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STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Lisi Misa
being first duly sworn on oath deposes and says that she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

Apr. 4, 11, 18/2024

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed Lisi Misa

Subscribed and sworn to before

me this 25th day of April, 2024.

Jada L. Nowling

Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska
MY COMMISSION EXPIRES
7/14/2024

Jada L. Nowling
ELECTRONIC NOTARY PUBLIC
STATE OF ALASKA
MY COMMISSION EXPIRES 07/14/2024

AMCO Received 4.29.24

FROM PAGE A1

SCHOOLS

Alaska for decades.

The Anchorage School District paused processing any pending or yet-to-be submitted reimbursement requests after the court decision, according to a statement sent Wednesday to the families of correspondence students. The district is asking the judge to pause the implementation of the decision, which would allow allotment payments to resume for the remainder of the school year.

Sen. Bill Wielechowski, an Anchorage Democrat and attorney who has taken a lead on education issues in the Legislature this session as part of the Senate bipartisan majority, said Tuesday that the ruling's implications were far more limited than he initially thought. He said his opinions have been supported by recent conversations with the Legislature's attorneys.

To make the programs legal, the state would have to better track the use of the allotments that families receive — which vary from $2,700 to $4,500 per student — and ensure money is not going directly to religious and private schools, Wielechowski said.

Dunleavy, a Republican who has long supported using state dollars for private and religious schools, said Wednesday that he did not share Wielechowski's interpretation of the decision.

The Dunleavy administration planned to appeal the decision to the state Supreme Court, and did not plan to draft regulations or propose legislation that would enable correspondence programs to carry on while cutting out spending at private and religious schools, Dunleavy said in an hour-long news conference in Anchorage.

Correspondence allotments have increasingly been used to pay for tuition at Alaska private schools, though the extent of the practice is not fully known. The conservative Alaska Policy Forum has since 2022 maintained a growing list of correspondence schools that allow for their allotments to be used toward private schools, including religious ones.

Attorney General Treg Taylor, a Republican appointed by Dunleavy in 2021, said at the Wednesday press conference that the ruling was so sweeping that — unless the state Supreme Court finds otherwise — it could make it illegal for public schools to spend any money on private vendors more generally, including private textbook companies.

BILL ROTH / ADN

Alaska Attorney General Treg Taylor said during a press conference in Anchorage on Wednesday the state would seek to halt the court order regarding correspondence schools until the state Supreme Court could consider the case and issue its decision.

"In light of the vague, broad nature of the court's reasoning, it is very difficult to determine what type of program would actually be permitted under this decision," Taylor said.

"In a way, drafting something legislative would just be a shot in the dark," Taylor added.

The wife of Treg Taylor, Jodi Taylor, wrote in 2022 about her intent to use correspondence allotments to pay for her children's education at a Catholic school. The attorney general previously recused himself from matters related to correspondence students, but on Wednesday said he planned to be involved in the state's litigation moving forward.

Taylor said Wednesday that "the situation with (his) kids' schooling has changed significantly" and that he had sought the advice of outside counsel, who determined he no longer had a conflict. Department of Law spokeswoman Patty Sullivan did not immediately provide additional details on the outside counsel's opinion, including who provided it and when.

The state is planning to file a request for a stay on Monday, Taylor said. If granted, it would pause the implementation of the decision. The plaintiffs in the case — several Alaska parents and teachers — have already requested a temporary stay until the end of June, which they said would prevent disruptions in the current school year. But they indicated they would oppose a longer stay — which is what the state plans to request.

Taylor said the state would seek to halt the court order until the state Supreme Court could consider the case and issue its decision. Even on an expedited basis, that would likely take several months.

If the state Supreme Court upholds the superior court's decision, Taylor and Dunleavy said they would seek to appeal the decision to the U.S. Supreme Court.

"If the state Supreme Court just strikes the ability to purchase material or coursework from religious vendors, there's a very good chance that it'll be taken to the U.S. Supreme Court to be challenged there by intervenors, by others that are watching this right now," said Dunleavy.

In 2022, the U.S. Supreme Court struck down a Maine ban on sending public funds to religious schools. But that ban is very different from Alaska's constitutional provision, which prohibits the use of public funds at all private schools, not just religious ones.

Wielechowski said there is "no chance" the U.S. Supreme Court will take up Alaska's case.

"It's a states' rights issue," said Wielechowski. "It would be shocking for the Supreme Court to basically force a state to say, 'you have to allow public dollars to go to private institutions.' That would be almost unheard of."

'An education dividend'

The statutes struck down in the ruling were enacted in 2014, a year after they were first proposed by Dunleavy, then a state senator.

Dunleavy acknowledged at the time that the state constitution prohibited the use of public funds at private schools and proposed a constitutional amendment that would remove the relevant provision. That amendment was never adopted by lawmakers. Legislative attorneys also warned lawmakers that the provisions could be unconstitutional.

