

**ALASKA STATE LEGISLATURE**  
**SENATE STATE AFFAIRS STANDING COMMITTEE**

May 8, 2025

3:32 p.m.

**MEMBERS PRESENT**

Senator Scott Kawasaki, Chair  
Senator Jesse Bjorkman, Vice Chair  
Senator Bill Wielechowski  
Senator Elvi Gray-Jackson  
Senator Robert Yundt

**MEMBERS ABSENT**

All members present

**OTHER LEGISLATORS PRESENT**

Senator Jesse Kiehl

**COMMITTEE CALENDAR**

SENATE BILL NO. 152

"An Act renaming Ruby Airport as Harold Esmailka Airport; and providing for an effective date."

- MOVED SB 152 OUT OF COMMITTEE

SENATE BILL NO. 104

"An Act relating to the transfer of a title on the death of the owner; and providing for an effective date."

- MOVED SB 104 OUT OF COMMITTEE

HOUSE BILL NO. 121

"An Act relating to the practice of accounting; and providing for an effective date."

- MOVED SCS HB 121(STA) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 75(STA)

"An Act relating to national criminal history record checks for certain employees of the Department of Revenue; relating to allowable absences for eligibility for a permanent fund dividend; relating to the confidentiality of certain information

provided on a permanent fund dividend application; relating to electronic notice of debt collection executed on a permanent fund dividend; and providing for an effective date."

- MOVED SCS CSHB 75(STA) OUT OF COMMITTEE

SENATE BILL NO. 166

"An Act relating to notice requirements for certain state actions."

- HEARD & HELD

SENATE BILL NO. 177

"An Act relating to the elimination or modification of state agency publications that are outdated, duplicative, or excessive."

- HEARD & HELD

#### **PREVIOUS COMMITTEE ACTION**

BILL: SB 152

SHORT TITLE: HAROLD ESMAILKA AIRPORT AT RUBY

SPONSOR(s): SENATOR(s) CRONK

03/31/25	(S)	READ THE FIRST TIME - REFERRALS
03/31/25	(S)	TRA, STA
04/10/25	(S)	TRA AT 1:30 PM BUTROVICH 205
04/10/25	(S)	Heard & Held
04/10/25	(S)	MINUTE(TRA)
04/15/25	(S)	TRA AT 1:30 PM BUTROVICH 205
04/15/25	(S)	Moved SB 152 Out of Committee
04/15/25	(S)	MINUTE(TRA)
04/18/25	(S)	TRA RPT 3DP 2NR
04/18/25	(S)	DP: BJORKMAN, TOBIN, KIEHL
04/18/25	(S)	NR: STEDMAN, SHOWER
05/06/25	(S)	STA AT 3:30 PM BELTZ 105 (TSBldg)
05/06/25	(S)	Heard & Held
05/06/25	(S)	MINUTE(STA)
05/08/25	(S)	STA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: SB 104

SHORT TITLE: VEHICLES/BOATS: TRANSFER ON DEATH TITLE

SPONSOR(s): SENATOR(s) KAWASAKI

02/19/25	(S)	READ THE FIRST TIME - REFERRALS
02/19/25	(S)	TRA, STA

03/20/25 (S) TRA AT 1:30 PM BUTROVICH 205  
 03/20/25 (S) Heard & Held  
 03/20/25 (S) MINUTE(TRA)  
 04/10/25 (S) TRA AT 1:30 PM BUTROVICH 205  
 04/10/25 (S) <Bill Hearing Canceled>  
 04/24/25 (S) TRA AT 1:30 PM BUTROVICH 205  
 04/24/25 (S) Moved SB 104 Out of Committee  
 04/24/25 (S) MINUTE(TRA)  
 04/25/25 (S) TRA RPT 3DP  
 04/25/25 (S) DP: TOBIN, STEDMAN, KIEHL  
 05/01/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)  
 05/01/25 (S) Heard & Held  
 05/01/25 (S) MINUTE(STA)  
 05/06/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)  
 05/06/25 (S) Heard & Held  
 05/06/25 (S) MINUTE(STA)  
 05/08/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: HB 121

