

ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE

February 28, 2025

1:04 p.m.

MEMBERS PRESENT

Representative Robyn Niayuq Burke, Co-Chair
Representative Carolyn Hall
Representative Donna Mears
Representative Zack Fields
Representative Dan Saddler
Representative George Rauscher
Representative Julie Coulombe
Representative Bill Elam

MEMBERS ABSENT

Representative Maxine Dibert, Co-Chair

COMMITTEE CALENDAR

PRESENTATION(S): MANAGING MINING PROJECTS USING STATE HIGHWAYS~
DALTON HIGHWAY UPDATE

- HEARD

HOUSE BILL NO. 33

"An Act relating to participation in matters before the Board of Fisheries and the Board of Game by the members of the respective boards; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 33

SHORT TITLE: CONFLICT OF INTEREST: BD FISHERIES/GAME

SPONSOR(S): REPRESENTATIVE(S) STUTES

01/22/25	(H)	PREFILE RELEASED 1/10/25
01/22/25	(H)	READ THE FIRST TIME - REFERRALS
01/22/25	(H)	FSH, RES
02/18/25	(H)	FSH AT 10:00 AM GRUENBERG 120
02/18/25	(H)	Moved HB 33 Out of Committee
02/18/25	(H)	MINUTE(FSH)

02/19/25 (H) FSH RPT 7DP
02/19/25 (H) DP: VANCE, KOPP, EDGMON, HIMSCHOOT,
ELAM, MCCABE, STUTES
02/28/25 (H) RES AT 1:00 PM BARNES 124

WITNESS REGISTER

ANDY MILLS, Legislative Liaison
Special Assistant to the Commissioner
Department of Transportation & Public Facilities
State of Alaska
Juneau, Alaska

POSITION STATEMENT: Co-presented an update regarding the Dalton Highway and mining projects using state highways.

JASON SAKALASKAS, Chief of Maintenance and Operations
Department of Transportation & Public Facilities Northern Region
State of Alaska
Fairbanks, Alaska

POSITION STATEMENT: Co-presented an update regarding the Dalton Highway and mining projects using state highways.

DAN SMITH, Director
Measurement Standards and Commercial Vehicle Compliance
Department of Transportation and Public Facilities
State of Alaska
Anchorage, Alaska

POSITION STATEMENT: Co-presented an update regarding the Dalton Highway and mining projects using state highways.

LESLIE DAUGHERTY, Chief Bridge Engineer
Bridge Design
Division of Statewide Design and Engineering Services
Department of Transportation and Public Facilities
State of Alaska

POSITION STATEMENT: Co-presented an update regarding the Dalton Highway and mining projects using state highways.

REPRESENTATIVE LOUISE STUTES
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, introduced HB 33 and read the sponsor statement.

JANE PEARSON, Staff
Representative Louise Stutes
Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: On behalf of Representative Stutes, prime sponsor, presented background information regarding HB 33.

RICHIE DAVIS, Member
Seafood Producers Cooperative
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 33.

ACTION NARRATIVE

[1:04:49 PM](#)

CO-CHAIR BURKE called the House Resources Standing Committee meeting to order at 1:04 p.m.

Representatives Hall, Mears, Fields, Elam, Saddler, Rauscher, Coulombe, and Burke were present at the call to order.

PRESENTATION(S): Managing Mining Projects using State Highways, Dalton Highway Update

[1:05:25 PM](#)

CO-CHAIR BURKE announced the first order of business would be a presentation from the Alaska Department of Transportation and Public Facilities (DOT&PF).