Dunleavy said that what he meant at the time was that the state constitution banned direct payments to private schools. However, he said he believed that the current use of allotments was allowed under the constitution because the funding flowed through public schools to parents, who then used it to pay private schools.

"We don't think that's a direct benefit. The plaintiffs want to make the case that it is," said Dunleavy.

Still, Dunleavy said he would support "vouchers," meaning the state's ability to spend money directly at private schools, if they were allowed under the constitution. Dunleavy said he was considering putting forward a constitutional amendment — though it would not likely be proposed in the current legislative session, which will end in less than a month.

Wielechowski said he believes the administration is committed to advancing a constitutional amendment, rather than a regulatory fix, because "they want to allow public dollars to go to private and religious schools."

Passage of a constitutional amendment requires support from two-thirds of the House and two-thirds of the Senate to place the question on the ballot before Alaska voters. It would then take a majority of voters supporting the amendment for it to be implemented. Lawmakers this week indicated that reaching those thresholds was unlikely this year.

Aside from a constitutional amendment, Dunleavy said he is considering advancing what he called an "education dividend," which would allow parents of homeschooled children to spend public funds with even fewer guardrails than those that existed under the allotment program.

Such a program, Dunleavy said, could provide funding to families who would have otherwise received correspondence allotments, with no strings attached.

Dunleavy said his administration estimates that the state spends around $120 million per year on more than 20,000 correspondence students. Not all of that money is directed to allotments — in most cases, half the funds directed to correspondence students are used to cover the costs of school buildings, staff members, and administrators, among other expenses.

"We don't ask people how they spend their PFD. For all we know we may have families using their thousands of dollars in their collective PFDs on their churches. We don't ask what they do or how they spend their money. So we may be looking at an educational dividend," said Dunleavy.

Dunleavy also said he would consider repurposing a fund currently used to provide university scholarships to instead pay out scholarships to grade-level students, which could be used more freely than allotments.

Prior to the enactment of the statues that Dunleavy had proposed, the state education department had put in place regulations governing correspondence schools, including limits on how allotments could be used and statewide reporting requirements.

"We shouldn't be here and we don't need to be here," said Sen. Löki Tobin, D-Anchorage. "We could propagate emergency regulations today to stabilize the system. We could ensure that our families know and are able to predict what comes in August."

Zeman, the judge, also said correspondence allotments could continue with the right legislative action.

"If the legislature believes these expenditures are necessary — then it is up to them to craft constitutional legislation to serve that purpose," he wrote.

However, Dunleavy said that "statutory considerations won't remedy the situation."

Wielechowski said the governor's unwillingness to advance legislation while an appeal is underway makes action in the final weeks of the current legislative session unlikely.

"If there's no alignment between the executive and the Legislature, it makes it a challenge to pass legislation," said Wielechowski. "My concern with that is it provides uncertainty to people who are homeschooling their kids."

FROM PAGE A1

IMPEACH

Senate Republicans had argued for a full impeachment trial after the House narrowly voted in February to impeach Mayorkas for his handling of the border, stating in the two articles that he "willfully and systematically" refused to enforce immigration laws.

An outright dismissal of House Republicans' prosecution of Mayorkas, with no chance to argue the case, is an embarrassing defeat for House Republicans and embattled House Speaker Mike Johnson, R-La., who made the impeachment a priority. And it is likely to resonate politically for both Republicans and Democrats in a presidential election year when border security has been a top issue.

Republicans argue that President Joe Biden has been weak on the border as arrests for illegal crossings skyrocketed to more than 2 million people during the last two years of his term, though they have fallen from a record high of 250,000 in December amid heightened enforcement in Mexico. Democrats say that instead of impeaching Mayorkas, Republicans should have accepted a bipartisan Senate compromise aimed at reducing the number of migrants who come into the U.S. illegally.

House impeachment managers delivered the charges to the Senate on Tuesday, standing in the well of the Senate and reading them aloud to a captive audience. But they did not get a chance to present the case before the Senate dismissed it.

The historic nature of the trial — the first time in nearly 150 years that a Cabinet secretary was impeached — contrasted with the almost routine feel of the proceedings after senators have sat through two previous impeachment trials against former President Donald Trump in 2020 and 2021. And with a quick dismissal almost inevitable, the Senate never even set up the chamber for the occasion, which usually includes tables on each side for the impeachment managers and defense lawyers.

Alaska Republican Sen. Dan Sullivan, who had described the articles of impeachment delivered by the House as "thorough, compelling, and damning," criticized the Senate's swift dismissal on Wednesday, saying in a social media statement it was "unprecedented territory."

Still, there was a bit of the traditional pomp. As the trial began, senators approached the front of the Senate in groups of four to sign an oath book that is stored in the National Archives.

Schumer called for the votes to dismiss the two charges after Republicans rejected a proposed agreement for Senate debate time and several votes on GOP objections. Missouri Sen. Eric Schmitt stood in the chamber and said Republicans wouldn't accept Schumer's offer because Democrats were "bulldozing 200 years of precedent" on impeachments by trying to dismiss the trial.

