

Proposed Amendment #1 to AO 2020-137

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY TO ESTABLISH GOVERNMENT-TO-GOVERNMENT RELATIONS BETWEEN THE MUNICIPALITY OF ANCHORAGE AND THE SOVEREIGN NATIVE VILLAGE OF EKLUTNA BY AMENDING ANCHORAGE MUNICIPAL CODE.

Submitted by: Assembly Member Kennedy

PROPOSED AMENDMENT

Purpose/Summary of Amendment: This amendment is in two parts:

1.A.: The sections disallowing any private right of action under new Chapters 1.70 and 3.105 are supplemented by also declaring they do not provide any special or additional legal standing or status to the governments or any person that is not recognized by Indian law and tribal jurisprudence in state or federal law, including court decisions. The new relations forged between the governments by this ordinance should not alter or attempt to modify their respective positions in the law governing Alaska Natives or tribes. Nor should there be any new jurisdiction authority in the governments created by this ordinance. To do so would ...

1.B.: This reduces the minimum number of meetings required annually, and allows one government to call a meeting as needed for upon a demonstrated need.

TEXT OF AMENDMENT

(adding new language, [DELETING CURRENT CODE LANGUAGE] and [~~Deleting words proposed by the unamended AO that are not in current code~~])

1.A.:

AO Section 1, p. 2, beginning at line 10, amending as follows:

1.70.040 – No private right of action or unprecedented legal status or jurisdiction.

Nothing in this chapter creates a right of action against the municipality or a right of review of municipal action. **Nothing in this chapter grants, confers, or implies any party has legal standing or status not provided, established or recognized by state or federal law. Nothing in this chapter establishes jurisdictional authority not recognized by state or federal law.**

AND AO Section 4, p. 4, beginning at line 1, amending as follows:

3.105.030 – No private right of action or unprecedented legal status or jurisdiction.

Nothing in this chapter creates a right of action against the municipality or a right of review of municipal action. **Nothing in this chapter grants, confers, or implies any party has legal standing or status not provided, established or recognized by state or federal law. Nothing in this chapter establishes jurisdictional authority not recognized by state or federal law.**

1.B.

AO Section 3, p. 2, beginning at line 43, amending as follows:

- B. The assembly and the Native Village of Eklutna shall meet at least **once** ~~**[two-times]**~~ yearly in public session, **and when called by either government when there is a demonstrable need to meet,** to discuss and coordinate matters of mutual concern.

Will there be any public or private economic effect to the proposed amendment?

☐ YES ☒ NO (check one) **If yes, please detail below.**

No