkeeper and shared information about their electronics recycling program, which has been facilitated since 2006. She mentioned that Cook Inletkeeper is the only organization on the Kenai Peninsula offering this service, with the support of a few partners. The program is limited in capacity and primarily functions as an annual event, offering a four-hour window for residents in Soldotna, Seward, and Homer to drop off electronics. The organization partners with three villages across Kachemak Bay—Port Graham, Nanwalik, and Seldovia to remove electronics from those communities. Since 2006, the program has diverted over 600,000 pounds of electronics. She explained that the program's cost typically ranges from \$17,000 in a low year to \$25,000 in a high year, with most expenses tied to recycling through Central Recycling Services in Anchorage. Despite its success and high public participation, the program is a small-scale effort. MS. PONDOLFINO noted that she frequently observes electronics at the Homer transfer site due to the limited opportunities for responsible recycling. Electronics account for 70 percent of the toxic leachate in landfills, which poses significant challenges, especially in rural communities with unlined landfills. She expressed strong support for SB 175, emphasizing the need for a stable funding source that would allow the program to expand beyond its current annual offering. This would enable them to hire additional staff and increase recycling opportunities. She mentioned discussions with the Kenai Peninsula Borough's landfill and solid waste departments, which have indicated they lack the capacity to run such a program independently but would be open to partnership if funding became available. She offered

to answer questions about the program's logistics, which rely heavily on volunteer support and partnerships with six transportation entities. She stressed the importance of the program for protecting small landfills and preserving Alaska's precious water resources.

[3:54:07 PM](#)

SENATOR KAWASAKI asked about concerns raised in written testimony from the Consumer Technology Association (CTA), based in Virginia. He explained that their primary concern revolves around the potential additional expense associated with the proposed legislation. He inquired whether the cost, particularly in remote areas, would be significant and asked for comments or clarification on the matter.

[3:54:42 PM](#)

MS. PONDOLFINO said she had not read the testimony from the Consumer Technology Association and was unsure about the specific expenses they were referencing. However, she clarified that a significant portion of their expenses—at least \$10,000—goes directly to Central Recycling Services in Anchorage, which handles the backhauling of electronics to Vancouver, Washington, for processing. She acknowledged that small villages would indeed have transportation costs, but they have worked with generous transportation companies, such as Weaver Brothers and Tote, who contribute to the program as part of their charitable efforts. She emphasized that the proposed legislation offers a new funding stream that could help create an economy of scale. This would allow them to collaborate more effectively with transportation agencies and recycling services, potentially leading to better pricing and expanded services.

[3:55:50 PM](#)

SENATOR KAWASAKI asked for clarification regarding the backhaul process, noting that the concerns raised in testimony about additional expenses were not very specific. He requested more information on how backhaul works and asked about the opportunities for backhaul when a barge arrives, unloads cargo, and has an empty barge for return.

[3:56:17 PM](#)

MS. PONDOLFINO deferred to Mr. Flora for more detailed information on backhaul logistics. She explained that Cook Inletkeeper manages all the logistics from the southern Kenai Peninsula to Anchorage, but from that point, Central Recycling Services, an important partner, handles the backhauling process. She suggested reaching out to Central Recycling Services for

additional insights on this topic. Other agencies, including those in Nome, have been conducting extensive research on backhaul opportunities.

3:58:10 PM

CO-CHAIR BISHOP asked whether Missouri has a similar program in place.

3:58:15 PM

MR. REHARD replied that the program in Missouri is not as robust as the one being proposed in Alaska. He noted that it is similar to programs in Washington, Oregon, Illinois, Maine, and other states.

3:58:57 PM

KAYLA BOURDON, representing self, Nome, Alaska, testified in support of SB 175. Kawerak Inc. She expressed support for SB 175 and noted that many landfills in Alaska are unlined, understaffed, and some are unlicensed. She explained that e-waste can be particularly problematic in these conditions as it leaches harmful chemicals into unlined landfills, which can then contaminate subsistence resources and local water sources. Borgan pointed out the health risks, including cancer, associated with these conditions. She emphasized that passing the bill would provide rural communities with better opportunities to manage e-waste, improving landfill conditions and overall environmental and community health.