Angry Republicans called for several votes to delay the inevitable final outcome, but none of them passed as Democrats and three Independents held together.

Frustrated, Senate Republican Leader Mitch McConnell, R-Ky., said "history will not judge this moment well."

"This process must not be abused," McConnell said. "It must not be short-circuited."

Murkowski said in a social media statement that Wednesday's proceedings "accomplished little," and described it as "two hours of partisan points of procedure."

"In the meantime, we lost a legislative day that could have been spent on the expiring FISA provisions, or efforts to provide support to Israel and Ukraine."

Murkowski said she voted "present" on the point of order on the first article because "the allegations outlined in Article I — that Secretary Mayorkas, by executing the policies of the Biden administration, committed high crimes that rose to the level of impeachable offenses, needed real debate and deliberation. We were not afforded the opportunity to debate the constitutionalities of the charges in Article I, so I was not in good conscience able to vote in the affirmative or against," Murkowski said.

But she said she joined Republicans with her vote on the second article because "it is clear that lying and false statements under oath, if proven, would rise to the level of high crimes and misdemeanor."

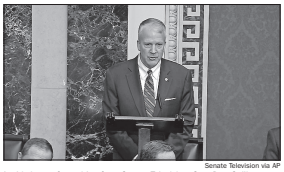
"I voted against the point of order that said even if an individual was found guilty of lying and providing false statements under oath to Congress, that would not be an impeachable offense, which is a terrible precedent to set," Murkowski said.

At the same time, Republicans similarly moved to dismiss former President Donald Trump's second impeachment trial in 2021, weeks after the Jan. 6, 2021, attack on the Capitol. All but five GOP senators — including McConnell — voted to end the trial, arguing it was unconstitutional because Trump had already left office.

After Democrats dismissed the charges, Johnson and members of his House GOP leadership team said in a joint statement that "by voting unanimously to bypass their constitutional responsibility, every single Senate Democrat has issued their full endorsement of the Biden Administration's dangerous open border policies."

Even if the Senate had held a trial, Republicans would not have been able to win the votes of the two-thirds of the Senate that is needed to convict and remove Mayorkas from office — Democrats control the Senate, 51-49, and they remained united against the impeachment effort. Not one House Democrat supported it, either.

Even some Republicans questioned the impeachment effort from the start. Utah Sen. Mitt Romney had said for weeks that he was considering voting with Democrats to dismiss the charges but ultimately voted with his own party. After the votes, he said he does not believe the charges rise to high crimes but he did not want to dismiss them because "it was important to engage in some level of debate."



Senate Television via AP

In this image from video from Senate Television, Sen. Dan Sullivan, R-Alaska, speaks during the impeachment trial of Homeland Security Secretary Alejandro Mayorkas on the Senate floor at the U.S. Capitol on Wednesday in Washington.

Mayorkas, who was in New York on Wednesday to launch a campaign for children's online safety, reiterated that he's focused on the work of his department. "The Senate is going to do what the Senate considers to be appropriate as that proceeds," he said. "I am here in New York City on Wednesday morning fighting online sexual exploitation and abuse. I'm focused on our mission."

Department spokeswoman Mia Ehrenberg said after the votes that the Senate's decision to end the trial "proves definitively that there was no evidence or Constitutional grounds to justify impeachment."

Johnson delayed sending the articles to the Senate for weeks while both chambers finished work on government funding legislation and took a two-week recess. Johnson had said he would send them to the Senate last week, but he punted again after Senate Republicans said they wanted more time to prepare.

At a hearing with Mayorkas on Tuesday about President Joe Biden's budget request for the department, some of the House impeachment managers previewed the arguments they would have made.

Tennessee Rep. Mark Green, the chairman of the House Homeland Security panel, told the secretary he has a duty under the law to control and guard U.S. borders, and "during your three years as secretary, you have failed to fulfill this oath. You have refused to comply with the laws passed by Congress, and you have breached the public trust."

Mayorkas defended the department's efforts but said the nation's immigration system is "fundamentally broken, and only Congress can fix it."

The impeachment trial was the third in five years. Democrats impeached Trump twice, once over his dealings with Ukraine and the second time in the days after the Capitol attack. Trump was acquitted by the Senate both times.

Schumer said the charges against Mayorkas did not compare to those against Trump and were engineered to help the former president as he runs again this year. He said the Republican charges were policy disputes, not high crimes, and it was important to set a precedent.

"Secretary Mayorkas has not been accused of treason or accepting bribes or unlawfully attacking our elections or anything of the sort," Schumer said. "He did not blackmail a foreign power to dig dirt on a political opponent. Nor did he incite a violent mob to wage an insurrection against the peaceful transfer of power."

He called the Republican case "an illegitimate and profane abuse of the U.S. Constitution."

Connecticut Sen. Chris Murphy, a Democrat, acknowledged that dismissing the trial was "a different Senate process," but said the "risk of normalizing what the House did is bigger than the risk of establishing a new precedent in the Senate."

