

Municipal Clerk's Office

Approved

Date: January 23, 2024

Submitted by: Assembly Chair Constant
Assembly Member Brawley
Assembly Member Rivera

Reviewed by: Assembly Counsel's Office
Legislative Services Office

For reading: January 23, 2024

**ANCHORAGE, ALASKA
AR No. 2024-38**

A RESOLUTION OF THE ANCHORAGE ASSEMBLY ASSERTING THE MUNICIPALITY'S HOME RULE STATUS, THE CONSTITUTIONAL BASIS FOR MAXIMUM LOCAL SELF-GOVERNMENT IN ALASKA, AND ADOPTING GENERAL PRINCIPLES FOR EVALUATING PENDING STATE LEGISLATION THAT MAY IMPACT THE MUNICIPALITY AND ALL LOCAL GOVERNMENTS.

WHEREAS, the 33rd Alaska Legislature has introduced several bills relating to the role and powers of local governments, and will be considering the FY 2025 State budget during the 2024 regular session, which has significant implications for local governments; and

WHEREAS, Article X Sec. 1 of the Alaska Constitution has a stated purpose "to provide for maximum local self-government with a minimum of local government units, ... A liberal construction shall be given to the powers of local government units"; and

WHEREAS, the Alaska Constitution, Article X Sec. 11, also provides that a home rule municipality "may exercise all legislative powers not prohibited by law or by charter," with some specific limitations currently enacted in state statutes; and

WHEREAS, the Charter of the Municipality of Anchorage, adopted in 1975, defines in its preamble the purpose "to secure maximum local control of local affairs," and establishes the Municipality's home rule powers in Article III; and

WHEREAS, the City of Anchorage, now a part of the Municipality of Anchorage, is a founding member of the Alaska League of Cities, now Alaska Municipal League (AML); and

WHEREAS, per Alaska Municipal League Resolution 2020-09, "AML has prioritized over its history a principle of local control, which should be understood as the belief that State government should not direct or restrict municipal decision-making"; and

WHEREAS, as Alaska's largest local government, the Municipality has a shared responsibility to defend the principle of maximum local self-government, and advocate for the interest of local governments;

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

1 **Section 1.** The Assembly should evaluate and take policy positions on proposed
2 legislation being considered by the Alaska Legislature that impacts the Municipality,
3 affiliated enterprise and utility entities, the Anchorage School District, and local
4 governments as a whole, according to these general principles:

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6 1. Preserve and ensure consistency with the Municipality of Anchorage’s legal
7 status as a home rule municipality;
8 2. Protect local control for the Municipality, local governments in Alaska
9 generally, and related local entities such as school districts;
10 3. Avoid harmful impacts on residents and taxpayers of the Municipality; and
11 4. Prevent creation or expansion of unfunded mandates, and ensure cost-
12 shifting or transfer of responsibility from state to local government is
13 accompanied by due consideration of fiscal resources needed to maintain
14 service.

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16 **Section 2.** Nothing in this resolution prohibits or constrains this or a future
17 Assembly from considering a position on any proposed legislation, regulation, or
18 other action by the State of Alaska on the individual merits of that proposal, and
19 specific evaluation of impacts to the Municipality and its residents.

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21 **Section 3.** This resolution shall be effective immediately upon passage and
22 approval by the Assembly.

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24 PASSED AND APPROVED by the Anchorage Assembly this 23rd day of January,
25 2024.

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30 ATTEST:



Chair

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35 Municipal Clerk
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