4:01:21 PM

LYNN ZENDER, representing self, Anchorage, Alaska, testified in support of SB 175. She introduced herself as a resident of Anchorage and director of a small business focused on rural waste issues, water quality, and job training. She said she holds a PhD in Civil and Environmental Engineering and emphasized that approximately 85% of rural Alaska communities burn their waste due to cost constraints, which is the most practical way to manage their landfills. Many of these communities cannot afford to operate an electronics backhaul program, leading to rapid accumulation of e-waste. As a result, e-waste is often burned in dump fires or burn boxes, releasing harmful lead into the environment. She noted that electronics are a major source of lead in rural Alaskan waste streams. Statistics demonstrate that three-quarters of landfills are within one mile of communities, with a quarter being less than 1,200 feet from homes. About half of these communities experience regular exposure to burning smoke, with 15 to 20% smelling smoke most days of the week. This exposure poses severe

health risks, particularly to children, who have no safe blood levels for lead. Lead exposure contributes to high rates of cardiovascular disease, especially among Alaska Natives, with a life expectancy for an Alaska Native male baby born today being similar to countries with low life expectancies like Haiti, Ghana, and Afghanistan. SB 175 would offer a viable solution for managing e-waste in rural Alaska and provide benefits for urban areas as well, especially for poor families, small businesses, and schools. Bender noted that urban landfills also face issues as they fail after their design life, with many becoming Superfund sites. She pointed out that lead should not be added to these landfills when a solution already exists in other states and countries. She mentioned that she has a closet of old electronics that would cost her about \$200 in recycling fees. She can afford this but understands that many residents in Anchorage cannot. Without a local recycling depot, accessing recycling services is difficult, and many cannot afford the fees or the time to drive across town. She stressed that local depots could provide jobs and that businesses like hers, which manage multiple devices, have to allocate significant funds for recycling, which could be better used elsewhere. She expressed support for SB 175 and the positive impact it could have on both rural and urban communities.

[4:04:54 PM](#)

BENNY PISCOYA, representing self, Nome, Alaska, testified in support of SB 175. He introduced himself as an Alaska Native assistant hunter and shared a principle he was taught: "Pack it in, pack it out," which he applied to e-waste management. He explained that in Nome, where he lives, there are 13 surrounding villages. He said the company he works for arranged for Bearing Air to donate e-waste, which is brought back to Nome, repaired, and then sent out. SB 175 would provide valuable funding for the surrounding villages of Nome, supporting their e-waste management efforts.

[4:05:38 PM](#)

DENISE OLIN, representing self, Nome, Alaska, testified in support of SB 175. She introduced herself as a resident of Nome who grew up in Wales, a community outside of Nome. She expressed personal concern about recent studies on microplastics found in marine mammals, highlighting that 32 out of 33 animals examined had plastic in their stomachs. This raises serious concerns about the impact of e-waste that has not been properly managed or hauled out of communities in her area. Owen emphasized the need to hold accountable those responsible for creating products that contribute to e-waste. She noted that hazardous materials

like lead and mercury from e-waste can leach into land and water sources, which poses a severe threat, especially for those who rely on natural resources for their subsistence.

[4:07:11 PM](#)

KARLA JENSEN, representing self, Pedro Bay, Alaska, testified in support of SB 175. She introduced herself as a tribal member from the village of Pedro Bay and an employee of Zender Environmental. She highlighted the significant increase in electronic devices in rural villages and the corresponding rise in electronic waste. Once no longer functional, electronic waste often ends up in landfills, which are typically unlined in her community. The waste is usually transported by barge or air, but high transportation costs can delay shipments, causing e-waste to sit and potentially leak harmful chemicals into the watershed. She emphasized the importance of protecting water resources, stating that SB 175 would greatly benefit Alaska by addressing these issues. She pointed out that similar programs are already in place in many states and countries and urged the committee to consider the bill carefully to help manage Alaska's growing e-waste problem.

