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STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 18, 1982

SUBJECT: Judicial retention elections -- HB 624

TO: Representative Ramona L. Barnes  
Chairman, House Judiciary Committee

FROM: Richard A. Bradley  
Legislative Counsel *B*

You have asked that I explain the provision of HB 624 that ties judicial retention election districts to the legislative election districts as they existed in 1959. Sec. 22.18.050(b) (as enacted in Sec. 1 of HB 624) provides:

(b) For purposes of the section, the judicial retention election districts of the state are the election districts as they are described in art. XIV of the state constitution as it existed on March 19, 1959.

March 19, 1959 has no particular significance in itself; it is merely the effective date of Chapter 50, SLA 1959, the Act that established the Alaska court system and became the basis for AS 22.

The source of the date is AS 22.10.010, the section providing for the "establishment of the superior court" and establishing the borders of the four judicial districts of the superior court. The language of the section establishes each judicial district with reference to identified election districts, "as said districts are described in art. XIV of the state constitution on March 19, 1959".

Ever since the Alaska court system was established, the jurisdiction of the superior court has been tied to the 1959 election district borders. While the districts for the election of members of the legislature have varied since then, no alteration of the borders of the four judicial districts has occurred.

Representative Ramona L. Barnes

Page 2

February 18, 1982

I have no idea whether the judicial districts are obsolete in their borders or would benefit from revision. I am aware that there was some interest in that question several years ago but I believe the difficulties that caused the proposals may have been resolved otherwise. But I suggest that this bill should not seek to establish retention districts for judges in terms of the recent reapportionment, for example, without simultaneously altering the judicial districts of the superior court. Since the judicial districts establish lines in which cases may be brought and heard by particular judges, they should also establish the districts in which the judges seek retention.

If I may assist further, please advise. If you wish me to attend your hearing tomorrow, give me a call and I will come over.

RAB:ljb

**\*\*PLEASE NOTE\*\***

THE ORIGINAL FILE CONTAINS AN OVERSIZED DOCUMENT THAT IS UNSUITABLE FOR FILMING. PLEASE REFER TO THE ALASKA STATE ARCHIVES TO VIEW THE ORIGINAL.

"STATE OF ALASKA ELECTION DISTRICTS"  
AS DETERMINED BY STATE SUPREME COURT  
DECISION 6/26/74



THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 624 - "An Act relating  
Title to judicial retention elections; and providing for an effective  
Requested by House Judiciary Date 2/2/82 date."

II. FISCAL DETAIL

Agency Affected Office of the Governor  
Program Category Affected Division of Elections  
BRU, Program, Or Subprogram(s) Affected Division of Elections  
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		66.0		81.8		101.4
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	66.0	-0-	81.8	-0-	101.4

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	-0-	66.0	-0-	81.8	-0-	101.4
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

No additional positions required.

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

ASSUME:

1. The passage of this legislation will initially affect the 1982 Election ballots.
2. There would be 24 election districts as were designated in 1959.
3. Necessity of 24 separate ballots--one for each of the judicial election districts.
4. Additional 12% inflation for each of the subsequent election years affected (x2 since the Division of Elections operates on a two-year budget cycle).

No additional funds are required beyond the Contractual Services area. Additional postage, printing and advertising costs will be required for the printing of 24 separate ballots, the printing of additional Official Election Pamphlet pages, advertising costs and additional postage for the Pamphlet.

IV. DATE 2/3/82

PREPARED BY Danith D. Arnoldt

AGENCY Division of Elections

Original: Legislative Finance

PHONE 596-6181

cc: Budget and Management

Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. H.B. 624  
 Title An act relating to judicial retention elections  
 Requested by House Judiciary Date 2/3/82

II. FISCAL DETAIL

Agency Affected Alaska Court System/Judicial Council  
 Program Category Affected \_\_\_\_\_  
 BRU, Program, Or Subprogram(s) Affected \_\_\_\_\_  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

H. B. 624 will have no fiscal impact on the Alaska Court System or on the Judicial Council.

IV. DATE 2/4/82

PREPARED BY Richard P. Barrier

AGENCY Alaska Court System

Original: Legislative Finance

PHONE 264-0545

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

given the opportunity to express their will in response to a ballot that is drawn in conformity with the intent of the framers

of the Constitution of Alaska. *Boucher v. Bombhoff*, Sup. Ct. Op. No. 775 (File No. 1487), 495 P.2d 77 (1972).

**Section 4. Powers.** Constitutional conventions shall have plenary power to amend or revise the constitution, subject only to ratification by the people. No call for a constitutional convention shall limit these powers of the convention.

