



## ALASKA MUNICIPAL LEAGUE

### RESOLUTION #2012-01

**A RESOLUTION OF THE ALASKA MUNICIPAL LEAGUE SUPPORTING A LARGE VOLUME GASLINE WHICH WOULD SIGNIFICANTLY REDUCE THE COST OF ENERGY IN THE FAIRBANKS/NORTH POLE AREA AND OTHER PARTS OF ALASKA WITH GAS VIA A GASLINE FROM PRUDHOE BAY TO FAIRBANKS AND CONTINUING SOUTH TO GLENALLEN, CONNECTING TO A SPURLINE FROM GLENALLEN TO THE EXISTING SOUTH CENTRAL GAS GRID AND CONTINUING TO THE KENAI PENINSULA FOR EXPORT AND PROVIDING FOR EXPORT FROM THE ICE FREE DEEP WATER PORT AT VALDEZ**

**WHEREAS**, Alaska is fortunate to have 35 trillion cubic feet of known gas reserves plus potentially an additional undiscovered hundreds of trillions of cubic feet of natural gas on Alaska's North Slope region, the development of this resource will greatly increase the volume of oil put into the Trans Alaska Pipeline (TAPS), providing economic and revenue benefits to Alaska; and

**WHEREAS**, Alaska, rich in natural resources, suffers from having the highest cost of energy and coldest temperature days per capita in the nation; and

**WHEREAS**, the Alaska Constitution, Article 8, Section 1 states, "It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest," and Section 2 mandates, "The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people;" settlement requires access and affordable, competitive energy to develop commerce to sustain the settlement of Alaska; and

**WHEREAS**, the legislature is to be commended for taking steps to provide for the development of natural gas, the first effort being AGIA, which is an international line through Canada and which pays incentives of \$500 million, and which is not likely to be built unless in phases due to shale gas exploitation in North America; the second effort was HB 369, passed by the 26<sup>th</sup> Alaska Legislature in April 2010, establishing the Alaska Gasline Development Corporation (AGDC), as a subsidiary corporation of AHFC, to pursue developing a project plan for delivering North Slope natural gas to interior and south-central Alaska. The legislature received AGDC's Project Plan in July 2011. The plan described how a 737-mile long, 24-inch diameter Alaska Stand Alone Gas Pipeline (ASAP) project could be feasibly designed, financed, constructed and operated as the legislation directed. However, as proposed, it does not provide for maximum settlement or benefit and has an inequitable tariff structure; and

**WHEREAS**, each legislative proposal for developing natural gas should include an evaluation of the following considerations:

- a. Does the routing of the pipeline encourage the greatest settlement of Alaska's land and provide for the maximum development of Alaska's resources? Does it facilitate the ability of the people to affordably live where cities and communities have already been established?
- b. Is the tariff equal to all parts of the pipeline, the resource being equally owned by all?
- c. Is the tariff as low as possible due to the ability to export?
- d. Is the diameter of the pipe as large as possible to be able to competitively market the resource?
- e. Are the terminals or take-off points placed for maximum integration into existing energy production and transmission infrastructure?

**WHEREAS**, AGDC's ASAP project would route through national and state parks along the Parks Highway, which has minimal settlement or development opportunities, thereby providing for minimal benefit to Alaskans; and because a 12-inch diameter pipe will be built approximately 35 miles from the main pipe, to supply interior Alaska, but will stop 20 miles from the 2 oil refineries and the 120 (plus) megawatt electric generation plant in North Pole, which produces much of the gasoline, heating oil, jet fuel, and electricity for use throughout interior, rural and south-central Alaska, but the pipeline that is to benefit Alaskans, in its current form, will require interior Alaskans to pay a greater tariff than the consumer in south-central twice; and additional tariff for a spur from the mainline, and additionally to construct the line to North Pole and/or beyond – negatively affecting the economics of such a spur to interior Alaska; and

**WHEREAS**, AGDC's ASAP line projects the tariff by eventual demand, the actual price to the consumer may be too expensive to encourage an infrastructure build-out and home or business conversions, but that dynamic could be changed by incentivizing the build-out and heating oil conversions in interior Alaska by ensuring that the tariff is the same system-wide; if the cost to the consumer is not economical, make it economical by increasing the market of consumers through export opportunities from ports on the Kenai and at Valdez; if exports can't be facilitated because of the restrictions of AGIA, then either:

- a. The legislature should get us out of AGIA to allow for an in-state gasline with throughput greater than 500 million standard cubic feet per day (MMcfd); or
- b. The legislature should amend the provisions of HB 369 to ensure the routing of the 24-inch line is down the Richardson Highway, supplying the greater number of communities, including North Pole, Eielson AFB, Salcha, Delta Junction, Ft. Greely, and Glennallen, and bringing the energy supply to mining projects in operation or being permitted, such as Pogo Mine; or
- c. The legislature or administration should marry AGIA and ASAP, thus allowing a large diameter pipeline to be built down the Richardson corridor to Delta, as a possible Phase 1 of the Trans Canada line, and be continued south to Glennallen, connecting to a spur line from Glennallen to the existing south-

central gas grid and continuing to the Kenai Peninsula for export, and providing for export from the ice free, deep water port at Valdez; and