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No Limit, LLC, doing business as Cannabaska Concentrates, located at 521 W. Tudor Road, Suite 203, Anchorage, Alaska 99503 is applying under 3 AAC 306.047 for conversion of a Marijuana Concentrate Manufacturing Facility (3 AAC 306.500)(a)(2), license #25205 to a Marijuana Product Manufacturing Facility (3 AAC 306.500)(a)(1).

Interested persons may object to the application by submitting a written statement of reasons for the objection to their local government, the applicant, and the Alcohol & Marijuana Control Office (AMCO) not later than 30 days after the director has determined the application to be complete and has given written notice to the local government. Once an application is determined to be complete, the objection deadline and a copy of the application will be posted on AMCO's website at https://www.commerce.alaska.gov/web/amco. Objections should be sent to AMCO at marijuana.licensing@alaska.gov or to 550 W 7th Ave, Suite 1600, Anchorage, AK 99501 and Attorney Jana Weltzin, Esq at jana@jdwcounsel.com or 901 Photo Avenue, Second Floor, Anchorage, AK 99503.

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CRIME & COURTS

Washington state man sentenced to 99 years for killing Ketchikan doctor

Tess Williams
Anchorage Daily News

A Washington state man was sentenced Tuesday to spend 99 years in prison after he was convicted of killing a Ketchikan doctor, then stealing his money and hundreds of thousands of dollars' worth of his belongings.

Jordan Joplin, 38, was convicted by an Anchorage jury in June 2023 on charges of first- and second-degree murder and first-degree theft in the death of 58-year-old Dr. Eric Garcia. The trial was moved to Anchorage because of the publicity it received in Ketchikan.

Joplin was in a romantic relationship with Garcia and had known him for about six years, prosecutors said during the trial. He saw Garcia as "an easy mark" to manipulate and planned to kill him and steal from him, Assistant Attorney General Erin McCarthy wrote in a sentencing memorandum.

In March 2017, Joplin traveled from Washington to Ketchikan and poisoned Garcia in his home with the drugs morphine, methadone, diazepam and lorazepam before the men were scheduled to fly to Las Vegas, prosecutors said. Joplin returned to his Washington home a day after he'd arrived in Ketchikan and Garcia was found dead 10 days later, they said.

Nearly $40,000 was transferred to Joplin from Garcia's checking account in the days surrounding his death, including transactions made after he died, according to prosecutors. Joplin also sent three shipping containers of Garcia's belongings, worth hundreds of thousands of dollars, to his home in Washington, they said.

Joplin repeatedly lied to investigators after Garcia's death, McCarthy wrote in the memorandum. His actions "show a capacity for deceit and duplicity that is frankly bone-chilling," she said.

During the trial, defense attorneys argued that Garcia was a generous man who was in love with Joplin and that he had knowingly consumed the morphine that caused his death, whether that result was intentional or not.

Garcia was a well-respected surgeon in Ketchikan, according to court testimony from his colleagues and friends. He was one of two surgeons at the community hospital and his loss affected the entire community, McCarthy wrote in the sentencing memorandum.

McCarthy asked Anchorage Superior Court Judge Michael Wolverton to sentence Joplin to serve the maximum sentence of 101 years. Deputy public defender Lars Johnson, who represented Joplin, asked he be sentenced to serve 50 years.

Wolverton on Tuesday sentenced Joplin to serve 99 years in prison for first-degree murder and theft, Alaska Department of Law spokeswoman Patty Sullivan said Wednesday. The second-degree murder charge merged with the first-degree count for sentencing, she said.

As of Wednesday, Joplin was in custody at the Ketchikan Correctional Center.

SEAN MAGUIRE / ADN

Attorney General Treg Taylor presents to the Senate Judiciary Committee on a bill that would impose stricter penalties on protests that block roads, on Wednesday at the Capitol in Juneau.

ALASKA LEGISLATURE

Alaska attorney general: Protest crackdown bill could apply to homeless people

Sean Maguire
Anchorage Daily News

JUNEAU — Attorney General Treg Taylor said Wednesday that a bill to increase penalties on unpermitted protests could also apply to homeless people who block roads, sidewalks and trails.

The Senate Judiciary Committee held its first hearing Wednesday on Senate Bill 255. The bill would impose enhanced penalties for obstructing highways, navigable waterways, airport runways and other public places.

An unpermitted protest that blocks a road can currently attract a $1,000 fine, the Alaska Department of Law said. Under the bill, that would become a class C felony, which can result in five years in prison or a $50,000 fine. Civil penalties would start at $10,000 for nominal property damage.

Gov. Mike Dunleavy proposed the bill in February in response to extended protests — often demanding action on climate change — that have blocked roads and ports in the Lower 48 and Europe.

"It is important to distinguish between peaceful expression of rights and actions that pose risks to public safety and emergency response efforts," Dunleavy said in a prepared statement in February.