The United States Congress has no power to amend a state's constitution. *State v. Lewis*, Sup. Ct. Op. No. 1364 (File No. 3039), 559 P.2d 630, cert. denied, 432 U.S. 901, 97 S. Ct. 2943, 53 L. Ed. 2d 1073 (1977).

The constitution of the State of Alaska provides only two means for its amendment. Alaska Const., art. XIII, § 1 authorizes such amendments by a two-thirds vote of each house of the legislature thereafter approved by a majority vote at the next statewide election. This section provides for amendments by a constitutional convention subject to ratification by the people. *State v. Lewis*, Sup. Ct. Op. No. 1364 (File No. 3039), 559 P.2d 630, cert. denied, 432 U.S. 901, 97 S. Ct. 2943, 53 L. Ed. 2d 1073 (1977).

The Alaska Constitution may not be amended by popular vote alone, without prior action by either the legislature or a constitutional convention. *State v. Lewis*, Sup. Ct. Op. No. 1364 (File No. 3039), 559 P.2d 630, cert. denied, 432 U.S. 901, 97 S. Ct. 2943, 53 L. Ed. 2d 1073 (1977).

Adoption of provision in Statehood Act did not amend constitution. — Although included in Alaska Statehood Act, § 8(b), 48 U.S.C. Prec. § 21, was the provision that in the event that three propositions to be submitted to the voters were adopted by a majority vote, "the proposed constitution of the proposed State of Alaska . . . shall be deemed amended accordingly," and although the propositions were adopted, the Alaska Constitution was not thereby amended to include "the terms or conditions of the grants of land" set forth in Alaska Statehood Act, § 6(i) since there was no state legislature in existence at the time of passage of the Statehood Act, the territorial legislature never approved an amendment incorporating the restrictions of Alaska Statehood Act, § 6(i), which relates to mineral land grants, into the Alaska Constitution, and no constitutional convention was called to act on the matter. *State v. Lewis*, Sup. Ct. Op. No. 1364 (File No. 3039), 559 P.2d 630, cert. denied, 432 U.S. 901, 97 S. Ct. 2943, 53 L. Ed. 2d 1073 (1977).

Article XIV

Apportionment Schedule

Cross reference. -- As to legislative apportionment, see Alaska Const., art. VI.

**Section 1. Election Districts.** Members of the house of representatives shall, until reapportionment, be elected from the election districts and in the numbers shown below:

Number of District	Name of District	Number of Representatives
1	Prince of Wales	1
2	Ketchikan	2

<i>Number of District</i>	<i>Name of District</i>	<i>Number of Representatives</i>
3	Wrangell-Petersburg	1
4	Sitka	2
5	Juneau	2
6	Lynn Canal-Icy Straits	1
7	Cordova-McCarthy	1
8	Valdez-Chitina-Whittier	1
9	Palmer-Wasilla-Talkeetna	1
10	Anchorage	8
11	Seward	1
12	Kenai-Cook Inlet	1
13	Kodiak	2
14	Aleutian Islands	1
15	Bristol Bay	1
16	Bethel	1
17	Kuskokwim	1
18	Yukon-Koyukuk	1
19	Fairbanks	5
20	Upper Yukon	1
21	Barrow	1
22	Kobuk	1
23	Nome	2
24	Wade Hampton	1

**Reapportionment and redistricting.**  
— The reapportionment proclamation of the governor, dated June 14, 1974, as modified by the Alaska supreme court in *Groh v. Egan*, Sup. Ct. Op. Nos. 1081a, 1081b (File No. 2233), 526 P.2d 863 (1974),

provides that the election districts are to have the following numbers, names, and assignments of seats in the house of representatives:

<b>Election District</b>	<b>Name of District</b>	<b>Number of Representatives</b>
1	Ketchikan-Prince of Wales	2
2	Wrangell-Petersburg	1
3	Sitka	1
4	Juneau-Lynn Canal	2
5	Cordova-Valdez-Seward	1
6	Palmer	1
7	Anchorage Northwest	4
8	Anchorage Northeast	4
9	Anchorage Spenard	1
10	Anchorage East	2
11	Anchorage South	2
12	Anchorage West	2
13	Kenai-Cook Inlet	2
14	Kodiak	1
15	Aleutian Chain	1
16	Bristol Bay	1

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB624

Title "An Act relating to judicial retention elections; and providing for

Requested by Rep. Barnes, House Judiciary Committee Date 2/2/82

an effective date."

II. FISCAL DETAIL

Agency Affected Department of Law

Program Category Affected \_\_\_\_\_

BRU, Program, Or Subprogram(s) Affected \_\_\_\_\_

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The only agencies impacted by the provisions of this bill are the Alaska Court System and the Division of Elections.