SHORT TITLE: ACCOUNTING; PRACTICE PRIVILEGE

SPONSOR(s): REPRESENTATIVE(s) SCHRAGE

02/28/25 (H) READ THE FIRST TIME - REFERRALS  
 02/28/25 (H) L&C  
 03/10/25 (H) L&C AT 3:15 PM BARNES 124  
 03/10/25 (H) -- MEETING CANCELED --  
 03/12/25 (H) L&C AT 3:15 PM BARNES 124  
 03/12/25 (H) Heard & Held  
 03/12/25 (H) MINUTE(L&C)  
 03/14/25 (H) L&C AT 3:15 PM BARNES 124  
 03/14/25 (H) Moved HB 121 Out of Committee  
 03/14/25 (H) MINUTE(L&C)  
 03/17/25 (H) L&C RPT 5DP 1NR  
 03/17/25 (H) DP: COULOMBE, BURKE, NELSON, HALL,  
 FIELDS  
 03/17/25 (H) NR: CARRICK  
 03/17/25 (H) L&C AT 3:15 PM BARNES 124  
 03/17/25 (H) <Bill Hearing Canceled>  
 03/24/25 (H) TRANSMITTED TO (S)  
 03/24/25 (H) VERSION: HB 121  
 03/26/25 (S) READ THE FIRST TIME - REFERRALS  
 03/26/25 (S) EDC, L&C  
 04/09/25 (S) EDC REFERRAL REMOVED  
 04/09/25 (S) STA REFERRAL ADDED  
 04/22/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)  
 04/22/25 (S) Heard & Held  
 04/22/25 (S) MINUTE(STA)

05/06/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)  
05/06/25 (S) Heard & Held  
05/06/25 (S) MINUTE(STA)  
05/08/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: HB 75

SHORT TITLE: PERM FUND; EMPLOYMENT; ELIGIBILITY

SPONSOR(s): REPRESENTATIVE(s) BYNUM

01/31/25 (H) READ THE FIRST TIME - REFERRALS  
01/31/25 (H) STA, L&C  
02/18/25 (H) STA AT 3:15 PM GRUENBERG 120  
02/18/25 (H) Heard & Held  
02/18/25 (H) MINUTE(STA)  
02/22/25 (H) STA AT 1:00 PM GRUENBERG 120  
02/22/25 (H) Heard & Held  
02/22/25 (H) MINUTE(STA)  
02/27/25 (H) STA AT 3:15 PM GRUENBERG 120  
02/27/25 (H) Moved CSHB 75(STA) Out of Committee  
02/27/25 (H) MINUTE(STA)  
02/28/25 (H) STA RPT CS(STA) 5DP  
02/28/25 (H) DP: HOLLAND, HIMSCHOOT, MOORE, STORY,  
CARRICK  
03/12/25 (H) L&C AT 3:15 PM BARNES 124  
03/12/25 (H) Heard & Held  
03/12/25 (H) MINUTE(L&C)  
03/17/25 (H) L&C AT 3:15 PM BARNES 124  
03/17/25 (H) Moved CSHB 75(STA) Out of Committee  
03/17/25 (H) MINUTE(L&C)  
03/21/25 (H) L&C RPT CS(STA) 5DP 2AM  
03/21/25 (H) DP: CARRICK, COULOMBE, BURKE, HALL,  
FIELDS  
03/21/25 (H) AM: NELSON, SADDLER  
04/14/25 (H) NOT TAKEN UP 4/14 - ON 4/15 CALENDAR  
04/16/25 (H) TRANSMITTED TO (S)  
04/16/25 (H) VERSION: CSHB 75(STA)  
04/22/25 (S) READ THE FIRST TIME - REFERRALS  
04/22/25 (S) STA  
05/08/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: SB 166

SHORT TITLE: NOTICE REQS. FOR STATE ACTIONS

SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

04/09/25 (S) READ THE FIRST TIME - REFERRALS  
04/09/25 (S) STA, RES  
05/08/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: SB 177

SHORT TITLE: STATE AGENCY PUBLICATIONS

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

04/22/25 (S) READ THE FIRST TIME - REFERRALS  
04/22/25 (S) STA, FIN  
05/08/25 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

**WITNESS REGISTER**

SENATOR MIKE CRONK, District R  
Alaska State Legislature  
Juneau, Alaska  
**POSITION STATEMENT:** Sponsor of SB 152.