The bill specifies that the enhanced penalties would apply in situations where there is a significant risk of physical harm or interference with emergency response efforts. But critics have said it is overly broad and vague.

Civil rights groups have strongly opposed the bill. They have argued it could violate constitutional protections for freedom of speech and peaceable assembly.

Taylor said while Alaska has not seen days-long protests that block roadways, the state could be uniquely at risk. Blocking the Seward Highway could see store shelves emptied on the Kenai Peninsula; shutting down the Dalton Highway could have "devastating" effects on the oil patch, he said.

> *"These are folks who are in crisis. They need support and guidance and trusted social workers. They do not need to be cited and or receive undue penalties because they do not have a safe place to lay their head."*
>
> — Sen. Löki Tobin, D-Anchorage

Taylor told lawmakers Wednesday that the measure attempted to strike a balance between competing constitutional rights: the right to assemble and the right to free movement in public spaces. On freedom of movement, the attorney general used the example of wanting to visit a controversial exhibition at an art gallery with his family.

"I shouldn't have to deal with a bunch of people blocking my passage and preventing my family from doing those things," he told Senate members Wednesday.

Anchorage Democratic Sen. Matt Claman, chair of the Senate Judiciary Committee, retorted that as a public official, he has walked through crowds of hostile protesters and found the process uncomfortable. But, he said about Alaska, "I still have a hard time seeing that we're at that place that you're describing in the Lower 48 states — that it's a big issue today."

Testifiers on Wednesday were strongly opposed to the measure on First Amendment grounds. Nithya Thiru, advocacy consultant at the ACLU of Alaska, spoke about the legacy of the Selma Marches.

"Assembling and protesting in roadways is a critical tool that American communities have historically used to push our governments to be better when our government does not listen," she said.

In a brief interview after Wednesday's hearing, Taylor was asked whether the new felony convictions could apply to homeless and unhoused people. He confirmed they could.

"I think that would keep them from putting their tents across sidewalks, roadways, alleyways. I think that they'd be more limited to parks," he said.

In state statute, the definition of roads includes park trails and paths.

Last year, the Municipality of Anchorage joined an appeal to the U.S. Supreme Court to challenge homeless camp abatement requirements. The 9th Circuit Court of Appeals has issued rulings that protect the rights of homeless people to camp outdoors on municipal property when there is no indoor shelter available.

Sen. Löki Tobin, D-Anchorage, said in an interview Wednesday that she was concerned the measure could help criminalize homelessness in Alaska.

"These are folks who are in crisis," she said. "They need support and guidance and trusted social workers. They do not need to be cited and or receive undue penalties because they do not have a safe place to lay their head."

Around a hundred Juneau students swarmed the state Capitol last week and blocked hallways in an unpermitted protest to challenge Dunleavy's veto of an education bill. If SB 255 were law, the enhanced penalties could have applied to those students, Taylor said. But, he said, they likely would not have been used. Law enforcement officers would likely take into account the age of the protesters; if there were alternative routes; and if people could move through the crowd relatively easily, he said.

With fewer than 40 days left in the session, it's unclear if SB 255 will get a second hearing in the Senate Judiciary Committee. Claman said in an interview Wednesday that he has asked the Department of Law for its 10 highest legislative priorities, without a response.

A companion bill in the House has advanced to the Judiciary Committee, where it is awaiting its first hearing. The measure has received a warmer reception from conservative members of the Republican-led majority.

RURAL ALASKA

State declares disaster after Kivalina fire and power outages

Alena Naiden
Anchorage Daily News

The state declared a disaster emergency Wednesday after a fire in Kivalina that on Tuesday destroyed two buildings, led to a prolonged power outage and prompted the evacuation of nearly half of the village.

No one was hurt in the fire, which was reported around 1 p.m. Tuesday and contained by early evening, borough Director of Public Safety Chris Hatch said. The blaze burned down the town's bingo hall and the adjacent community center, as well as threatened the Alaska Village Electric Cooperative's power plant located nearby, he said.

The damage to the power distribution system resulted in a communitywide power outage, according to a statement from the Alaska Division of Homeland Security and Emergency Management.

In the Northwest Alaska community of about 450 residents, Kivalina's new school sheltered around 200 people Tuesday night, said Terri Walker, Northwest Arctic Borough School District superintendent. The new school is located 7 miles inland from Kivalina, serves as an evacuation site for the village and has backup generators.

Power was partially restored in the village around noon Wednesday, Hatch said. AVEC technicians and linemen were working to bring electricity back for the remaining 16 houses Wednesday afternoon, he said. The utility crew was also planning to schedule blackouts to make continuing repairs, Hatch added.

The Northwest Arctic Borough, AVEC, NANA Corp., Maniilaq Association, State Fire Marshal, State Emergency Operations Center and Teck Alaska, which operates Red Dog Mine near the village, were coordinating the response to the situation and providing supplies to the community.

Stormy weather in the area Wednesday complicated the efforts to get materials and supplies into the village, Hatch said.