[4:09:16 PM](#)

ALLY PECK, representing self, Washington, D.C, testified in opposition to SB 175. Senior Manager, Environmental Policy, Consumer Technology Association (CTA). She introduced herself as a representative of CTA, which includes manufacturers and retailers of consumer tech products targeted by this legislation. Pack expressed surprise at the bill, stating that e-waste is actually a rapidly declining issue, with electronics being the fastest declining product in the solid waste stream. She referenced US EPA data and charts included in their written testimony to support this claim. Pack noted that no state has mandated a new electronics recycling program in over a decade, and while 25 states have such programs, none are recent. She mentioned that SB 175 is modeled after an Oregon program, which she argued is unsuitable for Alaska due to differences in geography and recycling infrastructure. The Oregon program was developed over 15 years to address specific issues within their state. She objected to placing 100 percent of the responsibility on manufacturers, as this could either increase product prices or disincentivize manufacturers from selling in Alaska. She suggested further discussions with legislators to develop a program that is better suited to Alaska's needs. Pack concluded by emphasizing that electronics currently make up only two percent of the solid waste stream and proposed exploring other

areas of focus. She offered to answer any questions and referred to their detailed written testimony for additional information.

[4:11:40 PM](#)

SENATOR DUNBAR asked whether CTA has any local affiliates that could work with the bill sponsor. He noted that, as a DC-based organization, CTA may not have been directly consulted. He inquired if there are any local groups that the bill sponsor could collaborate with on this issue.

[4:12:06 PM](#)

MS. PECK replied that CTA does not have any local affiliates in Alaska but expressed a willingness to collaborate and find a solution. She mentioned that the closest relevant experience might be found in Washington State. She suggested that a collective effort of stakeholders could help refine the bill.

[4:12:47 PM](#)

SENATOR DUNBAR asked whether she is familiar with the situation in rural, unlined landfills where it is challenging to manage e-waste. He inquired if there is evidence that significant amounts of e-waste have been removed from these landfills over the past two to three decades or if e-waste continues to accumulate in rural areas.

[4:13:18 PM](#)

MS. PECK said that the data available from the EPA, Washington State, California, and Maine primarily tracks current waste entering the stream rather than assessing old landfills for e-waste from 15 or 20 years ago. The data indicates that, as of 2024, a significantly smaller percentage of current waste is e-waste compared to 2010.

[4:14:04 PM](#)

CO-CHAIR GIESSEL clarified that the abbreviation CTA stands for Consumer Technology Association.

[4:14:17 PM](#)

SENATOR KAWASAKI asked her about a letter received from her colleague, which mentions excessive or unnecessary burdens and additional expenses associated with the legislation. He inquired about the specifics of these costs, as they were unclear to him.

[4:14:47 PM](#)

MS. PECK replied that setting up an extensive e-waste collection system across Alaska would involve significant transportation costs, especially for reaching rural communities. She noted that

these costs might not be offset by the amount of e-waste present in smaller towns, leading to potentially high expenses for transportation and program setup. Additionally, the large size of Alaska would increase the costs for manufacturers to fund such programs.

[4:15:52 PM](#)

SENATOR KAWASAKI asked if there is another state with a recycling program that might be better suited to Alaska's geographic and infrastructural profile, given that Oregon's system may not be ideal. He suggested that such information would be useful for the bill sponsor and the committee as they work to refine the bill.

[4:16:18 PM](#)

MS. PECK said she would consult with colleague, the expert with 25 years of experience, to explore alternative models. She noted that it may be challenging to directly model Alaska's system after any specific state due to its unique geographic and infrastructural characteristics. However, she suggested that a tailored solution could be developed through stakeholder engagement.

[4:17:02 PM](#)

AMANDA TOERDAL, representing self, Nome, Alaska, testified in support of SB 175. She stated that she works for Kawerak, Inc. and said she supports the electronic device recycling program. Collecting and properly managing e-waste in rural communities requires significant effort and funding from regional organizations and grants. Establishing a product stewardship program through state law would provide a more sustainable solution for reducing pollution and managing electronics. Additionally, such a program would offer resources for educating the public on recycling electronics. As consumers continue to purchase new electronic devices, she said implementing a stewardship program is logical, especially with the transition to cleaner energy and new appliances. As e-waste generation increases, responsible recycling should be supported by manufacturers and state leadership and not just volunteers and local groups.