JENNA COLQUHOUN, Staff  
Senator Scott Kawasaki  
Alaska State Legislature  
Juneau, Alaska  
**POSITION STATEMENT:** Provided a brief recap of SB 104.

AMANDA NDEMO, Staff  
Representative Calvin Schrage  
Alaska State Legislature  
Juneau, Alaska  
**POSITION STATEMENT:** Provided a brief recap of HB 121.

TREVOR SHAW, Staff  
Representative Jeremy Bynum  
Alaska State Legislature  
Juneau, Alaska  
**POSITION STATEMENT:** Presented an overview of HB 75.

RICK BERKOWITZ, representing self  
Seattle, Washington  
**POSITION STATEMENT:** Testified in support of HB 75.

RALPH MIRSKY, Executive Director  
Sealink Inc.  
Ketchikan, Alaska  
**POSITION STATEMENT:** Testified in support of HB 75.

REPRESENTATIVE JEREMY BYNUM, District 1  
Alaska State Legislature  
Juneau, Alaska  
**POSITION STATEMENT:** Sponsor of HB 75.

GENEVIEVE WOJTUSIK, DIRECTOR  
Permanent Fund Dividend Division  
Department of Revenue  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions about HB 75.

JASON OLDS, Director  
Division of Air Quality  
Department of Environmental Conservation (DEC)  
Juneau, Alaska

**POSITION STATEMENT:** Presented SB 166.

### **ACTION NARRATIVE**

[3:32:55 PM](#)

CHAIR KAWASAKI called the Senate State Affairs Standing Committee meeting to order at 3:32 p.m. Present at the call to order were Senators Bjorkman, Wielechowski, Yundt and Chair Kawasaki. Senator Gray- Jackson arrived thereafter.

### **SB 152-HAROLD ESMAILKA AIRPORT AT RUBY**

[3:34:27 PM](#)

CHAIR KAWASAKI announced the consideration of SENATE BILL NO. 152 "An Act renaming Ruby Airport as Harold Esmailka Airport; and providing for an effective date."

[3:34:45 PM](#)

SENATOR MIKE CRONK, District R, Alaska State Legislature, Juneau, Alaska sponsor of SB 152 provided a brief recap and stated that the legislation is a simple act of renaming Ruby Airport after Harold Emailka.

[3:35:06 PM](#)

CHAIR KAWASAKI solicited the will of the committee.

[3:35:09 PM](#)

SENATOR BJORKMAN moved to report SB 152, work order 34-LS0813\N, from committee with individual recommendations and attached fiscal note(s).

[3:35:29 PM](#)

CHAIR KAWASAKI found no objection and SB 152 was reported from the Senate State Affairs Standing Committee.

### **SB 104-VEHICLES/BOATS: TRANSFER ON DEATH TITLE**

[3:35:51 PM](#)

CHAIR KAWASAKI announced the consideration of SENATE BILL NO. 104 "An Act relating to the transfer of a title on the death of the owner; and providing for an effective date."

[3:36:07 PM](#)

JENNA COLQUHOUN, Staff, Senator Scott Kawasaki, Alaska State Legislature, Juneau, Alaska, provided a brief recap of SB 104 and stated that the legislation builds on the Uniform Real Property Transfer on Death Act by extending Transfer on Death (TOD) deeds to boats and other DMV-registered vehicles. SB 104 aims to reduce probate costs for Alaskans, free probate courts to focus on more complex cases, and expand access to this estate planning tool for most residents.

[3:36:51 PM](#)

CHAIR KAWASAKI opened public testimony on SB 104; finding none, he closed public testimony.

[3:37:06 PM](#)

CHAIR KAWASAKI solicited the will of the committee.