Gov. Mike Dunleavy declared a state disaster emergency in response to the City of Kivalina and the Northwest Arctic Borough's declaration of disaster requesting state assistance.

"We've got a lot of work to do yet," borough Mayor Dickie Motto said. "We're going on the right path supporting the people of Kivalina."

FROM PAGE A1

ENDORSE

LaFrance, who also spoke at the press conference, said she and Popp share concerns about the city workforce vacancies and outflow of population, and homelessness.

"We're both deeply concerned about the direction our community is going in," LaFrance said.

LaFrance, the former Anchorage Assembly chair, said campaigns sometimes bring out the worst in people but that running for mayor had seemed to bring out "the best" in Popp.

Popp, who retired recently after 16 years as the head of the Anchorage Economic Development Corp., didn't rule out a job in a potential LaFrance administration.

"It's a possibility," he said. "It's a discussion that's ongoing."

Popp said he has agreed to be on a transition committee if LaFrance wins.

Former Democratic state Rep. Chris Tuck, who came in behind Popp with 8% of the vote, has not endorsed a candidate and said he has no immediate plan to do so — though he is meeting with representatives from both campaigns.

"They want to meet with me so I'm more than willing to meet with them," Tuck said in a phone interview Wednesday.

The decision not to endorse "most likely won't change," he said. "But I'm an open book. So until I meet with the candidates — we'll see."

Blake Stieren, a spokesman for Bronson's campaign for mayor, said he had no comment as to whether the candidate had sought endorsements from either Popp or Tuck.

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Hive Mind Meadery LLC dba Hive Mind Meadery located at 600 W. 58th Ave, Anchorage AK 99518 is applying for transfer of a winery AS 04.09.030 liquor license to Hive Mind Operations LLC located at 400 W. Potter Drive, Anchorage AK 99518.

Interested persons should submit written comment to their local governing body, the applicant, and to the Alcoholic Beverage Control Board at 550 West 7th Ave. Suite 1600 Anchorage AK 99501 or alcohol.licensing@alaska.gov.

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MARC LESTER / ADN

Anchorage mayoral candidate Suzanne LaFrance, center, gathered with family and supporters at Williwaw Social as the first election results were announced on Tuesday.

FROM PAGE A1

MAYOR'S RACE

shape up between the two of them to see who will catch, capture that togetherness spirit the most between now and that final outcome," Tuck said.

'A race of turnout'

Many campaign watchers believe the preliminary ballot returns indicate that LaFrance is in a strong position going into the runoff election against Bronson.

The LaFrance campaign itself noted in a press release that Bronson's share of the votes in early returns is abnormally low for an incumbent running for a second term in Anchorage by historical norms.

Former mayors Mark Begich, Dan Sullivan and Ethan Berkowitz won second terms with more than 55% of the vote, avoiding runoff elections in 2006, 2012 and 2018, respectively.

"If you underperform incumbent mayors by 20 points, is that inspiring to your base?" said AFL-CIO Chair Joelle Hall, whose independent expenditure group is spending tens of thousands of dollars opposing Bronson and supporting LaFrance.

"Those results portend defeat in my mind," Hall said of Bronson's campaign.

Matt Shuckerow, a political consultant who runs local firm Fathom Strategic Communications, said that while it's clear Bronson and LaFrance are advancing to the runoff, both campaigns will have to work hard to turn out as many votes as possible in the coming weeks.

"I don't think that this campaign is over by any means," said Shuckerow, whose firm did some work for the Bronson campaign.

"This race is really going to be a race of turnout," Shuckerow added.

Late-arriving ballots in Anchorage tend to tilt conservative, which could nudge up Bronson's vote margin, but are unlikely to alter the preliminary results in a meaningful way.

Historically, "it's been anywhere between a 2% to 5% shift in the candidate races; less of a shift in the ballot props," Slomski-Pritz said. "Suzanne might not end up at the front as the top vote-getter, but she will definitely end up as the candidate to challenge Bronson."

Many of those who've opposed Bronson said that early returns favor LaFrance's election efforts.

"I think she's going to win," said former Democratic state Sen. Tom Begich, who backed Tuck in the regular election. "There's no path for Bronson."

Much of the analysis after Tuesday's results came down to math: Roughly two-thirds of the electorate picked a candidate other than the incumbent, indicating he is not their first choice for a large majority of voters.

"The problem for Bronson is that analysis of municipal likely voters paints a picture of him having a ceiling of about 46 or 47% max — which means that in a runoff he'd have to identify and turnout people who would not typically bother voting," campaign consultant Art Hackney wrote in an email.

Hackney, an old hand in Republican political campaigns in Alaska, worked for Tuck this cycle.

Wooing Tuck and Popp voters

As Bronson said often during candidate forums, he was the main conservative option among the race's primary candidates and, as a sitting mayor, is already well-known to voters.

"He had a lane all to himself, he had the power of incumbency, and he had three years of name recognition, and he's not changing his performance from 2021," said John-Henry Heckendorn, managing partner of the Ship Creek Group and a supporter of LaFrance.