[4:18:52 PM](#)

NATHAN BARING, representing self, Fairbanks, Alaska, testified in support of SB 175. He said that with substantial funding from the bipartisan infrastructure law and the Inflation Reduction Act, there is likely to be a rise in electronics-driven programs in Alaska. He opined that it is time for Alaska to align with

states like Texas, Maine, and Missouri by incorporating recycling costs into product prices. This would ensure that electronics sold in Alaska contribute to state recycling programs, relieving small rural governments from the financial burden of funding these programs through taxpayer dollars. He also addressed concerns raised by Senator Kawasaki regarding additional costs, noting that the primary expense would be reflected in product costs, which currently support recycling programs in other states. Bearing stressed that shifting the recycling cost burden to producers is crucial for addressing health disparities in rural communities and encouraging innovation to reduce recycling costs.

[4:20:46 PM](#)

VANESSA TAHBONE, representing self, Nome, Alaska, testified in support of SB 175. She mentioned that she works with Kawerak, Inc. in their recycling program serving the Bering Strait region, which includes 15 communities and 20 tribes. The region has a robust recycling program aimed at addressing the issues of open burning and unlined landfills in rural areas. SB 175 would be a significant asset for Alaska by providing a product stewardship framework that could alleviate the financial burden on local entities managing e-waste. She noted that the cost of electronics already includes a recycling fee, and she does not believe that adding a product stewardship program would impose an additional burden. Instead, it would support efforts to maintain safe and non-toxic landfills, reducing health risks associated with open burning of electronics. SB 175 would be a step in the right direction for the state.

[4:22:37 PM](#)

CO-CHAIR GIESSEL closed public testimony on SB 175.

[4:22:50 PM](#)

CO-CHAIR GIESSEL invited Mr. Flora to testify on SB 175.

[4:23:07 PM](#)

LOUIE FLORA, Staff, Senator Löki Tobin, Alaska State Legislature, Juneau, Alaska, testified on SB 175.

[4:23:29 PM](#)

SENATOR KAWASAKI asked general details on backhaul, specifically in relation to rural Alaska communities.

[4:23:53 PM](#)

MR. FLORA replied that if a representative from Backhaul Alaska were available, they could provide a more detailed response.

However, he explained that community collection events are organized, utilizing Conex containers and other shipping materials. He cited a volunteer effort in which a landing craft was used to transport e-waste from Nome to Homer, where it was partially loaded by hand into a CONEX container and then transported by truck. Flores acknowledged that managing e-waste in rural Alaska involves complex logistics. He referred to a white paper from Donlin Gold LLC, included in the packet, which outlines their efforts in organizing backhaul for various parts of rural Alaska.

[4:25:33 PM](#)

MR. REHARD said he would do his best to answer, but acknowledged that Ms. Zender would be the best person to provide detailed information. He explained that Backhaul Alaska's major project, usually funded through grants, focuses on removing hazardous materials from rural landfills. Due to limited resources, they cannot serve every community, which is why SB 175 is being considered as a more sustainable solution. He recommended visiting Backhaul Alaska's website for more information about their long-standing efforts.

[4:26:21 PM](#)

MS. ZENDER elaborated on how waste management logistics vary by community and region. For smaller, more typical off-road villages, waste is often collected in shipping containers and shipped out during the summer months. In other areas, electronics might be barged to Seattle or a central hub for consolidation. For instance, the Arctic region ships electronics to Nome for consolidation before further transport, while other communities might send waste across lakes and down roads to Homer and Anchorage. She noted that logistics can involve multiple stages and routes, and is open to answering further questions.

[4:27:42 PM](#)

CO-CHAIR BISHOP asked if, according to the fiscal note, the bill establishes an electronic stewardship program for manufacturers of specific electronics sold in Alaska, and whether it has been determined which electronic items will be included.

[4:28:11 PM](#)

MR. LOUIS replied that the specific items would be determined by the product manufacturers through a clearinghouse. They would then collaborate with the department and the advisory committee established by the bill to determine which products are included.

[4:28:29 PM](#)

CO-CHAIR BISHOP asked if that would be determined year 2027.

[4:28:31 PM](#)

MR. FLORA replied that he believes that is correct.

[4:28:37 PM](#)

CO-CHAIR BISHOP expressed curiosity about the data for TVs and certain electronics. He asked about the protocols for landfills in rural Alaska, specifically regarding whether there is a threshold for requiring lined landfills based on village population. He inquired why all landfills are not lined, given concerns about water quality, regardless of the presence of electronics.

