

Report 2

State of Alaska Statutes, Bills and Resolutions 2000-2018

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Key Findings

1. The Alaska Arctic Policy Commission Line of Effort with the largest number, around 50%, of related State of Alaska's Statutes, Bills and Resolutions is "Promote Economic and Resource Development".
2. The Alaska Arctic Policy Commission Line of Effort with the largest percentage of failed Bills and Resolutions is "Support Healthy Communities".

Overview

This report is the second in a series of short reports examining the significance of Alaska as the arctic State of the United States. In 2011 during the administration of Governor Parnell, the Alaska Northern Waters Task Force was created by the Legislature to examine issues of the opening of Alaska's arctic waters to greater interest and traffic. Based on the recommendation of this task force, the Alaska Arctic Policy Commission (AAPC) was created by House Concurrent Resolution 23 (1 & 2) in 2012 to "develop an Arctic policy for the state and produce a strategy for the implementation of an Arctic policy." This bipartisan effort comprised 26 Commissioners – 10 legislators and 16 experts. It was co-chaired by legislators Senator Lesil McGuire and Representative Bob Herron. Beginning in early 2013 and ending its work in early 2015, with a three-month public comment and survey period in Spring 2014, the AAPC created a Preliminary Report, a Final Report, and an Implementation Plan. These documents, as well as related information, are accessible at <http://www.akarctic.com/>. On the advice of the AAPC, the state legislature passed, and the Governor approved, Alaska Statutes Title 44. State Government § 44.99.105. *Declaration of state Arctic policy*. This new legal declaration sustained the work of the AAPC by adopting as "priority lines of effort for the Arctic policy of the state" those proposed in the implementation plan.

Below is the intent of the policy:

- (b) It is the intent of the legislature that this declaration of Arctic policy
 - (1) be implemented through statutes and regulations;
 - (2) not conflict with, subjugate, or duplicate other existing state policy;
 - (3) guide future policy derived from the implementation strategy developed by the Alaska Arctic Policy Commission;

- (4) clearly communicate the interests of residents of the state to the federal government, the governments of other nations, and other international bodies developing policies related to the Arctic.

The first in this series of CAPS reports evaluated to what degree the research at the University of Alaska (UA) has aligned with the AAPC. This second report evaluates to what degree State policy aligns with the AAPC. To what extent are the AAPC Lines of Effort implemented through statutes and regulations? Are the State of Alaska Statutes, Bills and Resolutions substantive and able to “guide future [arctic] policy”?

Methodology

All available State of Alaska Bills, Resolutions, and Statutes were collected from the akleg.gov website (see Figure 1). The oldest were from in 2001. The keywords used for the search included: Alaska Native, Indigenous, North Slope, North West, Rural, and Arctic. Bills and laws that targeted the Arctic or the lines of effort from the AAPC Implementation Plan were included in a catalog. The pieces of legislation were further divided into: current statutes, Bills passed, Bills failed or waiting, Resolutions passed, and Resolutions failed or waiting. Available information on the website for a specific bill or resolution was added to the catalog.

Results

A total of 277 pieces of legislation were collected and analyzed: 28 Statutes from the 30th Legislature (2017-2018), 114 Bills (24 passed and 90 failed or waiting) from 2001-2018, 135 Resolutions (67 resolved and 68 failed or waiting) from 2001-2018. The number of pieces of legislation, by Lines of Effort, were (see Figure 2):

1. Promoting economic and resource development – 40 (14% of total),
2. Addressing the infrastructure and response capacity gap in order to support the Arctic region – 144 (52%),
3. Supporting healthy communities – 28 (10%),
4. Supporting existing and fostering new science and research that aligns with state priorities for the Arctic – 68 (24%).

Figure 1 State of Alaska Statutes (2017-18), Bills and Resolutions (2001-18) by AAPC Line of Effort