[3:37:09 PM](#)

SENATOR BJORKMAN moved to report SB 104, work order 34-LS0617\A, from committee with individual recommendations and attached fiscal note(s).

[3:37:25 PM](#)

CHAIR KAWASAKI found no objection and SB 104 was reported from the Senate State Affairs Standing Committee.

**HB 121-ACCOUNTING; PRACTICE PRIVILEGE**

[3:37:40 PM](#)

CHAIR KAWASAKI announced the consideration of HOUSE BILL NO. 121 "An Act relating to the practice of accounting; and providing for an effective date."

[SCS HB 121(STA) adopted in last meeting.]

[3:38:05 PM](#)

AMANDA NDEMO, Staff, Representative Calvin Schrage, Alaska State Legislature, Juneau, Alaska, provided a brief recap of HB 121 and stated that the legislation updates the Accountancy Act by lowering credit requirements for accountants and revising conservatorship requirements as they apply to CPAs.

[3:38:47 PM](#)

CHAIR KAWASAKI opened public testimony on SCS HB 121; finding none, he closed public testimony.

[3:39:33 PM](#)

CHAIR KAWASAKI solicited the will of the committee.

[3:39:36 PM](#)

SENATOR BJORKMAN moved to report SCS HB 121, work order 34-LS0382\G, from committee with individual recommendations and attached fiscal note(s).

[3:40:03 PM](#)

CHAIR KAWASAKI found no objection and SCS HB 121(STA) was reported from the Senate State Affairs Standing Committee.

**HB 75-PERM FUND; EMPLOYMENT; ELIGIBILITY**

[3:40:33 PM](#)

CHAIR KAWASAKI announced the consideration of CS FOR HOUSE BILL NO. 75(STA) "An Act relating to national criminal history record checks for certain employees of the Department of Revenue; relating to allowable absences for eligibility for a permanent fund dividend; relating to the confidentiality of certain information provided on a permanent fund dividend application; relating to electronic notice of debt collection executed on a permanent fund dividend; and providing for an effective date."

[3:40:55 PM](#)

TREVOR SHAW, Staff, Representative Jeremy Bynum, Alaska State Legislature, Juneau, Alaska, presented an overview of HB 75. He disclosed the companion legislation to HB 75 is SB 77 by Senator Kiehl and read an overview:

[Original punctuation provided.]

**Section 1.** Requires the Permanent Fund Division to conduct background checks on and fingerprint its employees and applicants for employment within the Division.

**Section 2.** Modifies the allowable absences for Permanent Fund Dividend eligibility to include:

- Absences for school breaks and holiday, not including summer break, during the academic year.

- Education (1) to become a merchant mariner, and (2) through other vocational programs approved by the United States Coast Guard.
- Prevents medical absences from limiting the length of voluntary absences.
- Changes "armed forces" to "uniformed services"

**Section 3.** Provides the definition for "uniformed services" to encompass the armed forces and the Commissioned Corps of the National Oceanic and Atmospheric Administration and the United States Public Health Service, and renumbers other provisions of the statute accordingly.

**Section 4.** Aligns to Sect 1., requiring the Permanent Fund Division to conduct background checks on and fingerprint its employees and applicants for employment within the Division.

**Section 5.** Makes the names of Permanent Fund Dividend applicants confidential.

**Section 6.** Allows an opt-in option for Permanent Fund Dividend recipients to receive levy notices electronically.

[3:42:41 PM](#)

MR. SHAW read the letter of intent:

[Original punctuation provided.]

AS 43.23.005(c) lets a parent, guardian, or other authorized representative file for a permanent fund dividend on behalf of a minor child or disabled adult. The statute requires the child or disabled adult to be eligible in the same manner as other Alaskans. It does not require the sponsor to be eligible for a permanent fund dividend.

By regulation in 15 AAC 23.123, the Department of Revenue does not require a disabled adult's sponsor to be eligible for a permanent fund dividend to apply. Despite identical statutory language, the Department of Revenue does require the sponsor of a minor child to be eligible for a permanent fund dividend in regulation 15 AAC 23.113.

