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Member of the National League of Cities and the National Association of Counties

The Honorable Michael Dunleavy
State of Alaska
PO Box 110001
Juneau, AK 99811-0001

October 23, 2020

Governor Dunleavy,

AML has been glad for the collaboration with DHSS on regular ECHO calls with and in support of our members. We've also appreciated the chance to check in with you regularly, and we know our mayors have benefitted from those opportunities. Together, that open communication has led to greater confidence in the State's response.

Much of that confidence rests as well on the State's public health emergency declaration, which was extended by the Legislature to November 15. The State's declaration has allowed for health mandates that greatly contributed to flattening the curve. More importantly for local governments, the declaration has served as a backstop for individual community-level declarations and ensured the adequate flow of resources.

Effective response during this pandemic has depended on clear guidance from the State and relatively well-understood and enforceable mitigation measures in the form of mandates. Local governments are better able to take action on their own if they can do so by building on the State's response. Compliance is more likely, enforcement less challenging, and public health better assured when these mutually reinforcing levels of guidance are in place.

The State's current mandates give confidence in business activities and provide for the public – our residents – some measure of hope that beyond the voluntary compliance that we are together promoting, government action is helping to mitigate some of the more dangerous potential for this virus to cause harm.

The very real possibility that the emergency declaration is not extended beyond November 15, or that nothing is put in its place, presents many of our members with very serious concerns. The majority of local declarations reference and are tied to the State's declaration; the majority reference and leverage the State's health mandates in the provision of their own. The ability to coordinate activities with the State, to work effectively across layers of government, and to respond quickly without wading through a regulatory morass – this is lost if that declaration expires. That has the potential to cause great harm both to our local economies and to our residents, who are depending on local governments for action and support.

Governor, we hope that legislative leaders will reinforce this message to you and take this up on their own as well – navigating through a public health emergency and economic crisis without an emergency declaration in place may be calamitous. Local governments cannot do this on their own, nor should they.

The authority to act rests with you; if not exercised and without active legislative support, we risk the economic recovery that Alaskans are counting on, let alone the potential for loss of lives.

The interest in having response led by local governments is well-founded. Where there is necessity, capacity, and the power to do so, we see local governments stepping into this space. We know, however, that second class boroughs covering a broad swath of this state lack the power to implement mitigation measures. We know that second class cities may lack the capacity, if they have the power. And within the unorganized areas of the state, the responsibility of the Legislature, no action may be taken – unincorporated communities are entirely dependent on the State. More than half the state will be left without adequate mitigation measures in place, by a State and Legislature that has clear responsibility for the health, safety, and well-being of Alaskans.

State response to a wildfire or earthquake is swift and sustained, unquestioned. We hope that you will continue to lead as you have, and as you would in other emergencies – by utilizing all of the tools available to the State. Many of these rest on the emergency declaration set to expire.

We commend to the Alaska State Legislature, as well, the need to act. Alaska's local governments – our residents, businesses, students, nonprofits, seniors, hospitals – continue to depend on collaborative leadership at the State level to manage this crisis. By working together, we know that Alaska can be resilient in the face of these multiple threats.

Thank you for your attention to this call for action, and count on us to assist in next steps.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Nils Andreassen', with a long horizontal stroke extending to the right.

Nils Andreassen
Executive Director

Copy:

- Ben Stevens, Chief of Staff
- Senator Cathy Giessel, President, Alaska State Legislature
- Representative Bryce Edgmon, Speaker, Alaska State Legislature