

**Mayor's Report
For
May 3, 2021 Assembly Meeting**

- 1. Alaska Natives Without Land Legislation:** Alaska's Federal Delegation plans to reintroduce the Landless Native legislation soon. Comments and questions regarding the transfer of ownership of federal lands and infrastructure to the Southeast Alaska native communities that were not included in the Alaska Native Claims Settlement Act (ANCSA) may be emailed to assembly@petersburgak.gov.

A copy of Senate Bill 4891, which was introduced in the 116th Congress but failed to move to a vote of Congress before the end of the last session, is on the Borough website for public viewing along with maps of the federal lands selected for transfer to Haines, Ketchikan, Petersburg, Tenakee and Wrangell.

- 2. Conference of Young Alaskans:** The Alaska Municipal League and the Alaska Conference of Mayors are hosting the 2021 Conference of Young Alaskans (COYA) August 1-4, 2021 in Fairbanks. Fifty-five emerging leaders between the ages of 16 and 25 will participate as delegates, deliberating municipal policy and forming vision statements for municipal governance in Alaska. Delegates will be selected based on their application to participate in this unique opportunity. Selected delegates will attend at no cost to them. The application deadline is May 10, 2021. A draft agenda and information packet regarding the conference are attached to this report.
- 3. Changing the Recitation of the Pledge of Allegiance During Assembly Meetings from Voluntary to Mandatory:** At the April 19, 2021 Assembly meeting, Member Norheim brought up the subject of mandatory recitation of the Pledge of Allegiance (a version without the words "under God") during Assembly meetings. Borough Attorney Heideman feels mandatory recitation would face "serious constitutional challenge under both the federal and state constitutions". Attorney Heideman's opinion is as follows:

"In my view, an ordinance compelling the recitation of the pledge of allegiance by individual Assembly Members (as opposed to Members remaining silent during a voluntary pledge) would face serious constitutional challenge under both the federal and state constitutions -- specifically, the free speech rights granted under the 1st Amendment of the U.S. Constitution and the freedom of speech provisions of Art. I, §5 of the Alaska Constitution, which the Alaska Supreme Court has held protects free speech at least as broadly as the U.S. Constitution. See, e.g., W.Va. State Bd. Of Educ. v. Barnette, 319 U.S. 624 (1943) (A United States Supreme Court case holding unconstitutional a Board of Education

resolution requiring teachers and pupils to recite the pledge of allegiance and salute the flag). Removal of the words "under God" from the pledge would not cure the constitutional concerns.

There is no Alaska Supreme Court case which directly addresses the issue of the pledge of allegiance, however the Court did uphold free speech rights of elected officials in Alaskans for a Common Language, Inc. v. Kritz, 170 P.3d 183 (Alaska 2007), in the context of an English-only initiative."

- 4. Invitation to Join the United Fisherman of Alaska:** Mayor Jensen received an invitation from the UFA Executive Director requesting the Petersburg Borough join the UFA as a community supporting member at the cost of \$300 per year. Joining the UFA will support the economic benefits provided the State and local businesses by the commercial fishing industry. If any Assembly Member would like this as an action item on a future agenda, please let Clerk Thompson know. The letter from UFA Executive Director Leach is attached to this report.
- 5. Seeking Letters of Interest:** The Assembly is seeking letters of interest from Borough residents who wish to serve the community by filling a vacant seat on the following Boards/Commissions until the October 2021 Municipal Election:

Planning Commission – 1 vacant seat
Public Safety Advisory Board – 2 vacant seats

Letters of interest should be submitted to Clerk Thompson at the Borough office located at 12 S. Nordic Drive; by mailing to PO Box 329, Petersburg, AK 99833; or by emailing to dthompson@petersburgak.gov.