[1:05:51 PM](#)

ANDY MILLS, Legislative Liaison, Special Assistant to the Commissioner, Department of Transportation & Public Facilities, State of Alaska, co-presented a PowerPoint regarding mining activities and the use of state highways [hard copy included in the committee packet]. He showed slide 2, titled "Safe Systems Approach: Tetlin to Ft. Knox," which read as follows [original punctuation provided]:

- Established Technical Advisory Committee (TAC) to inform the research
- Commissioned Corridor Study - Kinney Report
- \$1M brush cutting in advance of haul to increase sight distance
- Maintenance Bridge Monitoring Plan
- Winter Maintenance Memorandum of Agreement (MOA)
- Emergency Medical Services (EMS) coordination

- Jaws of life
- PiLits (pronounced "Pie lights")
- 511 upgrades
- Audible bus & plow alerting
- Bridge heights
- Winter Operations dashboard

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JASON SAKALASKAS, Chief of Maintenance and Operations, Department of Transportation & Public Facilities, Northern Region, State of Alaska, provided additional details regarding the information presented on slide 2.

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MR. MILLS, in response to a question from Representative Rauscher, explained that the Winter Maintenance Memorandum of Agreement and Emergency Medical Services (EMS) safety initiative information was available for committee members.

[1:12:08 PM](#)

MR. SAKALASKAS summarized the bridge monitoring plan and the sanding operations.

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MR. SAKALASKAS responded to a question from Representative Burke by explaining that the maximum allowable weight for ore haulers was in the range of 160,000 pounds. He stated that he would provide specific numbers to the committee.

[1:15:06 PM](#)

MR. MILLS provided a brief summary regarding the number of axels versus total weight.

[1:16:04 PM](#)

MR. MILLS responded to a question from Representative Saddler regarding how roads were classified and how that related to limitations on use of the roads. He explained that the Dalton Highway haul road was initially for commercial purposes but later changed to a public road. He specified that most roads in Alaska are public roads, though some had agreements with different entities. For example, ore haulers who use the

Klondike Highway to Skagway pay to help maintain the road, and the Whittier Tunnel is a toll road.

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MR. MILLS continued his discussion of slide 2 by describing the safety features including a small safety lift, jaws of life, and the "PiLits" emergency lights.

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MR. SAKALASKAS observed that the PiLits were offered for EMS coordination and that they automatically communicated with the 511 warning systems.

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MR. MILLS elaborated on the safety systems which included audible 511 bus alerts, early warning for plows, bridge heights, and winter operations.

[1:24:04 PM](#)

DAN SMITH, Director, Measurement Standards and Commercial Vehicle Compliance, Department of Transportation and Public Facilities, State of Alaska, addressed a series of questions from Representative Coulombe regarding the prevention of bridge strikes by vehicles. He explained that DOT&PF has changed the requirements for vehicle permits which included specific heights, the use of a pilot car, and a route survey.

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MR. MILLS, in response to a question from Representative Mears, acknowledged that people tend to disregard frequent warnings, which needed to be taken into consideration when putting up signage and warning systems. He pointed out that the audible bus warning system was only in Fairbanks at that time.

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MR. MILLS moved to slide 3, titled "Annual Average Daily Traffic (AADT)," and slide 4, titled "Percentage of Truck Traffic by Highway Segment," which showed the results of several studies regarding traffic on Alaska Highways.

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LESLIE DAUGHERTY, Chief Bridge Engineer, Bridge Design, Division of Statewide Design and Engineering Services, Department of Transportation and Public Facilities, continued the presentation with a discussion of bridge loading. She showed slide 5, titled "Bridge Axle Loading," which showed illustrations of several types of trucks, and which read as follows [original punctuation provided]:

- Bridge Loading is related to axle weights and spacings, not Gross Vehicle Weight (GVW)
- Bridges are not designed or analyzed for GVW
- Short bridges may not see all of truck load if it is spread out
- Long span bridges see more of truck weight

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MS. DAUGHERTY moved to slide 6, titled "Bridge Loading Example," which showed illustrations of weights and balance and stated: "Bridge Loading is comparable to airplane loading where distribution of loads is what keeps airplanes stable." She advanced to slide 7, titled "Load Distribution," which read as follows [original punctuation provided]:

