HOUSE BILL NO. 155

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES SMALLEY, Davis, Phillips, Kemplen, Croft

Introduced: 3/24/99
Referred: Community and Regional Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

"An Act relating to municipal assembly forms of representation and apportionment."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 29.20.070(b) is amended to read:

   (b) Not later than the first regular election that occurs after adoption of a final state redistricting plan under art. VI, sec. 10, Constitution of the State of Alaska [THE REPORT OF A FEDERAL DECENNIAL CENSUS], the assembly shall propose and submit to the voters of the borough, at that regular election or at a special election called for the purpose, one or more forms of assembly representation. The forms of representation that the assembly may submit to the voters are:

   (1) election of members of the assembly at large by the voters throughout the borough;

   (2) election of members of the assembly by district, including

      (A) election at large by the voters throughout the borough, but
with a requirement that a candidate live in an election district established by
the borough for election of assembly members; or

(B) election from election districts established by the borough
for the election of assembly members by the voters of a district;

(3) election of members of the assembly both at large and by district.

* Sec. 2. AS 29.20.080(a) is amended to read:

(a) Not later than two months after adoption of a final state redistricting
plan under art. VI, sec. 10, Constitution of the State of Alaska [THE OFFICIAL
REPORT OF A FEDERAL DECENNIAL CENSUS], the assembly shall determine and
declare by resolution whether the existing apportionment of the assembly meets the
standards of AS 29.20.060. If the assembly submits to the voters a form of
representation that includes election of assembly members under AS 29.20.070(b)(2)
or (3), [(b)(3)] the assembly shall submit with the proposition a proposed plan of
apportionment that corresponds to the form of representation proposed. The assembly
shall describe the plan of apportionment in the ballot proposition, and may present the
plan in any manner that it believes accurately describes the apportionment that is
proposed under the form of representation. If the assembly determines that its existing
apportionment meets the standards of AS 29.20.060, the assembly may include the
existing apportionment as a proposed plan of apportionment of assembly seats that
corresponds to a form of representation that is proposed.

* Sec. 3. AS 29.20.080(b) is amended to read:

(b) The assembly shall provide, by ordinance, for a change in an existing
apportionment of the assembly whenever it determines that the apportionment does not
meet the standards of AS 29.20.060. The assembly may provide, by ordinance, for
a change in an existing apportionment of the assembly whenever a final state
redistricting plan is changed as a result of federal or court action. At the same
time a change in apportionment is provided for under this subsection, the assembly
may, by ordinance, change the composition of the assembly.

* Sec. 4. AS 29.20.080(e) is amended to read:

(e) Within six months after a determination by the assembly under (b) or (c)
of this section that the current apportionment should be changed [DOES NOT MEET
THE STANDARDS OF AS 29.20.060] the assembly shall adopt an ordinance
providing for reapportionment and submit the ordinance to the voters. If, at the end
of the six-month time period, an ordinance providing for reapportionment has not been
approved by the voters **and if the current apportionment does not meet the**
**standards of AS 29.20.060**, the commissioner shall provide for the reapportionment
in accordance with the standards of AS 29.20.060 by preparing an order of
reapportionment and delivering the order to the borough mayor.