

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

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

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

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

5 (b) Not later than the first regular election that occurs after **adoption of a final**
6 **state redistricting plan under art. VI, sec. 10, Constitution of the State of Alaska**

7 [THE REPORT OF A FEDERAL DECENNIAL CENSUS], the assembly shall propose
8 and submit to the voters of the borough, at that regular election or at a special election
9 called for the purpose, one or more forms of assembly representation. The forms of
10 representation that the assembly may submit to the voters are:

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

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

14 (A) election at large by the voters throughout the borough, but

1 with a requirement that a candidate live in an election district established by
2 the borough for election of assembly members; or

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

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

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

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

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

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

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

30 (e) Within six months after a determination by the assembly under (b) or (c)
31 of this section that the current apportionment **should be changed** [DOES NOT MEET

1 THE STANDARDS OF AS 29.20.060] the assembly shall adopt an ordinance
2 providing for reapportionment and submit the ordinance to the voters. If, at the end
3 of the six-month time period, an ordinance providing for reapportionment has not been
4 approved by the voters **and if the current apportionment does not meet the**
5 **standards of AS 29.20.060**, the commissioner shall provide for the reapportionment
6 in accordance with the standards of AS 29.20.060 by preparing an order of
7 reapportionment and delivering the order to the borough mayor.