

Resolution of the Alaska Municipal League

Resolution #2022-01

A Resolution in support of State recognition of Federally Recognized Tribes

WHEREAS, the Alaska Municipal League's mission is to strengthen local governments and its Articles of Incorporation refer to a purpose "To secure general and municipal legislation at the state and federal levels which will be beneficial to the municipalities and inhabitants thereof," and

WHEREAS, these roles place a distinct responsibility on AML to encourage State legislation that fosters intergovernmental cooperation and delivery of services; and

WHEREAS, the jurisdiction of AML's 165 members, incorporated city and borough governments that are political subdivisions of the State, intersect with that of the majority of the state's 229 federally recognized tribes; and

WHEREAS, Tribes possess inherent powers and authorities, including self-governance of internal affairs; and

WHEREAS, Tribes act in the best interest of their tribal citizens in all areas, including the protection and safety of children, families, and vulnerable members of society; the stewardship of their natural resources; the support and promotion of education and workforce development; and the health and wellness of all tribal citizens; and

WHEREAS, those functions are complementary to the role that municipal governments and cooperation is mutually beneficial; and

WHEREAS, Alaska's Constitution provides for the ability of local governments to enter into intergovernmental agreements, and in many cases there is close cooperation between Tribal and municipal governments; and

WHEREAS, government-to-government collaboration is an important feature of Alaska's governance at the federal level, and in particular through Congress' passing of the Federally Recognized Tribe List Act of 1994, confirming the existence of Alaska tribes; and

WHEREAS, State law and policy has slowly evolved to accommodate this nested governance structure, including through the Alaska Supreme Court (*John v. Baker*, 1999) and the State of Alaska Executive Branch (Alaska Admin. Order No. 300, 2018 and Alaska Department of Law 2017 Opinion – Legal status of tribal governments in Alaska), which recognized the existence of Alaska tribes; and

WHEREAS, the State has failed to fully recognize and include Tribal governments in State law and practice.

NOW THEREFORE BE IT RESOLVED that the Alaska Municipal League calls for the Alaska Legislature to pass legislation providing for State recognition of federally recognized tribes, and for the Executive Branch to execute any necessary regulatory changes across Departments; and

FURTHER, BE IT RESOLVED that AML encourages the State to take action to fully leverage the potential for partnership through activities such as compacting, contracting, and collaboration; and that local governments similarly explore ways in which to strengthen partnerships with Tribal governments.

PASSED AND APPROVED BY THE ALASKA MUNICIPAL LEAGUE ON THE 17TH DAY
OF NOVEMBER 2021

Signed: Pete Petersen

President, Alaska Municipal League

Attest: 

Executive Director, Alaska Municipal
League