IV. DATE February 3, 1982

PREPARED BY Richard I. Pegues, Director, Admin. Svcs.  
AGENCY Department of Law

Original: Legislative Finance  
cc: Budget and Management

PHONE 465-3672

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. H.B. 624  
Title An act relating to judicial retention elections  
Requested by House Judiciary Date 2/3/82

II. FISCAL DETAIL

Agency Affected Alaska Court System/Judicial Council  
Program Category Affected \_\_\_\_\_  
BRU, Program, Or Subprogram(s) Affected \_\_\_\_\_  
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TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

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GENERAL FUND						
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OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

H. B. 624 will have no fiscal impact on the Alaska Court System or on the Judicial Council.

IV. DATE 2/4/82 PREPARED BY Richard P. Barrier  
AGENCY Alaska Court System  
Original: Legislative Finance PHONE 264-0545  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)  
33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. H.B. 624  
Title An act relating to judicial retention elections  
Requested by House Judiciary Date 2/3/82

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GENERAL FUND						
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IV. DATE 2/4/82 PREPARED BY Richard T. Barrier  
AGENCY Alaska Court System

Original: Legislative Finance PHONE 264-0545  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)  
33-001 (Rev. 12/81)

**STATE OF ALASKA  
EXECUTIVE PROCLAMATION  
OF REAPPORTIONMENT AND REDISTRICTING**



**BY:  
GOVERNOR JAY S. HAMMOND  
JULY 24, 1981**

# REAPPORTIONMENT AND REDISTRICTING PLAN FOR THE ALASKA STATE LEGISLATURE




Prepared by: The Reapportionment Board  
June 10, 1981


I BELIEVE THIS IS A PLAN WHICH WILL SERVE THIS STATE  
WELL FOR THE NEXT DECADE UNTIL THE 1990 CENSUS REQUIRES A  
NEW REAPPORTIONMENT EFFORT.

DATED THIS 24 DAY OF July, 1981, AT JUNEAU,  
ALASKA.



  
\_\_\_\_\_  
JAY S. HAMMOND, GOVERNOR

ATTEST

  
\_\_\_\_\_  
TERRY MILLER, LT. GOVERNOR

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I.            INTRODUCTION

Article VI of the Alaska Constitution requires that reapportionment of election districts take place following each decennial census. The Governor is responsible for reapportionment with the assistance of a five-member advisory board.

The board must submit a plan for reapportionment and redistricting to the Governor within 90 days following receipt of official census data. The Governor has an additional 90 days to approve or modify the plan and issue a proclamation of reapportionment and redistricting.

A.    COMPOSITION OF THE BOARD

Article VI, Section 8 of the Alaska Constitution provides for appointment of a five-member reapportionment board to act in an advisory capacity to the Governor. None of the members is to be a public employee or official. Appointments are to be made without regard to political affiliation. One member each is to be appointed from the Southeastern, Southcentral, Central and Northwesterr. Senate Districts, the original geographic senate districts at the time of statehood. In September of 1979 Governor Hammond appointed the following individuals to serve on the Reapportionment Board: Kent Dawson, Juneau; Cliff Groh, Anchorage; John Holm, Fairbanks; Byron Mallott, Yakutat; and John Schaeffer, Kotzebue. During their organizational meeting in December 1979, Byron Mallott was selected as Board chairman and served until his resignation in August of 1980. In

September 1980, Governor Hammond appointed Avrum Gross of Juneau to the Board to replace Mallot. John Schaeffer was elected chairman during the Board meeting on October 15, 1981 and Kent Dawson was elected vice chairman.

#### B. STAFF AND TECHNICAL REQUIREMENTS

The Board secured the services of Karen Ward as full-time Executive Director to be responsible for all administrative and fiscal details for the Board. The Executive Director arranged meetings and prepared and maintained records for all meetings, hearings, and other business conducted by the Board. Additionally, the Executive Director developed proposals and monitored the work of consultants and other personnel retained by the Board. Suzanne Lowell was retained to provide clerical and administrative support on a part-time basis over the course of the project. The Board also entered into a Reimbursable Services Agreement (RSA) with the Department of Law to provide legal counsel on a full-time basis. Assistant Attorney General Thomas M. Jahnke served as legal counsel to the Board throughout its existence.

The University of Alaska, Institute of Social and Economic Research (ISER) was retained to assist the Board in its use of census data and to supplement that data with additional information on non-residents. The Institute presented a report prepared by Dr. John A. Kruse. Dr. Kruse's findings are discussed in detail in Section III of this report.