**WHEREAS**, it is time that this take place by moving natural gas throughout Alaska in such a way, to provide a source of cheap, clean energy to heat our homes and businesses to the maximum number of Alaskans; the cost of energy in the Fairbanks/North Pole area, including the military bases, is threatening the very existence of our interior communities; and

**WHEREAS**, the high cost of energy at our interior military bases could be a deciding factor if the bases were once again evaluated on a closure criteria; and

**WHEREAS**, the world markets for natural gas made into liquefied natural gas (LNG) are seeking suppliers of LNG to their countries, for example, Japan is seeking contracts from far away states like Pennsylvania and from northern Europe, which have travel distances far greater than the 3,400 miles from Alaska to Tokyo, making Alaska LNG far more competitive when export is provided for; and

**WHEREAS**, export is already provided for from the Kenai; and Governors Bill Egan, Walter Hickel, Jay Hammond and the late Senator Ted Stevens all supported and took steps in advancing the building of an All-Alaska Gasline, parallel to the Trans Alaska Oil Pipeline to Fairbanks and continuing south to tidewater at Valdez for liquefaction and export; and

**WHEREAS**, because of the robust economics in the Asian energy markets in need of LNG, Alaska finally has the opportunity to monetize its natural gas in such a manner that would bring billions of dollars each year in additional revenues to the state and low cost energy to Alaskans; and

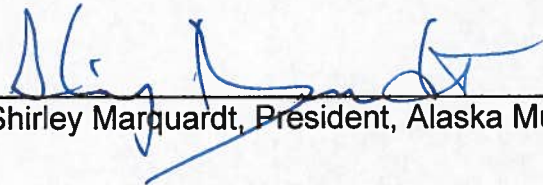
**WHEREAS**, only a large volume gasline from Prudhoe Bay to Fairbanks and continuing south to the deepwater port at Valdez, the All-Alaska line, or through Glennallen to south-central and the Kenai, provides significant benefits to all Alaskans.


**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League urges the Governor and Legislature to:

1. Utilizing the considerations and three options within this resolution, take immediate steps to advance the building of a large volume gasline from Prudhoe Bay parallel to the TAPS to tidewater at Valdez, with the maximum amount of off-take locations at every logical local point, such as the Yukon River, Fairbanks, all interior military bases, Delta Junction, and Glennallen, to points south, for maximum gas distribution throughout Alaska.
2. Make an analysis that evaluates the benefits of taking LNG or compressed natural gas (CNG) from Valdez, and the Yukon River to coastal communities throughout Alaska, that are currently utilizing diesel fuel as the source of power generation and space heating.

**BE IT FURTHER RESOLVED** that this resolution is to be distributed to the Governor, Legislature, AGDC, AGPA, AML, Trans Canada.....

**PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE** on the 11<sup>th</sup> day of November, 2011.

Signed:   
\_\_\_\_\_  
Shirley Marquardt, President, Alaska Municipal League

Attest:   
\_\_\_\_\_  
Kathie Wasserman, Executive Director, Alaska Municipal League



## ALASKA MUNICIPAL LEAGUE

### RESOLUTION #2012-02

#### **A RESOLUTION OF THE ALASKA MUNICIPAL LEAGUE URGING THE LEGISLATURE TO PROTECT JOBS IN ALASKA, ENSURE A LONGER LIFE FOR THE TRANS ALASKA PIPELINE, AND DECREASE REFINING COSTS IN ALASKA**

**WHEREAS**, Alaska's economy is driven by oil and gas investment, development, production, and refining; and state government derives more than 80% of its unrestricted revenue from oil taxes and royalties; and

**WHEREAS**, the Trans Alaska Pipeline (TAPS) throughput is falling at an alarming rate, putting both the long-term viability of the pipeline, the existence of the Flint Hills and Petro Star refineries in North Pole, and the Petro Star refinery in Valdez in jeopardy; and

**WHEREAS**, Alaska, which once was the #1 state in oil production is now a distant second to Texas, and may, within a decade, trail California and North Dakota as well; and

**WHEREAS**, the pipeline is operating at less than 1/3 of capacity. Since peaking at more than 2.1 million barrels a day in the late 1980s, it has declined to about 600,000 barrels a day. Throughput has fallen more than 100,000 barrels a day since ACES, and declined 7% in 2010. The decline is projected to continue at an average annual rate of 4%-6%. The decline not only jeopardizes state revenues and the economic viability of the pipeline, but also poses serious technical challenges that could force shutdown in the next 10 years. Among others, the significantly slower velocity rates resulting from lower throughput, increase the risks of freezing and wax build-up inside the pipeline.

**WHEREAS**, the cost of refining royalty oil in-state includes fees that are approximately 15% greater than charged to refineries out of state, a situation that further depresses the regional economy due to a much higher than average price per gallon of gasoline nationally, even in the communities having local refineries and in spite of the state's historically low gasoline tax; and

**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League urges the Legislature to decrease the fees charged for refining royalty oil within the State of Alaska in order to spur the growth of in-state refining.

**PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE** on the 11<sup>th</sup> day of November, 2011.

Signed: Shirley Marquardt  
Shirley Marquardt, President, Alaska Municipal League

Attest: Kathie Wasserman  
Kathie Wasserman, Executive Director, Alaska Municipal League



## ALASKA MUNICIPAL LEAGUE

### RESOLUTION #2012-03

#### A RESOLUTION SUPPORTING THE RATIFICATION OF THE UNITED NATIONS CONVENTION OF THE LAW OF THE SEA (UNCLOS)

**WHEREAS**, the Bering Strait has seen an increase in ocean vessel traffic due to the opening of the Arctic, with economic development opportunities in resource development along with international scientific research and tourism; and

**WHEREAS**, in the 3<sup>rd</sup> quarter of 2010, the Marine Exchange of Alaska recorded 513 vessels on the U.S. side of the dateline and 55 on the Russian side of the dateline; and

**WHEREAS**, the Port of Nome has seen an increase in ocean vessel traffic with recorded docking data since 1990 at 30 port calls with the highest dockings in 2009 at 304 port calls and 2010 at 289 port calls; and

**WHEREAS**, the State of Alaska's Legislature passed HJR 22 in 2009, urging the United States Senate to ratify the United Nations Convention on the Law of the Sea; and

**WHEREAS**, the United Nations Convention on the Law of the Sea permits member nations to claim an exclusive economic zone out to 200 nautical miles from shore, with an exclusive sovereign right to explore, manage, and develop all living and non-living resources within the exclusive economic zone (EEZ); and

**WHEREAS**, UNCLOS establishes general obligations for safeguarding the marine environment and protecting freedom of scientific research on the high seas, and creates a legal regime for controlling mineral resources exploitation in deep seabed areas beyond national jurisdiction; and

**WHEREAS**, 162 nations have ratified UNCLOS and the United States became a signatory in 1994, but has not ratified the treaty, and the United States is the only Arctic Nation that has not ratified the treaty; and

**WHEREAS**, other nations are conducting resource research north of the 200 mile EEZ that is connected to the United States continental shelf; and

**WHEREAS**, until the United States ratifies UNCLOS, the United States may not have the authority to promote its claims to an extended area of the continental shelf, refute the claim of authority by other nations to exercise greater control over the Arctic, or take a permanent seat on the International Seabed Authority Council; and

**WHEREAS**, until the United States ratifies UNCLOS, the United States cannot participate in deliberations to amend provisions of the Convention that relate to:

1. Mineral resources in the Arctic Ocean;
2. Conducting essential scientific research;
3. Right of the US to the use of the seas;
4. Navigation and transit regime;
5. Effects of the use of the seas in world economic development;
6. Environmental protection;
7. National security.


**WHEREAS**, UNLCOS will not interfere with the intelligence-gathering efforts of the United States or the navigational freedom of the United States military; and

**WHEREAS**, the Alaska Municipal League urges the Alaska State Governor and the State Legislature to be actively involved in the establishment of an Arctic Regime and urges the State of Alaska to engage the United States of America to ratify the United Nations Convention on the Law of the Sea.

**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League urges the United States of America to ratify the United Nations Convention on the Law of the Sea.

**PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE** on this 11<sup>th</sup> day of November, 2011.

Signed:   
\_\_\_\_\_  
Shirley Marquardt, President, Alaska Municipal League

Attest:   
\_\_\_\_\_  
Kathie Wasserman, Executive Director, Alaska Municipal League





**ALASKA MUNICIPAL LEAGUE**

**RESOLUTION #2012-04**

**A RESOLUTION SUPPORTING THE ALASKA COASTAL MANAGEMENT PROGRAM INITIATIVE**

**WHEREAS**, the FY2011 Alaska Legislative Session closed without an agreement to continue a federal/state/local agreement to provide input on coastal activities in the State of Alaska; and

**WHEREAS**, the State and local governments and coastal districts wish to have a meaningful voice in the development of our coastal lands and waters; and

**WHEREAS**, a Coastal Management Program offers local governments and districts the opportunity to influence decisions that impact our coastal resources; and

**WHEREAS**, a Coastal Management Program gives Alaskans the means to address the unique conditions existing along our coastline in a way that the federal government cannot; and

**WHEREAS**, having a Coastal Management Program in place reduces litigation by providing the means for effective cooperation among federal, state and local governments and Alaska's citizens; and


**WHEREAS**, a Coastal Management Program streamlines project authorizations by coordinating federal, state, and local government permitting actions; and

**WHEREAS**, a Coastal Management Program enhances diverse and responsible economic development through resolution of disputes among conflicting and competing uses and demands for coastal resources; and

**WHEREAS**, a Coastal Management Program could bring local knowledge to bear on development decisions, but does not allow for a local veto of development projects.

**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League supports the Alaska Coastal Management Program Initiative promoted by the Alaska Sea Party.

**PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE** on the 11<sup>th</sup> day of November, 2011.

Signed:   
Shirley Marquardt, President, Alaska Municipal League

Attest:   
Kathie Wasserman, Executive Director, Alaska Municipal League



## ALASKA MUNICIPAL LEAGUE

### RESOLUTION #2012-05

#### **A RESOLUTION REQUESTING THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES TO UPDATE THE STATE RAIL PLAN SO AS TO MAKE INVESTMENTS IN ALASKA'S RAIL INFRASTRUCTURE ELIGIBLE FOR LOCAL AND STATE PARTICIPATION IN APPROPRIATE FEDERAL ASSISTANCE PROGRAMS**

**WHEREAS**, rail improvements generate significant benefits to the road network by extending the operating life of highways subjected to extensive freight movements, and improving roadway capacity by providing a multi-modal transportation alternative; and

**WHEREAS**, the State of Alaska's Western Access Planning Study Corridor should include rail as part of the planning process from Manley Hot Springs to Nome on the north side of the Yukon River; and

**WHEREAS**, there are multiple rail projects currently under development or consideration that have state-wide impacts; and

**WHEREAS**, the federal government provides funding programs to assist in the development, planning, and construction of such rail projects, and eligibility for this federal assistance per the Clean Railroads Act of 2008 and the Omnibus Appropriations Act of 2009 requires a current State Rail Plan; and

**WHEREAS**, the Alaska Department of Transportation and Public Facilities is the designated State Rail Planning Agency under AS 44.42.020, AS 44.42.900, 17 AAC 05.120; and

**WHEREAS**, the last State Rail Plan was completed in 1986 and amended in 1990 and much has changed in the last 21 years and under current federal law (P.L. 110-432 div. B, Title III, Sec. 303(a) and 49 USC 227, Sec. 22705 as enacted in the Passenger Rail Investment and Improvement Act) the State Rail Plan should be updated every five years; and

**WHEREAS**, the Fairbanks Metropolitan Area Transportation System (FMATS), which is responsible for transportation planning for area roads, rail, and public transport in the Fairbanks/North Pole Urban area, passed Resolution #2011-02; the Fairbanks North Star Borough passed Resolution #2011-032; the City of North Pole passed Resolution #11-21; and the City of Seward passed Resolution #2011-071, all seeking a timely

update of the Alaska State Rail Plan in cooperation with local communities and the Alaska Railroad; and

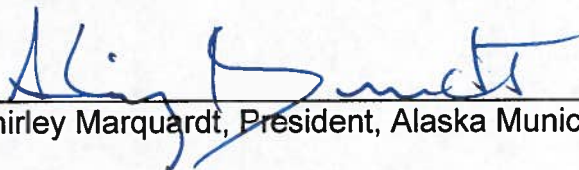
**WHEREAS**, the City of Seward is mile 0 and the City of North Pole is 10 miles from the current terminus of the Alaska Railroad at Eielson AFB, any rail plan should encompass the entire existing railway corridor, as well as future expansion opportunities north, south, east or west.

**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League requests the Alaska Department of Transportation and Public Facilities to update the State Rail Plan in cooperation with local communities and the Alaska Railroad; and

**NOW, FURTHER BE IT RESOLVED** that the Alaska Municipal League requests the Alaska Department of Transportation and Public Facilities to update the State Rail Plan in a timely manner, so as to make investments in Alaska's rail infrastructure eligible for local and State participation in appropriate federal assistance programs; and

**NOW, FURTHER BE IT RESOLVED** that this resolution shall be sent to the Governor, the Alaska State Legislature, Commissioner of Transportation and Public Facilities, Commissioner of Commerce, Community and Economic Development, and the Chairman of the Alaska Railroad Corporation.

**PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE** on the 11<sup>th</sup> day of November, 2011.

Signed:   
Shirley Marquardt, President, Alaska Municipal League

Attest:   
Kathie Wasserman, Executive Director, Alaska Municipal League



## ALASKA MUNICIPAL LEAGUE

### RESOLUTION #2012-06

#### A RESOLUTION SUPPORTING THE CREATION OF A STATE FUNDED TRANSPORTATION PROGRAM

**WHEREAS**, the State of Alaska's Legislature has introduced HB 30, an Act Relating to the Transportation Infrastructure Fund; and HB 31, an Act making a Special Appropriation to the Transportation Infrastructure Fund in the sum of \$1 billion; and

**WHEREAS**, federal funds are the primary source for construction and repair of Alaska's Highway Transportation Infrastructure; and

**WHEREAS**, the Highway Trust Fund reauthorization legislation has expired with continuing resolutions extending it until new legislation can be passed; and

**WHEREAS**, Alaska is one of only two states that does not have a state funded capital transportation program; and

**WHEREAS**, the purchasing power of federal funds has declined due to inflation and ever increasing federal requirements and the high cost of construction; and

**WHEREAS**, the State of Alaska's transportation infrastructure is aging faster than repairs can be made at present funding levels. Alaska is experiencing declining road conditions such as increased congestion, pot holes and ruts are not being repaired, and dust has become a health and safety hazard; and