[4:29:50 PM](#)

CHRISTINA CARPENTER, Deputy Commissioner, Alaska Department of Environmental Conservation (DEC), Anchorage, Alaska, testified on SB 175. She said there are protocols laid out in regulations for landfills, which are based on factors such as whether the facility is on the road system and the average quantity of waste received daily. She offered to follow up with the committee to provide specific details on requirements and allowances for lined and unlined landfills.

[4:30:56 PM](#)

CO-CHAIR GIESSEL requested that information in writing.

[4:31:08 PM](#)

SENATOR DUNBAR wondered whether CTA has engaged with any manufacturing associations to discuss SB 175, considering the impact it will have on manufacturers. He noted that Alaska does not have manufacturers, and inquired whether there were efforts to reach out to such associations to address the bill's implications.

[4:31:50 PM](#)

MR. FLORES replied that he believes the Solid Waste Alaska Task Force had briefly consulted with CTA, but he had not directly spoken with them or received feedback until after the first hearing on the legislation. He expressed his intention to have further conversations with CTA.

[4:32:14 PM](#)

SENATOR DUNBAR asked for clarification on how the fees from manufacturers are practically collected in a product stewardship

program. He noted that most Alaskans purchase electronics from retailers rather than manufacturers and inquired if manufacturers would refuse to sell in Alaska due to unprofitability. He also asked how the fees are integrated into the retail prices, such as with Fred Meyer or Walmart, and whether such issues have been observed in other states with similar programs.

[4:33:10 PM](#)

MR. REHARD replied that he is not aware of any state program causing manufacturers to stop selling their products in that state. He added that, typically, manufacturers register with the state in a clearinghouse or producer responsibility organization when a product stewardship program is established. These organizations manage the collection and distribution of fees based on the manufacturers' market share. For instance, if a manufacturer like Samsung has a certain percentage of the US market, they would contribute a proportional amount towards the recycling costs for the Alaska program. This method helps in budgeting and setting fair fees for the recycling program, as seen in similar programs in other states.

[4:34:48 PM](#)

CO-CHAIR GIESSEL closed public testimony and held SB 175 in committee.

HB 143-ADVANCED RECYCLING AND FACILITIES

[4:35:17 PM](#)

CO-CHAIR GIESSEL announced the consideration of HOUSE BILL NO. 143 "An Act relating to the Department of Environmental Conservation; relating to advanced recycling and advanced recycling facilities; relating to waste; and providing for an effective date."

[4:36:00 PM](#)

TREVOR JEPSEN, Staff, Representative Tom McKay, Alaska State Legislature, Juneau, Alaska, testified on HB 143. He was presented with three questions from the staff:

1. If an entity knew they would be regulated at the same level as other solid waste entities, would that mean they would not open a plant in Alaska?
2. What are the practical differences between being regulated as a manufacturer versus a solid waste entity?
3. What are the regulatory differences between manufacturing products and solid waste?

MR. JEPSEN said, to address the first question, he explained that under current regulations, an advanced recycling facility could potentially operate in Alaska, and the DEC believes it could issue a permit. However, such facilities require high capital investments and long timelines. Without clear regulations and statutes, it is highly unlikely that substantial investment would be made in Alaska. For the second question, he mentioned that Deputy Commissioner Christina Carpenter from DEC would be the best person to address the practical differences. He added context on why plastic feedstock should be regulated differently from solid waste. Solid waste is typically disposed of, while plastic feedstock, having been sorted and cleaned, is used as a manufacturing input. This is akin to recycled metals used in car manufacturing; once sorted and cleaned, they are no longer considered waste. Therefore, even if there are no specific benefits or differences, it would be illogical to regulate them in the same way due to their fundamental differences. He invited Deputy Commissioner Carpenter to discuss the regulatory differences between manufacturing products and solid waste.

[4:39:44 PM](#)

MS. CARPENTER asked him to repeat the question.

[4:39:52 PM](#)

MR. JEPSEN asked about the practical differences between regulating an advanced recycling facility as a manufacturer versus as a solid waste facility, and similarly, regulating input material as plastic feedstock versus solid waste.