R & M Consultants, Inc., was selected to prepare the election district maps and corresponding legal boundary descriptions for the Board.

Additionally, demographic and statistical assistance was provided by the Department of Labor, Research and Analysis Section. Stephen Harrison assisted in developing pre-census population estimates by election district. State Demographer Dave Swanson assisted in organizing the census data for use by the Board. The Research and Analysis Section also handled all requests for population data regarding the 1980 census.

John Gliva of the Department of Community and Regional Affairs, Division of Community Planning, provided preliminary cartographic services. A complete set of Community and Regional Affairs mylars with incorporated city, regional corporation, Regional Education Attendance Area, and borough boundaries was made available to the Board and provided considerable assistance in developing preliminary proposals.

#### C. BUDGET

The Governor's Contingency Fund was the source of \$50,000 for the immediate activities of the Board in January of 1980. The Legislature approved a special appropriation of \$204,800 for Fiscal Year 1980. \$50,000 was returned to the Governor's Contingency Fund. \$47,025.90 lapsed at the end of FY 80. The Reapportionment Board was funded \$314,200 for FY 81.

## II. PUBLIC PARTICIPATION

The Reapportionment Board conducted 20 public hearings across the state beginning in October of 1980 and ending in February, 1981. A schedule of the dates and locations of the hearings is included in Table I.

The Board scheduled a week out of each month, over a period of four months, for public hearings. In almost every case, at least two board members were present to conduct the hearing. Weather conditions during the December hearing schedule grounded several of the board members in different locations. John Holm conducted the Ketchikan and Wrangell hearings, and Avrum Gross conducted the Sitka hearing. The Petersburg hearing for December was cancelled due to weather and rescheduled in February.

Advertising for the hearings included newspaper display ads that were typeset and camera-ready, and sent to the newspapers in the specific areas for each hearing. Thirty second public service announcements were recorded with the assistance of the Broadcast Information Office in the Office of the Governor, Division of Communications, and sent via telephone to the local radio stations. Formal press releases were issued prior to each set of hearings with the dates and locations of the hearings. Additionally, a televised interview with Board Executive Director Karen Ward was conducted prior to each round of hearings and sent via satellite to television stations across the state. Individual television and radio stations and newspapers

conducted interviews which resulted in increased advertising for the hearings.

Attendance at the hearings varied in each location. The time of day during which the hearing was held and conflicts with other activities may have contributed to a lower turnout at some of the meetings.

Many people expressed the sentiment that, prior to receipt of census data and absent any formal action by the Board, there was little to contribute regarding reapportionment during the public hearings. However, the Board had several major policy decisions to make concerning reapportionment and how they would proceed in developing their recommendations upon receiving census data. The Board sought public comment on a proposal to create 40 single-member house districts as well as arguments supporting multi-member districts. Various alternatives for apportioning the state senate were discussed during the hearings, including single-member districts and electing senators statewide. Local input and suggestions for either expanding current election district boundaries, if need be, or carving out portions of election districts to join with adjacent underpopulated districts were also sought during the meetings.

The Alaska Constitution allows 90 days from receipt of census data to prepare the reapportionment plan and submit it to the Governor. That period did not allow adequate time for the Board to conduct a second set of public hearings. The Board received official census data on

March 12, 1981. Organizing the census data, applying the results of the data obtained by ISER and preparing the maps for the Board to utilize in developing the plan took approximately 30 of the allotted 90 days.

The Board released a draft plan for house districts on May 5. Copies of the draft plan were supplied to each legislative information office, regional governor's and election offices, and mailed to each of the several hundred people who attended the public hearings. A statewide teleconference was scheduled for May 12, 1981 for public comment and testimony. The teleconference tied in 23 communities and approximately 60 people testified during the three-hour conference. Additionally, the Board received numerous telephone calls, telegrams and letters.

As a result of testimony received regarding the first proposal, the Board made several revisions and called for written public comment. The Board met on May 22, 1981 to finalize their recommendations and instructed the staff to prepare the text and corresponding maps to submit to the Governor.

### III. POPULATION BASE AND IDEAL DISTRICT SIZE

#### A. THE CENSUS POPULATION

The United States Census of 1980 reported a state population of 400,481. That total may include a significant number of persons who do not consider themselves to be residents or domiciliaries of Alaska, including aliens, oil

production base camp workers, lumber camp workers, workers at fish processing facilities, college students and military personnel and their dependents.1/

#### B. ADJUSTMENT OF CENSUS FIGURES

The United States Supreme Court has held that

[T]he Equal Protection Clause does not require the states to use total population figures derived from the federal census as the standard by which this substantial population equivalency is to be measured ... Neither in *Reynolds v. Sims* nor in any other decision has this Court suggested that the states are required to include aliens, transients, short-term or temporary residents, or persons denied the vote for conviction of a crime, in the apportionment base by which their legislators are distributed and against which compliance with the Equal Protection Clause is to be measured.