**WHEREAS**, climate change in Alaska is resulting in damage to roads due to permafrost thawing and increased flooding; and

**WHEREAS**, poor road conditions and increased congestion lead to higher accident rates; and

**WHEREAS**, the Federal Highway program funds are not sufficient to meet the needs and expectation of Alaska's citizens; and

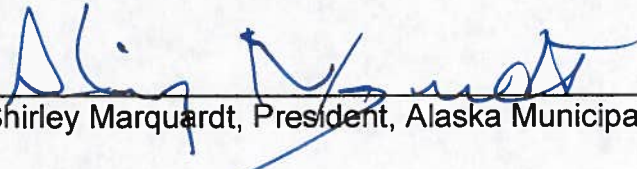
**WHEREAS**, with the projected funds received, the State LRTP priority will focus on the National Highway System, the Alaska Highway Systems and local roads and ports and harbors; and


**WHEREAS**, this priority will put a disadvantage on rural Alaska, which has many unmet needs in the form of transportation infrastructure; and

**WHEREAS**, using state funds will result in less expensive projects being constructed more quickly.

**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League urges the State of Alaska to dedicate \$1 billion to create a state funded transportation program that results in a long-term sustainable State Funded Transportation Program to address the Alaska Highway System and local roads' unmet needs.

**PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE** on the 11<sup>th</sup> day of November, 2011.

Signed:   
Shirley Marquardt, President, Alaska Municipal League

Attest:   
Kathie Wasserman, Executive Director, Alaska Municipal League



## ALASKA MUNICIPAL LEAGUE

### RESOLUTION #2012-08

#### A RESOLUTION OF THE ALASKA MUNICIPAL LEAGUE IN SUPPORT OF FULL FUNDING FOR THE STATE OF ALASKA MUNICIPAL HARBOR FACILITY GRANT PROGRAM IN THE FY2013 CAPITAL BUDGET

**WHEREAS**, harbor facilities represent critical transportation links and are the transportation hubs for waterfront and economic development in Alaskan coastal communities; and

**WHEREAS**, harbor facilities are ports of refuge and areas for protection for ocean-going vessels and fishermen throughout Alaska, especially in coastal communities; and

**WHEREAS**, the State of Alaska and the municipalities built these harbor facilities; and

**WHEREAS**, the State of Alaska has transferred most of its harbor facilities to municipalities; and

**WHEREAS**, the municipalities took over this important responsibility even though they knew these same harbor facilities were in poor condition at the time of the transfer due to the state's failure to keep up with deferred maintenance; and

**WHEREAS**, consequently, when local municipal harbormasters formulated their annual harbor facility budgets, they inherited a major financial burden that their local municipal governments could not afford; and

**WHEREAS**, in response to this financial burden, the Governor and the Alaska Legislature passed legislation, supported by the Alaska Municipal League, to create the Municipal Harbor Grant Program, AS 29.60.800; and

**WHEREAS**, the Municipal Harbor Facility Grant Program provides state assistance in the form of a matching 50/50 grant for municipal owned harbor facilities to be administered by the Department of Transportation and Public Facilities; and

**WHEREAS**, the Alaska Municipal League is pleased with the DOT/PF's administration process to review for eligibility, and to score and rank applicants to the Municipal Harbor Facility Grant, since state funds may be limited; and

**WHEREAS**, for each harbor facility grant application, the municipalities have committed to invest 100% of the design and permitting costs and 50% of the construction costs; and

**WHEREAS**, the Alaska Municipal League representatives from the cities of Thorne Bay and Kodiak in FY2008; the cities of Craig, King Cove, Old Harbor, Dillingham, Ketchikan Gateway Borough, Haines Borough and the City & Borough of Yakutat in FY2009; and the City & Borough of Juneau in FY2009 and FY2011; and the City of Port Lions and the City of Sand Point in FY2012, have greatly benefitted by receiving grants from the Municipal Harbor Facility Grant Program; and

**WHEREAS**, the Alaska Municipal League representatives from the cities of Hoonah, Hydaburg, City & Borough of Juneau, City of Nome, City of Petersburg, City of Seldovia, City of Seward, City & Borough of Sitka, Municipality of Skagway and the City of Unalaska, have been scored and are currently eligible for Municipal Harbor Facility Grants in July 2011; and

**WHEREAS**, ten Alaskan coastal communities submitted grants totaling \$23,093,066, which, if fully matched by the State of Alaska, would result in over \$46 million of construction work that would stimulate local economies, create safer and more functional harbors for residents and the fishing fleets across the state, and create job opportunities for local residents and businesses which is especially important in these times of economic hardship.

**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League urges full funding by the Governor and the Alaska Legislature for the State of Alaska's Municipal Harbor Facility Grant Program; and

**BE IT FURTHER RESOLVED** that the Alaska Municipal League urges full funding by the Governor and the Alaska Legislature to support the Municipal Harbor Facility Grant Program to ensure safety and economic prosperity among coastal communities.

**PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE** on the 11<sup>th</sup> day of November, 2011.

Signed: \_\_\_\_\_

  
Shirley Marquardt, President, Alaska Municipal League

Attest: \_\_\_\_\_

  
Kathie Wasserman, Executive Director, Alaska Municipal League



## ALASKA MUNICIPAL LEAGUE

### RESOLUTION #2012-09

#### A RESOLUTION OF THE ALASKA MUNICIPAL LEAGUE IN SUPPORT OF STATE OF ALASKA FUNDING FOR PORT CONSTRUCTION IN THE FY2013 CAPITAL BUDGET OR THROUGH A GENERAL OBLIGATION BOND PROPOSITION IN THE 2012 ELECTION CYCLE

**WHEREAS**, given Alaska's unique geographic placement in the upper latitudes of the North American continent, separated by oceans from North American and Pacific Rim communities and trade centers; and

**WHEREAS**, virtually all inbound and outbound trade to and from Alaska occurs using ocean-going vessels and barges; and

**WHEREAS**, Alaska's coastal communities are often not connected by land transportation corridors to the remainder of the state's communities, and therefore are entirely dependent upon their port facilities; and

**WHEREAS**, the Port of Anchorage serves as the central distribution hub for virtually all mainland Alaska; and

**WHEREAS**, the vast majority of resources extracted and produced in Alaska are shipped to market through Alaskan port facilities; and

**WHEREAS**, conventional funding for port infrastructure is limited due to an absence of an established financing program, unlike the Federal Highway Program and the associated highway gas tax; and

**WHEREAS**, Alaska existing port facilities are in need of reinvestment due to age, overuse and substandard condition; and

**WHEREAS**, many coastal communities throughout Alaska have yet to benefit from any port infrastructure development and struggle to realize shipping efficiencies that would result from adequate port facilities, effectively reducing tremendously high costs of living; and

**WHEREAS**, the State of Alaska Municipal Harbor Facility Grant program is limited to boat harbors and not Ports; and



**WHEREAS**, current municipal port improvement needs are estimated at greater than \$500,000,000 for projects that are not designed, permitted and necessary; and

**WHEREAS**, Alaska's coastal communities are unable to fund port construction costs without state financial assistance; and

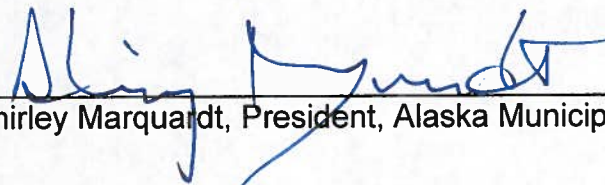
**WHEREAS**, while private public partnerships are an increasingly popular funding option for many transportation projects, the ownership of port facilities are generally solely owned by municipalities with the private public partnership opportunities occurring near the port-site and not the port facility directly; and

**WHEREAS**, improved, modernized and safe port facilities will greatly improve the efficiency of moving heavy cargo into, around and out of our state, thereby reducing the cost of living in our communities and throughout our state, as well as reducing the cost of goods exported for market, making Alaska more competitive in the ever pressing global market.

**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League urges funding by the Governor and the Alaska Legislature for those community port projects that are designed, permitted and ready for construction; and

**BE IT FURTHER RESOLVED** that the Alaska Municipal League urges the Governor and the Alaska Legislature to consider funding either through direct capital appropriation or through a General Obligation Bond for ratification by the general public in the 2012 election cycle.

**PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE** on the 11<sup>th</sup> day of November, 2011.

Signed:   
Shirley Marquardt, President, Alaska Municipal League

Attest:   
Kathie Wasserman, Executive Director, Alaska Municipal League



## ALASKA MUNICIPAL LEAGUE

### RESOLUTION #2012-10

#### A RESOLUTION IN SUPPORT OF THE REAUTHORIZATION AND FUNDING OF THE DENALI COMMISSION

**WHEREAS**, the Denali Commission was created by an Act of Congress in October 1998, under the leadership of Senator Ted Stevens, to find new and innovative solutions to the unique infrastructure and economic development challenges in America's most remote communities; and

**WHEREAS**, the purpose of the Denali Commission is to:

- Coordinate existing funding streams amongst partner agencies so that resources are more effectively deployed in rural Alaska;
- To build infrastructure and create economic opportunity in rural Alaska; and
- To ensure better coordination and efficiency in spending federal resources; and

**WHEREAS**, the Denali Commission serves an area the size of Montana, North and South Dakota, Wyoming, Colorado and Nebraska combined (663,268 square miles), and ranges from rain forest to the high arctic; and

**WHEREAS**, rural Alaska has a huge need for basic infrastructure, including roads, ports, power grids, water/sewer, tank farms, clinics, internet access, much of which has been constructed in the lower 48 over the past 50-60 years with federal assistance; and

**WHEREAS**, rural Alaska experiences unemployment rates of between 50-80%, 23% of Alaska Natives live in poverty, approximately 45% of the Alaska Native population is age 20 or less and many rural Alaskans live in 3<sup>rd</sup> world conditions; and

