

Introduced: 2/6/78
Referred: Judiciary

BY THE RULES COMMITTEE BY
REQUEST OF THE LEGISLATIVE
COUNCIL

1 IN THE SENATE

2 SENATE CONCURRENT RESOLUTION NO. 77

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 Relating to reapportionment litigation.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

7 WHEREAS the Constitution of the State of Alaska provides in sec. 3 of
8 Art. VI for reapportionment of the house of representatives immediately
9 following the official reporting of each decennial census of the United
10 States; and

11 WHEREAS, since there is no constitutional provision for reapportionment
12 of the senate, reapportionment at the same time as reapportionment of the
13 house of representatives is the most reasonable course; and

14 WHEREAS the time schedule set by the constitution allows legislative
15 stability since the time set for reapportionment is fixed, is at frequent
16 enough intervals to prevent gross malapportionment, and allows use of current
17 data based upon the most reliable technique available; and

18 WHEREAS there is no history in Alaska since statehood of evasion of the
19 constitutional requirements; and

20 WHEREAS a case known as Price and Groh v. Hammond has been filed in the
21 United States District Court, District of Alaska as Civil Action A-77-248,
22 requesting that court to require immediate reapportionment and to restrain
23 any election to the legislature until reapportionment takes place; and

24 WHEREAS the United States decennial census will occur in 1980; and

25 WHEREAS reapportionment now is not timely; and

26 WHEREAS premature and recurrent reapportionment in disregard of the
27 Alaska Constitution is harmful to the interests of the legislature, its
28 members, and the public;

29 BE IT RESOLVED by the Alaska State Legislature that the Legislative

1 Council is directed to seek intervention in the pending action in United
2 States District Court and appeals which may arise from the decision in that
3 action, and to take whatever other legal action, including intervention in
4 court actions it considers best, in order that reapportionment takes place
5 next at the time established by art. VI of the Constitution of the State of
6 Alaska; and be it

7 FURTHER RESOLVED that the Council is authorized to represent the Tenth
8 State Legislature, its members in a representative capacity and individually
9 if members so elect, and other persons if the Council considers that desirable
10 and the persons have elected to be so represented.

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