

1 IN THE SENATE

BY THE RULES COMMITTEE

2 SENATE RESOLUTION NO. 1

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 Relating to redistricting of the
6 Senate.

7 BE IT RESOLVED BY THE SENATE:

8 WHEREAS the Alaska Constitution, art. II, sec. 3, provides for the
9 election of members of the Senate for four-year terms, one-half of whom shall
10 be elected every two years; and

11 WHEREAS, under the Governor's Proclamation of Reapportionment and Redistricting
12 proclaimed December 11, 1973, the terms of office of certain members
13 of the Senate from Anchorage, who were elected to office in 1972 and whose
14 terms of office normally would have expired four years thereafter, were cut
15 short when the Governor's plan subdivided the greater Anchorage area into
16 districts of one or two senators whereas heretofore senators had been elected
17 areawide in Anchorage; and

18 WHEREAS, although a voter has an important interest in being represented
19 by a senator of his own choosing, nevertheless there is a substantial if not
20 equal public interest in preserving the continuity of membership in one house
21 of the legislature; there is a public good to be served by maintaining the
22 stability of the legislative process and that has been achieved in Alaska as
23 prescribed in the state constitution by the election of senators for four-
24 year, staggered terms; and

25 WHEREAS this goal of continuity and stability in a legislature, as
26 recognized by the California Supreme Court recently in *Legislature v. Reinecke*,
27 516 P.2d 6, at page 12 (1973), is a rational state objective and may reason-
28 ably be promoted by provision for four-year staggered terms; and that provi-
29 sion does not constitute "invidious discrimination" against any voter; and

1 WHEREAS to obviate whatever temporary disenfranchisement or inequality
2 that may occur following redistricting, and particularly the subdivision of
3 the greater Anchorage area into one- or two-member Senate districts, by
4 truncating some or all senatorial terms that still have two years to run,
5 would substantially interfere with the orderly processes of representative,
6 constitutional government in Alaska; and

7 WHEREAS the concept of representation in the Senate conceived by the
8 framers of the Alaska Constitution was that that body would represent some-
9 what larger constituencies and broader geographic or socio-economic areas
10 than members of the House of Representatives, and it is still possible under
11 the holdings of the United States and Alaska Supreme Courts to create units
12 of representation for the two legislative chambers that reflect somewhat
13 different constituencies; and

14 WHEREAS, even under the Governor's Proclamation of Reapportionment and
15 Redistricting, the second largest city in the state, Fairbanks, remains as
16 the largest community in the state with representation in the Senate as a
17 unit; thus, there is no rational basis for treating Anchorage in a contrary
18 manner, for if senators were elected areawide from Anchorage there would be
19 no need to arbitrarily abrogate the terms of senators elected in 1972 from
20 that city;

21 BE IT RESOLVED that it is the sense of the Senate of the Alaska State
22 Legislature that

23 (1) the members of the Senate should represent larger, broader
24 socio-economic constituencies and geographic units than the members of the
25 House of Representatives; this best can be achieved by treating the greater
26 Anchorage area in the same manner as the election district encompassing the
27 City of Fairbanks and the North Star Borough under the Governor's December 11,
28 1973, Proclamation of Reapportionment and Redistricting, thus electing
29 senators from both communities areawide; and

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(2) the terms of office of members of the Senate due to expire in 1976 should not be abrogated in 1974 due to, or as a result of, redistricting.