- Legal loads are route dependent and configuration dependent
- Historically, permitted loads have exceeded 400,000 lbs. GVW
- Based on axle weight and spacing, by federal law, we must restrict any loads over "operating limit" - maximum safe load (23 CFR 650.305)
- Permits are granted based on operating limit because loads are known and analyzed

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MS. DAUGHERTY continued with slide 8, titled "Ore Hauls," which read as follows [original punctuation provided]:

- DOT&PF does not discriminate between types of commercial traffic
- FHWA asked us to develop a new method of load rating and posting for Long Combination Vehicles (LCV), study expected 2025
- Chena Flood/Richardson Highway MP 346 was load posted after operating trucks exceeded 80 tons

- Given aging infrastructure, the department is likely to load post more bridges
- About 65% of Alaska's bridges predate federal exemption from 80,000 lb. GVW
- Bridge inspections have increased to ensure safety

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MR. SAKALASKAS resumed the presentation with slide 9, titled "Dalton Highway Activity," which read as follows [original punctuation provided]:

Capital Project Investment Dalton Highway 2025

- Elliott Highway MP 51-63 expected completion summer 2025
- Dalton Highway Yukon River Bridge Redecking
- Dalton Highway MP 245-274 Resurfacing
- Dalton Highway MP 247-289 and 305-362 Delineator Replacement
- Dalton Highway MP 76-89 Resurfacing within current proposed FY2026 Gov. Budget (Future)
- Deadhorse Airport Improvements

Highway Use Agreement - DOT&PF and AGDC (Alaska Gasline Development Corporation)

- Ensure readiness for an upcoming pipeline project while maintaining highway infrastructure, including Right-of-Way, Pipeline Crossings, Construction Load Impacts, Material Sites, Driveways, and other related factors

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MR. SAKALASKAS answered a question from Representative Hall regarding maintenance of the Dalton Highway. He called attention to the final bullet on slide 9, noting that DOT&PF is working on a highway use agreement between the Department of Transportation and the Alaska Gasline Development Corporation (AGDC) which will outline activities and cooperation between DOT&PF and AGDC.

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MR. SAKALASKAS moved to slide 10, titled "Winter Operations Staffing," and slide 11, titled "Equipment Mechanic Staffing," pointing to the comparisons in staff vacancy rates between 2024 and 2025.

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MR. SAKALASKAS responded to a question from Representative Saddler regarding requirements for equipment operators.

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MR. SAKALASKAS, in response to a question from Representative Coulombe, described the Dalton Highway mechanic staffing statistics. He explained that some staffing solutions were the result of resource sharing with other departments. This was outlined on slide 12, titled "Resource Sharing & Contractor Support," which read as follows [original punctuation provided]:

Resource Sharing

- Dept. of Natural Resources Support - Snow removal
- Regional Equipment Operator Sharing - Staffing from other districts

Contract Support for Maintenance & Operations

- Routine summer maintenance
 - Capitalize on capital project resources
 - Material hauling contracts
- Routine winter maintenance activities
- Emergency event response

[1:51:22 PM](#)

MR. SAKALASKAS answered a question from Representative Fields regarding whether Katherine Keith continued to serve as department commissioner as well as interim northern region director.

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MR. SMITH, resumed the presentation with slide 13, titled "Programs: Measurement Standards and Commercial Vehicle Compliance (CVC)," which listed the weigh stations and read as follows [original punctuation provided]:

Ensuring Accurate Trade, Measurements, and Enforcing Commercial Vehicle Regulations

Weights and Measures Inspectors

- 8 filled PCNs (10 total)

Nine Weigh Stations (31 CVC total)

- Fairbanks (4 stations) - 6 filled PCNs
- Anchorage (3 stations) - 10 filled PCNs
- Tok (1 station) - 4 filled PCNs
- Sterling (1 station) - 3 filled PCNs