[4:40:29 PM](#)

MS. CARPENTER said that currently, there is no differentiation between plastic feedstock and other solid waste in solid waste facilities. The Department believes it has the statutory authority to regulate this industry but notes that clearer guidelines would benefit industry clarity regarding manufacturing requirements, as well as air and wastewater permit requirements. She asked if this answered the question posed at the last hearing.

[4:41:07 PM](#)

CO-CHAIR GIESSEL asked Senator Dunbar whether that response answers the question that he posed at the last committee hearing.

[4:41:10 PM](#)

SENATOR DUNBAR replied that it did not answer his question and asked if there are different air and wastewater requirements between treating a facility as a solid waste facility versus a manufacturing facility. He noted that the previous answer did not address this, and he sought clarification on the specific differences in regulations for each type of facility.

[4:41:55 PM](#)

MS. CARPENTER offered to follow up with the committee with additional information.

[4:42:12 PM](#)

MR. JEPSEN said that advanced recycling is a multi-billion dollar industry globally, with an estimated \$17.5 billion currently invested. In the U.S., there are 14 planned advanced recycling projects. He noted that estimating exact project economics is challenging due to the long feasibility study process and varying factors such as scope and location. He also mentioned that power consumption is a relevant consideration in these projects.

[4:43:24 PM](#)

SENATOR CLAMAN said that it did not answer his question. He stated that while it's understood that companies invest in building plants to make a profit, the question seeks a detailed economic analysis of the costs involved. He asked for a comparison of the costs of producing plastic from raw materials versus using recycled materials. He emphasized that simply noting that companies are investing does not provide the necessary detailed economic analysis.

[4:44:09 PM](#)

MR. JEPSEN said he is aware of life cycle assessment analyses comparing emissions. He stated that he would look into whether there are financial disclosures or project economics available from private companies, though he noted that finding such detailed financial information may be challenging.

[4:44:38 PM](#)

MR. JEPSEN said that regarding Senator Kaufman's question about the energy requirements for a medium-sized hospital, he reviewed the lifecycle assessment and found no specific numbers linked to the reference. He provided context by examining the energy usage of a medium-sized hospital, defined as having 100 to 499 beds. Hospitals are known to be among the most energy-intensive commercial buildings, with round-the-clock usage ranging from approximately 150 to 250 kilowatt hours per square foot

annually. For a rough estimate, using an average of 200 kilowatt hours per square foot and assuming a 200,000 square foot hospital, the annual energy consumption would be about 40 million kilowatt hours. This is equivalent to 40,000 megawatt hours. For comparison, Alaska's total annual energy consumption is roughly 6 million megawatt hours. Thus, a medium-sized hospital would account for approximately 0.7 percent of Alaska's annual energy use.

[4:47:04 PM](#)

CO-CHAIR GIESSEL opened public testimony on HB 143.

[4:47:27 PM](#)

PATRICK SIMPSON, representing self, Anchorage, Alaska, testified in support of HB 143. He stated that he represents Alaska Plastic Recovery, which is committed to transforming plastic waste into recycled plastic lumber, known as Grizzly Wood. This process helps prevent plastic waste from ending up in landfills by converting it into durable, environmentally friendly construction materials. HB 143 recently passed the House of Representatives and is pivotal in promoting advanced recycling technologies in Alaska by clarifying environmental rules for advanced recycling facilities. This legislation will enable companies like his to innovate and expand, increasing the amount of plastic recycled into new products. He acknowledged the environmental concerns related to advanced recycling, such as potential chemical pollution and greenhouse gas emissions. He believes that with proper regulation and oversight, these issues can be effectively managed. His company is committed to sustainable practices and is prepared to collaborate with lawmakers, environmental groups, and the community to ensure that advanced recycling aligns with Alaska's environmental goals. Alaska Plastic Recovery, along with other stakeholders, is ready to support the bill's implementation and address any concerns.

[4:49:52 PM](#)

CO-CHAIR BISHOP asked for an estimate of the amount of plastic, in tons, that would be available for recycling under HB 143.

[4:50:05 PM](#)

MR. SIMPSON replied that he could deliver this information to the committee.

[4:50:30 PM](#)

SENATOR CLAMAN asked whether his company in Alaska is currently manufacturing plastic products using recycled materials.