The regulation 15 AAC 23.113 prohibits eligible minors from receiving a PFD if their sponsor is ineligible. This creates hardship for minors in kinship care or whose parents travel for work. The regulation currently provides exceptions for minors whose parents are ineligible because of incarceration. By repealing or amending the regulation, the Department can use this same model for other eligible minors sponsored by ineligible parents or guardians.

It is the intent of the Thirty-Fourth Alaska State Legislature that the Department of Revenue repeal or amend regulation 15 AAC 23.113(b)(1)(a) to treat eligible minors equitably with eligible disabled adults by March 31, 2026. The Department of Revenue shall report to the presiding officers of the House and Senate on the regulation changes by March 15, 2026.

[3:44:52 PM](#)

CHAIR KAWASAKI opened public testimony on HB 75.

[3:45:11 PM](#)

RICK BERKOWITZ, representing self, Seattle, Washington, testified in support of HB 75 and explained that the Lynch and Mariner allowable absence provision has long been needed to support local hire in Alaska. Since the late 1990s, companies like Crowley and Sea Land backed legislation to ensure vocational training outside Alaska would qualify for the PFD allowable absence. He said over time, the Department of Revenue narrowed the definition, creating barriers for maritime training programs that guarantee employment upon graduation. HB 75 restores eligibility, helping Alaskans pursue federally recognized training, secure good jobs, and strengthen local hire.

[3:49:17 PM](#)

RALPH MIRSKY, Executive Director, Sealink Inc., Ketchikan, Alaska, testified in support of HB 75 and highlighted that for over 22 years in Ketchikan, the seafarers program recruited and trained workers, placing more than 800 people through federal grants and the Alaska Department of Labor. He said a major challenge arose when trainees were denied the Permanent Fund Dividend. During the salmon industry crash, a six-week specialized program retrained 150 fishermen, many of whom stayed in maritime work, though the loss of PFD eligibility discouraged some from returning.

[3:52:08 PM](#)

REPRESENTATIVE JEREMY BYNUM, District 1, Alaska State Legislature, Juneau, Alaska, sponsor of HB 75 stated that though it may appear to make only minor legal changes, HB 75 is considered significant for Alaska, especially Southeast Alaska's maritime industry. HB 75 also protects students studying out of state, modernizes health provisions, and provides long-needed updates and safeguards within the division.

[3:53:15 PM](#)

SENATOR WIELECHOWSKI expressed concern with Section 5, [AS 43.23.110(a)] which makes the names of Permanent Fund applicants confidential. He said constituents have used this information to detect fraud, though the division also faces hacking risks. The suggestion is to consider a middle ground that balances privacy with public assurance against fraud.

[3:54:32 PM](#)

REPRESENTATIVE BYNUM emphasized the need to balance transparency with security in managing state resources. HB 75 provisions protect citizens from fraud while still allowing investigations when fraud is suspected. He said members of the public can raise concerns through available channels, and valid reports would be investigated even with the confidentiality provision in place.

[3:56:15 PM](#)

SENATOR WIELECHOWSKI asked the PFD Division to explain why HB 75, Section 5, is necessary.

[3:56:28 PM](#)

GENEVIEVE WOJTUSIK, Director, Permanent Fund Dividend Division, Department of Revenue, Juneau, Alaska, answered questions about HB 75 and stated that after years of collaboration with the Criminal Investigation Unit, CIO, and risk manager, the division concluded that making PFD application data easily accessible online poses unnecessary risks. She stated her belief that confidentiality is essential and prevents more issues from happening than HB 75 will solve.

[3:57:17 PM](#)

SENATOR WIELECHOWSKI noted that while he has not supported similar legislation in the past, this version only protects names. He said given the abundance of public information online, even this limited confidentiality provides some Alaskans with reassurance that their PFD is protected, especially against out-of-state recipients or absentee residents.

[3:58:40 PM](#)

SENATOR BJORKMAN said that HB 75 has appeared in previous legislative sessions and asked whether last year's version included the same provision.