The next five slides were titled "Measurement Standards and Commercial Vehicle Compliance." Slide 14 illustrated safety efforts for Federal Fiscal Year 2024 (FFY) with a weight compliance rate of 97.3 percent. There were 8,310 Driver and Vehicle Safety Inspections; 82% of the vehicles and 98% of the drivers inspected did not have any out-of-service violations. Slide 15 showed a graph illustrating the number of vehicles weighed at nine stations in FFY2024. Slide 16 compared the class 13 multi-trailer vehicles of seven or more axles which were weighed in FFY2023 and FFY2024. Slide 17 showed division enforcement activity in FFY2023 and FFY2024. Slide 18 provided statistics for inspection activity on the Dalton Highway in FFY2022 through FFY2024.

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MR. SMITH addressed a question posed by Representative Mears regarding how the weight of the 80 ton plus ore trucks compare to other loads on the road. He explained that the federal bridge formula sets the weight. The parks highway combinations are actually a larger vehicle with higher weight than the ones on the corridor with 95-foot cargo carrying length. With the tractor, that is approximately 112 feet. The bridge formula sets the gross weight of those combos at 167,000 pounds.

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MR. MILLS responded to a question from Representative Saddler regarding constraints to getting summer construction projects into the field. Prior to answering, he called attention to the acronym for the department. He explained that DOT&PF expected to have a better season than the previous year.

[2:00:57 PM](#)

MR. MILLS emphasized that the Dalton Highway is a state road but has few pullouts and very limited services.

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MR. SAKALASKAS, responded to a question from Representative Coulombe regarding who is responsible for the maintenance of the Dalton Highway by explaining that there is not a specific agreement such as a Memorandum of Agreement (MOA). There are agreements with Alaska Airlines for the Deadhorse Airport.

[2:02:31 PM](#)

MR. MILLS pointed out that, generally speaking, the Alaska Trucking Industry perceived their contribution as having constructed the road.

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MR. SAKALASKAS addressed a series of questions from Representative Hall regarding safety measures on the Dalton Highway. He explained that the road meets the same design standards as other Alaska roadways with guard rails and pullouts. He pointed out that it is a very long route with few services. In addition, there are many oversize loads that travel the highway. He commented that there is road etiquette that people are encouraged to follow when traveling the highway.

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MR. SAKALASKAS in response to a question from Representative Rauscher discussed whether the department was resourced correctly relative to road locations. He pointed out that roadways impacted by winter weather are more labor intensive.

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The committee took an at-ease from 2:08 p.m. to 2:10 p.m.

HB 33-CONFLICT OF INTEREST: BD FISHERIES/GAME

[2:10:15 PM](#)

CO-CHAIR BURKE announced the next order of business would be HOUSE BILL NO. 33, "An Act relating to participation in matters before the Board of Fisheries and the Board of Game by the members of the respective boards; and providing for an effective date."

[2:10:33 PM](#)

REPRESENTATIVE LOUISE STUTES, Alaska State Legislature, as prime sponsor, introduced HB 33 and read the sponsor statement to the committee [hard copy included in the committee packet]. The sponsor statement read as follows [original punctuation provided]:

HB 33 SPONSOR STATEMENT

"An Act relating to participation in matters before the Board of Fisheries and the Board of Game by the members of the respective boards; and providing for an effective date."

This legislation changes the way the Board of Fisheries and Board of Game function by allowing members to deliberate on subjects for which they have a declared personal or financial interest according to AS 39.52, the Executive Branch Ethics Act.

Members are selected based on their "knowledge and ability in the field of action by the board, and with a view to providing diversity of interests and points of view in membership" however, Title 39 prohibits a member from "taking or withholding official action in order to affect a matter in which the member has a personal or financial interest." (AS 39.52.120(b)(4)). "Official action" is defined as "advice, participation, or assistance, including for example, a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction by a public officer." (AS 39.52.960(14)).