**WHEREAS**, federal agencies frequently do not understand the issues associated with constructing projects in Alaska – the need, the cost to construct, operate and maintain facilities, the challenges associated with moving materials to the site, the short construction season, the work force, the organizational structure and relationships between various parties – and may be reluctant to fund projects in rural Alaska; and

**WHEREAS**, over the past 13 years, the Denali Commission has made a tremendous difference in bringing together federal agencies and partners to address basic infrastructure needs in rural Alaska; and

**WHEREAS**, President Obama, via Executive Order, has established a White House Rural Council, the purpose of which is to:

- Work across departments, agencies and offices to coordinate development of policy recommendations to promote economic prosperity and quality of life in rural America;
- Make recommendations to the President on streamlining and leveraging Federal investments in rural areas to increase the impact of Federal dollars and create economic opportunities to improve the quality of life in rural America; and
- Coordinate and increase the effectiveness of Federal engagement with rural stakeholders, small businesses, education and training institutions, healthcare providers, telecommunication service providers, research and land grant institutions, law enforcement, state, local and tribal governments, and non-governmental organizations regarding the needs of rural America; and

**WHEREAS**, the President's White House Rural Council has many of the same goals that led to the creation of the Denali Commission and rural Alaska remains in need of federal assistance; and

**WHEREAS**, the Denali Commission is up for reauthorization, and we fear, during these economically challenging times, that the Denali Commission will not be reauthorized, and coordinated federal assistance and support to rural Alaska will cease; and

**WHEREAS**, the Federal Government has a huge presence in Alaska: they own and manage 65% of the land and resources within the State of Alaska and manage federal waters and resources off the coast of Alaska from 3 to 200 miles out; and

**WHEREAS**, Alaska is an arctic state which gives the United States a seat at the table amongst the 8 Nations of the Arctic Council; and

**WHEREAS**, because of climate change and increased resource development in the north, national and international shipping through the Bering Straits and the Arctic has increased exponentially and is expected to continue to increase, and basic port, harbor, coast guard, search and rescue, support services and containment infrastructure to support national and international shipping does not exist; and

**WHEREAS**, many rural Alaska communities are subject to erosion and flooding, and could benefit from the assistance of the Corp of Engineers to set in place protection for their communities; and


**WHEREAS**, high speed internet and telecommunication systems are limited, at best, and non-existent in many locations.

**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League acknowledges there is a continued need for the Denali Commission; and

**BE IT FURTHER RESOLVED** that we call upon our Alaska Congressional Delegation, members of Congress and the Administration, to reauthorize the Denali Commission and to include language in the reauthorization such that:

- The Denali Commission can accept funds from non-federal partners, including the State of Alaska; and
- The Denali Commission is empowered to eliminate waste and redundancy, to remove bureaucratic and regulatory barriers and to streamline planning, application and execution processes amongst all federal agencies and partners serving rural Alaska; and
- The Denali Commission is authorized to deliver place-based solutions for rural poverty and that additional commissioners from rural Alaska be appointed; and
- Denali Commissioners, without regard to their individual affiliations, are clearly authorized to recommend finalists to the Secretary of Commerce, for the Denali Federal Co-Chair and to review and approve work plans, projects, expenditure of funds, and to establish policy for the commission and programs; and
- The Denali Commission is tasked with aiding rural Alaska communities to address the impacts of climate change on rural infrastructure, Coastal Zone Management and coastal erosion; and
- The Denali Commission is authorized to assume public debt in pursuit of financing the maintenance of rural infrastructure involving federal funds throughout Alaska; and
- The Denali Commission shall not be de-authorized so long as it has outstanding public debt.

**PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE** on the 11<sup>th</sup> day of November, 2011.

Signed:   
Shirley Marquardt, President, Alaska Municipal League

Attest:   
Kathie Wasserman, Executive Director, Alaska Municipal League



## ALASKA MUNICIPAL LEAGUE

### RESOLUTION #2012-11

#### A RESOLUTION SUPPORTING SENATE BILL 100, A BILL REPEALING LANGUAGE REQUIRING TERMINATION STUDIES

**WHEREAS**, the Alaska Municipal League Revenue and Finance Legislative Subcommittee strongly recommends amending Alaska Statutes to remove termination study language related to an employer that terminates participation of a department, group or other classification of employees in their PERS plan; and

**WHEREAS**, current Alaska Statutes have provisions from Senate Bill 125 that could have dramatic unintended negative financial consequences to PERS employers who adjust their programs and services over time to meet their communities needs, if those adjustments include changes in their employee job classifications, in some instances a singular employee change; and

**WHEREAS**, the application of the statutes and the regulations adopted creates a clear and inequitable impact on small PERS employers, versus larger PERS employers; and

**WHEREAS**, grant funded positions may become subject to termination studies, thus raising the question as to whether municipalities should accept grants that will entail personnel; and

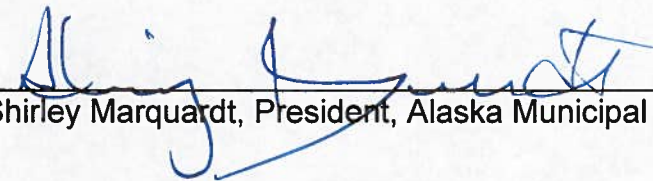
**WHEREAS**, the application of the statutes and the regulations adopted will cause employers to pay more toward the unfunded obligation on salary dollars no longer being paid, than they will for employees still working; and