[3:58:57 PM](#)

MS. WOJTUSIK answered yes. She said last year's amended version included the same language making the name list confidential, though addresses have never been public. The Revenue Permanent Fund Information (RPFI) system remains available to government agencies, while HB 75 only removes public access. Alaskans can still submit fraud tips to the Criminal Investigation Unit.

[3:59:48 PM](#)

SENATOR WIELECHOWSKI noted that voter lists, election records, and property tax information are already public and expressed uncertainty about why PFD applicant names should be excluded.

[4:00:18 PM](#)

CHAIR KAWASAKI referred to HB 75, Section 5 and asked how often the Criminal Investigation Unit receives tips about individuals fraudulently receiving a PFD and asked whether the Criminal Investigation Unit tracks reports of fraudulent Permanent Fund Dividend (PFD) activity and inquired about the frequency of such reporting.

[4:00:44 PM](#)

MS. WOJTU answered yes, the Criminal Investigation Unit receives hundreds of fraud tips to review, analyze and investigate.

[4:00:54 PM](#)

CHAIR KAWASAKI asked whether PFD fraud tips usually come from credible sources, such as someone knowing an applicant no longer lives in Alaska, or from other triggers for investigation.

[4:01:13 PM](#)

MS. WOJTUSIK replied that fraud tips can come from various sources and may be submitted, including anonymously. She said she could provide a written summary of the types of tips received.

[4:01:36 PM](#)

CHAIR KAWASAKI asked where he could find the public list of current Permanent Fund recipients names.

MS. WOJTUSIK replied that about a year and a half ago, regulations were changed to remove the downloadable Excel list of all PFD recipients. She said now only individual name searches are available on the PFD website, though a printed list can still be requested in writing.

[4:02:41 PM](#)

SENATOR BJORKMAN asked if the list requires searching for a specific name, what level of risk does that tool pose.

[4:03:04 PM](#)

MS. WOJTUSIK replied that removing the full list online was done by regulation, and HB 75 provides a statutory fix. She said without it, someone could still pay for a printed copy of the entire list and potentially misuse it. Even with name searches, there are risks, such as using death records to file fraudulent claims, which HB 75 aims to prevent.

[4:04:00 PM](#)

SENATOR GRAY-JACKSON joined the meeting.

[4:04:27 PM](#)

CHAIR KAWASAKI commented that he has concerns with Section 5 of HB 75.

[4:04:42 PM](#)

SENATOR WIELECHOWSKI said his preference is to remove Section 5 of HB 75.

[4:04:58 PM](#)

At ease.

[4:06:21 PM](#)

CHAIR KAWASAKI reconvened the meeting and commented that during the at ease the committee discussed removing Section 5 of HB 75.

SENATOR WIELECHOWSKI stated that Section 5 appears ancillary to HB 75 and he would like it addressed under a separate bill to avoid holding up HB 75.

[4:06:29 PM](#)

SENATOR WIELECHOWSKI moved to adopt Conceptual Amendment 1, to CSHB 75 (STA)

**Conceptual Amendment 1**

BY SENATOR WIELECHOWSKI

Page 6, line 28 - Page 7, line 13:

Delete all material.

[4:07:12 PM](#)

CHAIR KAWASAKI objected for purposes of discussion.

[4:07:23 PM](#)

REPRESENTATIVE BYNUM agreed it was reasonable to remove Section 5 so HB 75 could move forward with its other provisions. He noted that both he and the co-sponsor had no objection.

[4:08:01 PM](#)

CHAIR KAWASAKI removed his objection.

[4:08:10 PM](#)

CHAIR KAWASAKI found no further objection and Conceptual Amendment 1 to CSHB 75(STA) was adopted.

[4:08:30 PM](#)

CHAIR KAWASAKI solicited the will of the committee.

[4:08:52 PM](#)

SENATOR BJORKMAN moved to report CSHB 75(STA), work order 34-LS0475\I, from committee, as amended, with individual recommendations and attached fiscal note(s) and authorization for Legislative Legal Services to make technical and conforming changes regarding the Conceptual Amendment.

[4:09:34 PM](#)

CHAIR KAWASAKI found no objection and SCS CSHB 75(STA) was reported from the Senate State Affairs Standing Committee.