Currently, board members are required to divulge a conflict of interest if they, or their immediate family members, are involved in the subject matter being deliberated. The conflicted member can then no longer offer their input and expertise on the process and cannot vote on the matter at hand. Often in the fishing world, a financial or personal interest corresponds with someone's knowledge of a particular fishery.

The passage of this bill will allow the conflicted board member to offer remarks and input on deliberations, but still precludes them from voting on the issue if they have a conflict of interest.

Allowing members with expertise in particular fields to deliberate will assist the boards in making more informed decisions, lead to stronger resource management statewide, and align process with intent as far as the boards benefiting from members' knowledge and diverse views.

Thank you for support of this legislation.

[2:14:01 PM](#)

JANE PEARSON, Staff, Representative Louise Stutes, Alaska State Legislature, directed the committee's attention to documents prepared by the Alaska Boards of Game and Fisheries [hard copies included in the committee packets], titled "Background Information on the Alaska Boards of Game and Fisheries Ethics Act Process" and "Alaska Board of Fisheries Policy on Board Member Actions at Meetings when Recused from Participating on Proposals." She explained that the documents set forth how members must conduct their business when they have declared a conflict of interest. She read several paragraphs dealing with recusals.

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REPRESENTATIVE STUTES added that members who declare a conflict must get up from their seat at the table and sit in the audience.

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MS. PEARSON explained that a member could participate as a member of the public but would not be allowed to add their expertise to the board's deliberative process, even if they are the only one who understands the nuances of a particular subject. She pointed out that the documents detailed the number of times the board members had to declare a conflict of interest. She posited that the recusal policy discouraged people from applying to the board. However, allowing board members with expertise to deliberate, the boards could make fully informed decisions. Any member who declared a conflict would be recused when there was a vote.

[2:18:33 PM](#)

REPRESENTATIVE STUTES responded to a question from Representative Rauscher regarding why this bill did not get

farther in previous legislative sessions. She said the primary pushback in the past came from Kenai River Sports Association. She posited that a person who has a conflict should be excluded from the vote but not from the conversation. She pointed out letters on the subject were provided to the committee, but only one was in opposition.

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REPRESENTATIVE STUTES addressed several questions posed by Representative Saddler regarding HB 33's definition of "supervisor" and "designated ethics supervisor." She specified who would deal with possible conflict of interest situations, stating that questions could be referred to the ethics supervisor for the Board of Game or the Board of Fish who would determine whether there is an ethics violation or not. The ruling would then go to the chair and the board.

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REPRESENTATIVE STUTES, in response to several questions from Representative Coulombe, explained that the issue addressed by HB 33 was an unforeseen consequence from the initial setting of board policies. She acknowledged that a board member could testify as a member of the public, but she emphasized that the person could not engage in discussions with the board. She pointed out that board members were chosen for their expertise and knowledge of the subject but were potentially precluded from sharing that expertise.

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REPRESENTATIVE STUTES responded to questions from Representative Saddler by clarifying several sections in HB 33 regarding conflicts of interest. She reminded the committee that members of the Board of Fish were appointed because they had relevant areas of expertise.

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REPRESENTATIVE STUTES answered several questions posed by Representative Elam and Representative Saddler regarding conflicts of interest and off the record conversations that have hypothetically taken place at board meetings.

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CO-CHAIR BURKE opened public testimony on HB 33.

[2:35:00 PM](#)

RICHIE DAVIS, Member, Seafood Producers Cooperative, testified in support of HB 33. He described how members of the Board of Fish were required to recuse themselves from discussions of the board due to conflicts of interest. He stated that the process had a stifling effect and discouraged people with knowledge and experience from becoming board members.

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CO-CHAIR BURKE closed public testimony on HB 33.

[2:38:33 PM](#)

CO-CHAIR BURKE held over HB 33.

[2:39:10 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 2:39 p.m.