Popp, LaFrance and Tuck all pitched themselves as relatively similar candidates: moderate, left-leaning alternatives to Bronson. Consultant Jim Lottsfeldt, who is working for LaFrance's campaign, said it would be a mistake to assume all of Popp and Tuck's voters will automatically fall in line behind her in the race's runoff contest, but he believes a majority of them will.

"They've already said Bronson's not their first choice," Lottsfeldt said.

However, LaFrance was also not the first choice for those voters.

Many Tuck and Popp voters will be weighing their second choice in the weeks ahead, Shuckerow said. Final ballot counts will be "highly informative" for the campaigns as they determine how to dedicate resources and which voters to target, he said.

Bronson on Tuesday night said he thinks many Tuck voters could be "natural allies." He plans to pitch his case about the "ideological divides" between himself and LaFrance.

Preparing for a hard-fought runoff

The team behind LaFrance, Lottsfeldt said, is well-organized relative to what he's seen in past municipal elections and, in addition to spending on messaging, plans to connect with potential voters in-person.

"We have an aggressive field campaign organized to identify people who are gonna vote for Suzanne," Lottsfeldt said. "I think that's gonna give us an extra margin of victory."

Fanning, with Bronson's team, declined to comment on specific outreach or tactics the campaign plans on implementing going forward. But he said supporters will soon begin pitching in on turning out the vote for Bronson.

"We have a lot of people who have expressed interest in volunteering, and I expect they'll come out of the woodwork (now)," Fanning said. "I think we'll see a much greater involvement."

Bronson heads into the runoff with a hefty cash advantage, something LaFrance seemed to allude to Tuesday night as she told supporters that the campaign faces a big lift, aiming to raise another $300,000 in donations.

"We expect that this week we will do better and better," Lottsfeldt said of the LaFrance campaign's fundraising efforts. "We made projections in the general for fundraising which we met and exceeded. And now we have projections for the runoff."

The Bronson and LaFrance campaigns are preparing for a hard-fought and bitter runoff.

During the first two years of Bronson's term, LaFrance as chair led an Assembly with a moderate-to-progressive supermajority that frequently clashed with the conservative mayor's administration. The Assembly and administration have been locked in power struggles and duked out some disagreements in lawsuits. They've quarreled over a range of issues, including homelessness policy, personnel problems and contracting.

"I've been kind of defined by my opponents the last three years," Bronson told reporters Tuesday night, adding that he would defend himself but would not "sling mud."

LaFrance meanwhile told a crowd of supporters that she hopes to bring together "a professional team of people who are ethical," also saying that "we don't have an administration that can even just get the basics right."

In LaFrance's signature campaign message, she has promised to "restore competency" to City Hall.

In 2021, Bronson's campaign capitalized on a wave of opposition to the city's pandemic restrictions and mask mandates, and much of its rhetoric hinged on sharp criticisms of the Assembly and the city's handling of homelessness. Bronson's victory was narrow over then-mayoral candidate and Assembly member Forrest Dunbar, now a Democratic state senator.

But the issues surrounding the pandemic, which largely propelled Bronson to victory and motivated many of his supporters, are over.

Another big difference this election: Bronson now has a record as mayor.

"He's got six weeks to try to convince people that all of the mess that's been made over the last three years is not actually his fault. So I think you're gonna see a lot of attack ads. And we'll see. I don't think it'll work," said Slomski-Pritz.

But LaFrance also has a record from her time in the Assembly, Shuckerow said. Bronson, in campaign messaging, has used that record against her.

"We've already seen from some of the messaging focus on, as they use, 'single-party rule,' and on having a mayor that is in close lockstep with the Assembly that doesn't have the strongest favorability," Shuckerow said.

"And I think that's probably where this election is gonna go: a choice between the two candidates and what it means for Anchorage," he said.

BILL ROTH / ADN

Mayor Dave Bronson waits for first round of results after the polls closed on Tuesday

2024 MUNICIPAL ELECTIONS

Incumbents hold wide leads in school board races

Annie Berman
Anchorage Daily News

In three races for Anchorage School Board seats, board incumbents are maintaining wide leads in preliminary municipal election results.

Updated results posted Wednesday remained essentially unchanged from the first count released Tuesday night. For seat E, board incumbent Pat Higgins carried 56% of the vote against challenger Kay Schuster.

Meanwhile, for seat G, incumbent Carl Jacobs was leading with 58% of the vote against first-time candidate Chelsea Pohland.

"I'm cautiously optimistic," Jacobs said after the first round of results were posted Tuesday night.

"We have a lot of votes still yet to be counted, and I look forward to seeing those," Pohland said Tuesday.

For Seat F, with 63% of the vote, board incumbent Dora Wilson was winning her race against first-time candidate Angela Frank.

"I'm very excited with the show of support," Wilson said Tuesday.