[4:09:57 PM](#)

At ease.

**SB 166-NOTICE REQS. FOR STATE ACTIONS**

[4:12:15 PM](#)

CHAIR KAWASAKI reconvened the meeting and announced the consideration of SENATE BILL NO. 166 "An Act relating to notice requirements for certain state actions."

[4:12:55 PM](#)

JASON OLDS, Director, Division of Air Quality, Department of Environmental Conservation (DEC), Juneau, Alaska, presented SB 166 on behalf of the administration read the following:

[Original punctuation provided.]

- This bill is closely modeled after legislation passed by the Senate during the 33rd Legislature, which unfortunately expired on the house floor before adjournment on day 121 of last year. Like its predecessor, SB 166 seeks to update and modernize longstanding public notice practices used by the Departments of Environmental Conservation (DEC) and Natural Resources (DNR).
- The State is trying to meet people where they are efficient, and without driving up the costs for business.
- In the year we have seen notable print circulation reduced to select days of the week.
- While we know some populations may reply on print, the largest newspapers readership is 90% online.
- This bill retains flexibility for print where appropriate without strictly requiring it.
- SB 166 would amend public notice requirements for several state actions, including those tied to land use, water use, and regulatory processes governed by the Administrative Procedure Act.
- The bill does not alter the substance of any permitting or regulatory process. It simply allows state agencies to fulfill notice obligations through the Alaska Online Public Notice System (OPNS), with the option—rather than the requirement—to use newspaper advertisements.
- The bill also removes mandates for multiple print publications or geographically targeted newspaper ads, allowing agencies to assess when additional advertising is warranted.
- SB 166 seeks to reduce agency and private business costs and modernize the state's current system to align with trends in public engagement.

- The pricing for public newspapers ranges from \$500 to \$1,500, this depends on the length of the publication and the individual newspaper.
- These costs are passed on to permit applicants and can slow down routine permitting. SB 166 helps agencies direct limited resources more efficiently.

[4:15:33 PM](#)

MR. OLDS provided the sectional analysis for SB 166 and read the following sectional summary:

[Original punctuation provided.]

**Section 1 - AS 38.05.073(c)**

This section updates how the Department of Natural Resources (DNR) gives early public notice when it's planning to lease land for recreational development like campgrounds or public-use cabins.

**Section 2 - AS 38.05.073(e)**

Once DNR is ready to move forward with leasing land for recreational purposes, this section governs how they notify the public and interested parties. Requires all requests for proposals (RFPs) to be posted on the OPNS.

**Section 3 - AS 38.05.205(a)**

This section affects how DNR announces the issuance of mineral leases after a claim has been recorded.

**Section 4 - AS 38.05.945(b)**

This section applies to a variety of DNR land decisions that require public notice, such as preliminary findings or other land use authorizations.

**Section 5 - AS 44.62.175**

This section adds land and environmental notices under Titles 38 and 46 to the list of required items that must be posted on the Alaska Online Public Notice System.

**Section 6 - AS 44.62.190(a)**

This section updates how agencies notify the public when proposing new regulations or amendments.

[4:16:30 PM](#)

MR. OLDS continued with the sectional analysis for SB 166:

**Section 7 - AS 44.62.190(f)**

This is a cleanup section that modernizes expectations around notice formatting. It acknowledges that digital communication doesn't require a formal printed "title."

**Section 8 - AS 44.62.245(b)**

When agencies incorporate outside documents—like federal manuals—into regulations, and those documents change, the public must be notified. This section modernizes how those updates are shared.

**Section 9 - AS 44.62.300(b)**

This section helps protect agencies from lawsuits based on small technical mistakes in public notices—like an unclear subject line or missing formatting.

**Section 10 - AS 46.03.110(b)**

This section affects how the Department of Environmental Conservation issues public notices for waste disposal permits.

**Section 11 - AS 46.15.065(b)**

This section applies when DEC reviews and verifies existing water rights in a given area. It updates the required notice process to include the OPNS as the primary platform.