[4:50:42 PM](#)

MR. SIMPSON replied that is correct.

[4:50:45 PM](#)

SENATOR CLAMAN asked if the plastic materials are sourced from Alaska.

[4:50:49 PM](#)

MR. SIMPSON replied that all of their plastic waste comes from Alaska. They source it from three main areas: marine debris collected from beaches, post-consumer recycling programs, and industrial sources such as Hilcorp, on the North Slope and freight companies with significant amounts of film plastic.

[4:51:29 PM](#)

SENATOR CLAMAN asked if material is made into Treks, which looks like wood but is not actually wood.

[4:51:39 PM](#)

MR. SIMPSON replied that it has the same properties.

[4:52:07 PM](#)

SENATOR DUNBAR asked if the mechanical process used by the company means they do not use high heat or chemicals as envisioned in advanced recycling methods. He inquired about what changes the company would experience if HB 143 passes, seeking clarity on how their existing operations might be impacted by the new legislation.

[4:52:39 PM](#)

MR. SIMPSON replied that the advanced recycling process described in the bill is capable of handling types of plastics, such as polyvinyl chloride (PVC) and styrofoam, that are too degraded for use in mechanical recycling processes like those used by the company. Advanced recycling can reuse these more degraded plastics, which might otherwise need to be sent to a landfill.

[4:53:29 PM](#)

SENATOR KAWASAKI asked why polyethylene is prohibited.

[4:53:47 PM](#)

MR. SIMPSON replied that plastic left on beaches for extended periods can degrade due to UV exposure, which affects its mechanical properties. However, the chemical properties of the

plastic remain, and advanced recycling processes can utilize these to recycle the plastic effectively.

[4:54:06 PM](#)

SENATOR KAWASAKI asked whether the technology is currently unavailable but would be accessible under HB 143.

[4:54:21 PM](#)

MR. SIMPSON said that while the technology for advanced recycling is not new to them, the bill clarifies regulations, which would provide greater opportunities for businesses like theirs. It ensures that they can operate within a clear regulatory framework, keeping doors open for future expansion and revenue generation in the recycling industry.

[4:55:02 PM](#)

SENATOR KAUFMAN thanked Mr. Simpson for thoughtful analysis on energy consumption.

[4:55:19 PM](#)

SENATOR CLAMAN asked if the clarification and support for advanced recycling technology in the bill would be a significant investment for a business of their size.

[4:55:32 PM](#)

MR. SIMPSON replied that while he is currently focused on growing his small business and selling recycled plastic lumber, he hopes to expand into advanced recycling technology as his business grows. Currently, he is focused on selling Grizzly Wood.

[4:55:53 PM](#)

SENATOR CLAMAN asked if investing in advanced recycling technology would require a substantial investment, such as between \$250,000 to \$500,000, or if it would be a multi-million dollar investment, understanding that the answer might involve confidential business information.

[4:56:16 PM](#)

MR. SIMPSON replied that investing in an advanced recycling facility would require millions of dollars, while the systems currently under consideration are in the \$100,000 range.

[4:56:30 PM](#)

MR. CLAMAN asked for the name of his business and where it is based.

[4:56:44 PM](#)

MR. SIMPSON replied that is called Alaska Plastics Recovery and has a mobile processing facility. It is currently located in Palmer., but processed plastic last summer in Soldotna, Seward, and Anchorage.

[4:57:05 PM](#)

CO-CHAIR GIESSEL closed public testimony on HB 143.

[4:57:17 PM](#)

MR. JEPSEN said that advanced recycling would help by allowing the recycling of all types of plastics, beyond those that mechanical recycling can handle. Mechanical recycling is limited to certain types of plastics due to physical constraints. Advanced recycling, on the other hand, can process a broader range of plastics. He also noted that investments in such facilities can range widely from a couple of million dollars to hundreds of millions or even billions, depending on the scale. Further financial analysis of various facilities will continue.

[4:58:21 PM](#)

CO-CHAIR GIESSEL held HB 143 in committee.

[4:58:41 PM](#)

There being no further business to come before the committee, Co-Chair Giessel adjourned the Senate Resources Standing Committee meeting at 4:58 p.m.