By Wednesday, election officials had counted 52,661 ballots, representing just under 22% of the city's 237,360 registered voters.

Thousands of ballots at Anchorage's election center have not yet been counted, and more will arrive by mail over the next two weeks.

In this year's school board races, voters were asked to choose between three incumbents who often vote with the board's majority, and challengers who are critical of the board's current direction.

Two of the challengers — Pohland and Schuster — had support from prominent local conservatives, and each received endorsements from Moms for Liberty, a right-leaning national nonprofit focused on "parental rights."

"It looks like it's going extremely good for all the incumbents, and I think that's not surprising," Higgins said Tuesday night.

"We ran against some pretty radical candidates in regards to politics interfering with academics, and I think the public saw that," he said.

Schuster could not be reached for an interview Tuesday evening.

2024 MUNICIPAL ELECTIONS

Early election results show voters approving all propositions except bathroom, cemetery bonds

Emily Goodykoontz
Anchorage Daily News

Preliminary results in the Anchorage city election show two bonds failing — for public restrooms and cemeteries — while the seven other bonds and propositions, including the school district bond, are passing.

Proposition 8, the $5 million area-wide bond for adding 10 public restrooms around the municipality, was on track to fail with 61% of voters against it in the most recent vote count posted Wednesday evening. Proposition 7, a $4.1 million bond for creating two new cemeteries in Girdwood and Eagle River, was failing with about 56% of voters against it.

Voters were approving the seven other bonds with decent margins, including bonds for capital improvements of city parks, roads and storm drainage, and public safety and transit.

• The Anchorage School District's $62.3 million capital improvements bond was passing with a 4-point margin. The bond package, Proposition 1, includes $19 million for replacing Inlet View Elementary School in South Addition, and about $43 million for security and seismic improvements and roof replacements at several other schools.

In the city's 2022 election, a $111 million school bond that included $31 million for Inlet View's replacement narrowly failed.

• Voters were approving Proposition 2, a ballot measure to change city charter in order to require the Anchorage Assembly's confirmation of the Health Department's chief medical officer. The measure had 56% of the vote.

• Proposition 3, a $47.1 million bond for Anchorage roads and storm drainage improvements, received 65% approval. The package includes $5 million for a snow disposal site in West Anchorage, $1 million for snow removal equipment, $4 million in upgrades to lighting and signals downtown, and many millions more for numerous road resurfacing and improvement projects.

• Proposition 4, a $4.4 million bond for Anchorage Parks and Recreation capital improvements, had 58% approval. The bond is for projects at 13 different parks and trail areas in the Anchorage Bowl.

• Proposition 5, a $1.5 million public safety (police) bond, had 59% approval. The funding is for reconstructing the roof and renovating the heating system at the Anchorage Police Department's Elmore Station.

• Proposition 6, a $4.6 million public safety and transit capital improvements bond for projects including traffic calming, signals and signs, school zone safety and bus stops, received 61% approval.

• Proposition 9, a $4 million bond to improve access to Chugach State Park at a popular hiking area on the south side of Flattop Mountain, had 56% in yes votes.

Election officials expect to post updated preliminary election results on Thursday and Friday around 6:30 p.m.

As of Wednesday evening, election officials had tallied 52,661 ballots, representing 22% of registered voters.

It's not yet clear exactly how many ballots are outstanding. Thousands more ballots are likely to arrive by mail in the coming days.

Results won't be final until certification of the regular election on April 23.

No Limit, LLC, doing business as Cannabaska Concentrates, located at 521 W. Tudor Road, Suite 203, Anchorage, Alaska 99503 is applying under 3 AAC 306.047 for conversion of a Marijuana Concentrate Manufacturing Facility (3 AAC 306.500)(a)(2), license #25205 to a Marijuana Product Manufacturing Facility (3 AAC 306.500)(a)(1).

Interested persons may object to the application by submitting a written statement of reasons for the objection to their local government, the applicant, and the Alcohol & Marijuana Control Office (AMCO) not later than 30 days after the director has determined the application to be complete and has given written notice to the local government. Once an application is determined to be complete, the objection deadline and a copy of the application will be posted on AMCO's website at https://www.commerce.alaska.gov/web/amco. Objections should be sent to AMCO at marijuana.licensing@alaska.gov or to 550 W 7th Ave, Suite 1600, Anchorage, AK 99501 and Attorney Jana Weltzin, Esq. at jana@ybcounsel.com or 901 Photo Avenue, Second Floor, Anchorage, AK 99503.

Hive Mind Meadery LLC dba Hive Mind Meadery located at 600 W. 58th Ave, Anchorage AK 99518 is applying for transfer of a winery AS 04.09.030 liquor license to Hive Mind Operations LLC located at 400 W. Potter Drive, Anchorage AK 99518.

Interested persons should submit written comment to their local governing body, the applicant, and to the Alcoholic Beverage Control Board at **550 West 7th Ave. Suite 1600 Anchorage AK 99501** or **alcohol.licensing@alaska.gov.**