**Section 12 - AS 46.15.133(b):**

This section modernizes notice procedures when an agency proposes to use or sell water resources.

[4:17:44 PM](#)

CHAIR KAWASAKI expressed a concern with Section 6 of SB 166. He noted that while many people read newspapers online, a significant number do not. He asked how the commissioner will decide whether to use online notices or local newspapers.

[4:18:15 PM](#)

MR. OLDS recommended using print notices for rural areas, contentious issues, or populations with limited internet access to ensure broad engagement. Federally required plans, like PM2.5

State Implementation Plan (SIP) are examples where this approach is appropriate.

[4:19:17 PM](#)

CHAIR KAWASAKI expressed concern that controversial issues might not reach everyone if published only online, noting that some people do not use online systems.

[4:19:49 PM](#)

SENATOR WIELECHOWSKI asked what percentage of Alaskans would have access to the online system.

[4:20:00 PM](#)

MR. OLDS replied that he has no data on accessibility but noted that the system can be accessed via cell phones. Cell phone access has improved over the past decade, as seen in places like Yakutat, though no specific numbers are available.

[4:20:38 PM](#)

CHAIR KAWASAKI opened public testimony on SB 166; he found none and kept public testimony open.

[4:21:26 PM](#)

CHAIR KAWASAKI held SB 166 in committee.

[4:21:36 PM](#)

At ease.

#### **SB 177-STATE AGENCY PUBLICATIONS**

[4:24:08 PM](#)

CHAIR KAWASAKI reconvened the meeting and announced the consideration of SENATE BILL NO. 177 "An Act relating to the elimination or modification of state agency publications that are outdated, duplicative, or excessive."

CHAIR KAWASAKI stated that the governor requested all bills submitted by him receive a hearing and the committee has complied. He noted that SB 177 was scheduled, but the governor chose not to send anyone to introduce it. He explained that SB 177 originated from House Bill 187, introduced by then Representative Kaufman and passed unanimously by both bodies in 2022. He referenced a letter from the Department of Law indicating no one was available to present the bill. He expressed support for Senator Kaufman's plan to reintroduce similar legislation to reduce government inefficiencies and

costs and reiterated disappointment that no representative from the governor's office attended to introduce SB 177.

[4:27:02 PM](#)

SENATOR WIELECHOWSKI asked if the committee had received a fiscal note.

[4:27:09 PM](#)

CHAIR KAWASAKI stated that no fiscal note has been received from the agencies, though publishing reports across 14 principal agencies and sub-agencies is costly. While the exact fiscal impact is unclear, eliminating outdated or duplicative publications under SB 177 is expected to save money. He said the legislature may request the Governor's Office and Office of Management and Budget (OMB) to provide an estimate.

[4:28:33 PM](#)

SENATOR WIELECHOWSKI noted that Sections 8 and 9 of SB 177 [AS 37.14.720 and AS 38.05.180(b)] repeal about 42 laws and expressed interest in what those are. He explained SB 177 was submitted to meet a mandate requiring agencies to identify outdated, duplicative, or excessive publications, which likely account for the repealed sections.

[4:29:34 PM](#)

CHAIR KAWASAKI stated that with no one available to present SB 177, it is speculative to determine whether the repealed sections are duplicative. Without input from commissioners or agencies involved, it is unclear how to assess them.

[4:30:14 PM](#)

SENATOR WIELECHOWSKI asked if there was anyone online from the Governor's office to answer questions.

CHAIR KAWASAKI replied there was no one from the Governor's office online for SB 177.

[4:30:43 PM](#)

SENATOR WIELECHOWSKI asked if the meeting was properly noticed and if the Governor's office was aware the meeting was occurring.

[4:30:53 PM](#)

CHAIR KAWASAKI answered yes, SB 177 was properly noticed. He said the Department of Law sent a written response Tuesday morning, and it is available online under Senate Bill 177.

4:31:41 PM

CHAIR KAWASAKI held SB 177 in committee.

4:32:32 PM

There being no further business to come before the committee, Chair Kawasaki adjourned the Senate State Affairs Standing Committee meeting at 4:32 p.m.