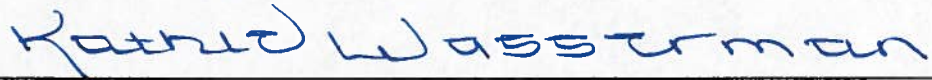
**WHEREAS**, municipalities, in the future, will find themselves paying more towards the unfunded obligation every pay period for positions that no longer exist, than they will for existing and/or current positions; and

**WHEREAS**, the Alaska Municipal League believes that the statute should be amended or repealed to allow for equitable and consistent application of state law.

**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League supports passage and adoption of Senate Bill 100 as it supports a sustainable salary base to pay off the PERS unfunded obligation, but also repeals AS 39.35.625 and any other similar statute(s) or regulations that require termination studies related to an employer that terminates participation of a department, group, or other classification of employee.

**PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE** on the 11<sup>th</sup> day of November, 2011.

Signed:   
Shirley Marquardt, President, Alaska Municipal League

Attest:   
Kathie Wasserman, Executive Director, Alaska Municipal League



## ALASKA MUNICIPAL LEAGUE

### RESOLUTION #2012-12

#### A RESOLUTION SUPPORTING A STATUTORY AMENDMENT TO AS 29.45.030 TO PROVIDE A DEFINITION FOR CHARITABLE PURPOSES REGARDING PROPERTY TAX EXEMPTIONS

**WHEREAS**, the Alaska Municipal League Revenue and Finance Legislative Subcommittee has recommended amending Alaska statute to provide a definition for charitable purposes; and

**WHEREAS**, the Legislature has not previously defined “charitable purposes” for property tax exemptions; and

**WHEREAS**, the Alaska Supreme Court defined this term and adopted a very broad definition; and

**WHEREAS**, municipalities desire a narrower property tax exemption definition that deals with charitable property tax exemptions.

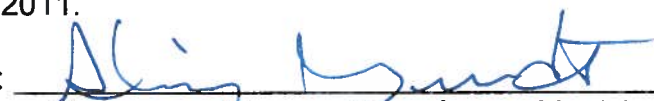
**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League urges the State of Alaska to amend AS 29.45.030(i) by adding the following definition and change to the statute as follows:


AS 29.45.030(i) in this section,

(3) Charitable purpose is defined as those activities which relieve the government of its burden through benevolent acts which meet the following criteria:

- a. Property use must serve a public benefit and serve the public-at-large;
- b. Service must be available to the public, regardless of user’s ability to pay;
- c. Greater than 50% of the funding for the exempt use must come from sources other than government benefits or funding;
- d. There must not be a dominant profit motive for the exempt use; and
- e. Income derived must not exceed operating expenses and operating expenses do not include debt service.

**PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE** on the 11<sup>th</sup> day of November, 2011.

Signed:   
Shirley Marquardt, President, Alaska Municipal League

Attest:   
Kathie Wasserman, Executive Director, Alaska Municipal League



## ALASKA MUNICIPAL LEAGUE

### RESOLUTION #2012-13

#### A RESOLUTION SUPPORTING A STATUTORY AMENDMENT TO AS 29.35.010(6) TO CLARIFY THAT ALL MUNICIPALITIES ARE AUTHORIZED TO IMPOSE A LIEN FOR DELINQUENT MUNICIPAL UTILITY CHARGES

**WHEREAS**, the Alaska Municipal League Revenue and Finance Legislative Subcommittee has recommended amending Alaska Statutes to clarify that all municipalities are authorized to impose a lien for delinquent municipal utility payments; and

**WHEREAS**, current Alaska Statutes have different provisions that outline the powers, responsibilities and duties of general law and home rule municipalities; and

**WHEREAS**, while home rule municipalities' authority is broad, generally only restricted under AS 29.10.200, general law municipalities rely on statutes to specify their authority; and

**WHEREAS**, a few years ago, Alaska Statutes AS 9.45.161 – AS 9.45.169 were added, addressing "nonconsensual common law liens," which provide for penalties if certain liens are filed that are not consented to or allowed by courts or federal or state laws; and


**WHEREAS**, to clarify that all municipalities have the authority to impose liens regarding delinquent municipal utility charges, a statutory amendment to AS 29.35.010(6) would accomplish this purpose.

**NOW, THEREFORE BE IT RESOLVED** that the Alaska Municipal League urges the State of Alaska to amend AS 29.35.010(6) as follows, with new language underlined and deleted language stricken:

All municipalities have the following general powers, subject to other provisions of law:

(6) To levy a tax ~~or special assessment~~, and municipal utility charge, and impose a lien for its enforcement:

**PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE** on the 11<sup>th</sup> day of November, 2011.

Signed:   
Shirley Marquardt, President, Alaska Municipal League

Attest:   
Kathie Wasserman, Executive Director, Alaska Municipal League