

Nancy Dahlstrom
Lieutenant Governor
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Jessalynn Rintala, Environmental Program Specialist
Department of Environmental Conservation

Beth Fitzgerald, Program Coordinator
Department of Environmental Conservation

FROM: April Simpson, Alaska Administrative Code Coordinator 
Office of the Lieutenant Governor

DATE: April 11, 2025

RE: Filed Permanent Regulations: Department of Environmental Conservation

Department of Environmental Conservation regulations re: Homemade Foods Update
per HB 251 (18 AAC 31.012(a))

Attorney General File:	2024200394
Regulation Filed:	4/11/2025
Effective Date:	5/11/2025
Print:	254, July 2025

cc with enclosures: Beth Parsons, Paralegal 2
Department of Law

Bob Dame, Alaska Legal Analyst
LexisNexis



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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April 11, 2025

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *18 AAC 31.012(a): DEC - Homemade Foods Update per HB 251*
Our file: 2024200394

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Department of Environmental Conservation against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Department of Environmental Conservation after the close of the public comment period.

The regulations concern repeal of Alaska Food Code exemptions found at 18 AAC 31.012(a) to ensure consistency with the homemade food exemptions enacted in 2024 through passage of House Bill 251 (Chapter 34, SLA 24). House Bill 251 allows production, sale, and personal consumption of homemade food prepared in home kitchens to be exempt from certain state labeling, licensing, packaging, and inspection requirements.

The January 8, 2025 public notice and the April 8, 2025 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060 that reduced the adopted regulations from two pages to one. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: Rebecca C. Polizzotto
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

Digitally signed by
Rebecca C. Polizzotto
Date: 2025.04.11
12:54:41 -08'00'

RCP/AHR

CC w/enclosure: Jessalyn Rintala, Environmental Program Specialist IV
Department of Environmental Conservation

Beth Fitzgerald, Program Coordinator II
Department of Environmental Conservation

Jennifer Currie, Chief Assistant Attorney General
Department of Law

Amy H. Robinson, Assistant Attorney General
Department of Law

ORDER ADOPTING CHANGES TO REGULATIONS
OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

The attached two pages of regulations, dealing with the repeal of 18 AAC 31.012(a), are adopted and certified to be a correct copy of the regulation changes that the Department of Environmental Conservation adopts under the authority of AS 17.20.005; AS 17.20.010; AS 17.20.020; AS 17.20.180; AS 17.20.290; and AS 44.46.020 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Environmental Conservation paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor as provided in AS 44.62.180.

Date: 4/8/2025

DocuSigned by:

Ch Carpenter

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Christina Carpenter, Acting Commissioner

April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

April 11, 2025, at 2:33 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

for *Nancy Dahlstrom*
Lieutenant Governor *Nancy Dahlstrom*

Effective: May 11, 2025.

Register: 254, July 2025.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Register 254, July 2025 ENVIRONMENTAL CONSERVATION

18 AAC 31.012(a) is repealed:

(a) Repealed 5 / 11 / 2025. (Eff. 12/19/99, Register 152; am 6/28/2001, Register 158, am 6/23/2006, Register 178; am 12/28/2006, Register 180; am 6/24/2012, Register 202; am 5 / 11 / 2025, Register 254)

Authority:	AS 17.20.005	AS 17.20.020	AS 17.20.290
	AS 17.20.010	AS 17.20.180	AS 44.46.020