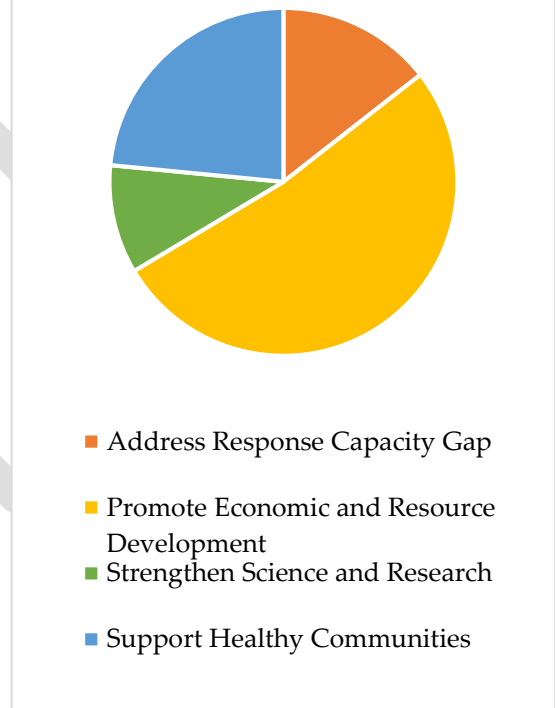
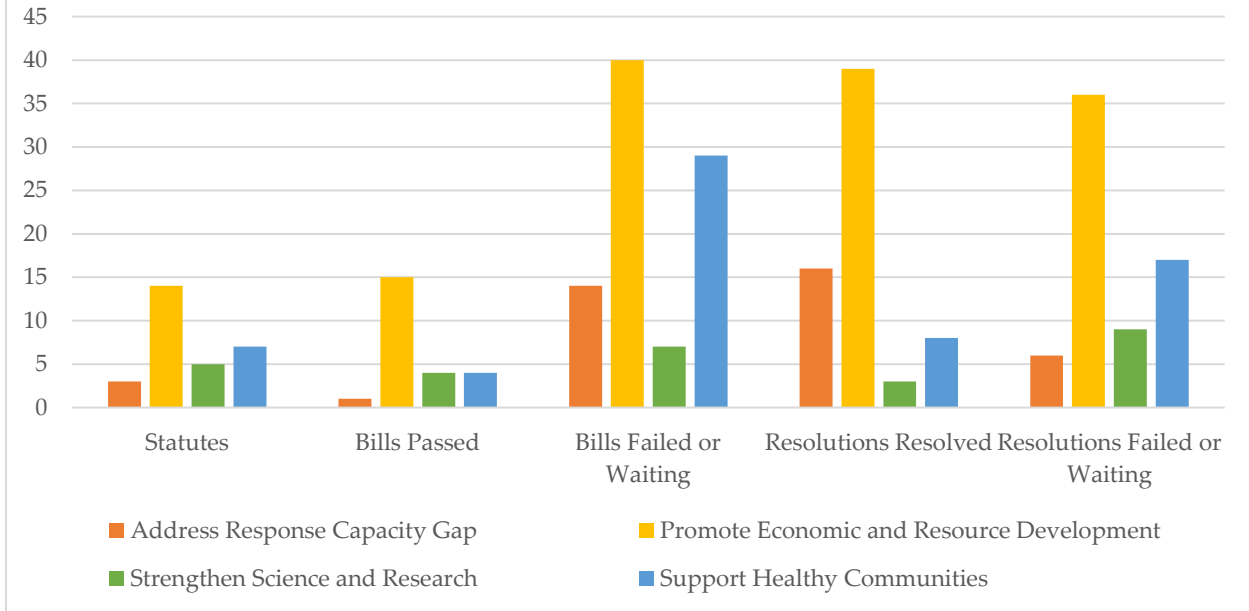


Figure 2 State of Alaska Statutes (2017-18), Bills and Resolutions (2001-18) by AAPC Line of Effort



Discussion

The extent to which the AAPC Lines of Effort are implemented through statutes and regulations varies. The AAPC line of effort with the greatest percentage, around 50%, of related State of Alaska Statutes, Bills and Resolutions is “Promote Economic and Resource Development”. The largest ratio of “Promote Economic and Resource Development” is “Bills Passed” – with 16 out of 24, or 67%. Why is legislation related to “Promote Economic and Resource Development” most common in the State of Alaska?

In Report #1 of this series, we found that the largest portion of graduate-level research at UA was related to the “Support Healthy Communities” line of effort, followed by the “Strengthen Science and Research”. In Report #3, we found that State of Alaska Departments related to natural resources (e.g., Fish and Game) had the greatest “Arctic” relevance. The greater amount of research by UA on “Support Healthy Communities” and legislation on “Promote Economic and Resource Development” may reflect the different needs of those lines of effort. We hypothesize that economic and resource development, receives more legislative attention since it is the basis of nearly 80% of Alaska’s total revenue.^{1,2} Alaska Total Revenue is based on taxes charged primarily to corporations that do business inside and outside of Alaska. Therefore, the legislation may be catered more to such “Outside” corporations, than those that do business

¹ <http://www.tax.alaska.gov/programs/reports/AnnualReport.aspx?Year=2018>

² https://www.commerce.alaska.gov/web/Portals/6/pub/2013_Alaska_Economic_Performance_Report.pdf

only inside of Alaska. If this is the case, then the legislation and research branches of the State of Alaska, respectively the Alaska Legislature and the UA, may be complementing each other's strengths.

Out of 277 pieces of legislation, 68 or 24%, were related to the AAPC line of effort "Support Healthy Communities". Yet of the 90 Bills (*Failed* or *Waiting*) and of the 68 Resolutions (*Failed* or *Waiting*), 29 (32%) and 17 (25%) respectively, were related to the "Support Healthy Communities" AAPC line of effort. The number of *failed* and *waiting* Bills and Regulations disproportionately affects those related to the "Support Healthy Communities" AAPC line of effort. This may be due to the human-centric focus of policies related to "Support Healthy Communities", that can require additional ethics review or risk-benefit studies. Further research is needed to identify other causes of the disproportionate *Failed* or *Waiting* rates.

The ability of State of Alaska Statutes, Bills and Resolutions to "guide future [arctic] policy" also varies piece to piece and by line of effort. We found that State of Alaska legislation could improve the communication of its relevance to the Arctic (i.e. legislation on resource development in the Arctic disproportionately impacts economies and communities outside the Arctic). Legislation should not only reflect its Arctic "ness" in terms of economic and resource development, but communicate its Arctic relevance to science and research, local communities, and emerging activity in the Arctic. This finding is also relevant to Report #1 and Report #3 which found shortcomings in the UA and Department's communication of their Arctic "ness".