Burns v. Richardson, 384 U.S. 73, 16 L. Ed 2d 376, 390-391 (1966). With this principle in mind, Dr. John A. Kruse of the Institute of Social and Economic Research (ISER) of the University of Alaska inquired into the census treatment of the groups enumerated in III-A above.2/

In communication with the Bureau of the Census prior to the census date, Dr. Kruse learned that the census bureau had developed a special procedure for enumerating oil production base camps which allowed the census bureau to allocate the workers back to their true residence in Alaska or elsewhere.3/

There was extensive consideration by Dr. Kruse of floating and on-shore fish processing facilities.4/ Floating processors were enumerated by the census bureau in January through March 1980, at which time the non-resident population would have been at its lowest. On-shore processors were

enumerated ahead of the peak employment period, but there was a chance that some non-residents were included. Dr. Kruse noted the very short time-frame in which ISER would have to work, the variations in residency patterns from company to company, uncertainty as to how the residency of persons would be recorded in the census, and the likely resistance of workers to the efforts of ISER. Based on these factors, the Board decided to forego further inquiry into the residency of workers at fish processing facilities.5/

All but one of 88 companies active in the timber industry responded to ISER inquiries. Their responses indicated 630 non-resident lumber camp employees or dependents out of a total of 1,442. The Board decided not to undertake a further inquiry given the large number of camp locations and the relatively small number of people in each affected region.6/

Dr. Kruse recommended that there be no special study of college students to determine their residency characteristics. His reasons included the extremely low proportion of students (10%) paying non-resident tuition rates, indicating a relatively low non-residency factor, and their small number compared to the population of the surrounding communities.7/ The Board concurred.

The alien population in Alaska, based upon figures provided by the Immigration and Naturalization Service, is extremely small. Though relatively concentrated in a dozen election districts, their proportion does not exceed 2.9% in

any one area of concentration. The decision was made not to undertake a special study.<sup>8/</sup>

Felons and persons who are mentally incompetent were also considered. Their numbers were so small that no effort was made to eliminate any portion from the population base for reapportionment.

The only segment of the population thought to contain large and readily identifiable concentrations of non-residents is military personnel and their dependents. Historically, this group has been concentrated in great numbers in a handful of communities. Their residency factor has been thought to be very low.<sup>9/</sup>

The Alaska Supreme Court has approved the principle that non-resident military personnel may constitutionally be excluded from the reapportionment population base:

[W]hile the clause of the Alaska Constitution seeking to exclude military as a class is unconstitutional, that is not to say that some military cannot be excluded as a permissible device for limiting the impact of transients and non-residents on legislative districting.

Egan v. Hammond, 502 P. 2d 586, 869 (Ak. 1972). More to the point, the court observed:

We hold that it was reasonable for the Board to exclude some proportion of military personnel not merely because of their transience, but because a significant number of Alaska-based military personnel exercise an option to be non-Alaskans, despite their physical presence here. This phenomenon is well demonstrated by the minuscule voter registration on military enclaves. It is thus not offensive to notions of equal protections to exclude from the population base even military personnel who have lived in Alaska for substantial

periods of time, so long as those people have exercised their option to remain residents and domiciliaries of other states.

at 872-873. 10/

Dr. Kruse determined that there are seven military installations with populations large enough to affect the reapportionment process.11/ These installations are Elmendorf Air Force Base, Eielson Air Force Base, Fort Wainwright, Fort Richardson, Fort Greely, Adak Naval Base, and the Kodiak Coast Guard Station.

Because military records are not updated consistently, they were deemed unreliable. A full census of military personnel and their dependents was rejected both because of cost and because more reliable results can actually be obtained from a survey of a scientific sample. Thus, it was decided to proceed with a survey of military personnel and dependents, both on- and off-base.

The survey sought to answer two questions: First, did the respondent consider Alaska to be his or her home; second, was the respondent registered to vote in Alaska. If the answer to either of these inquiries was "yes", the respondent was deemed to be a resident; put another way, a person was not deemed to be a non-resident unless he or she neither voted nor considered Alaska home.12/

Separate non-residency factors were obtained for on-base servicemembers, on-base dependents, off-base servicemembers and off-base dependents. The off-base results were achieved by use of address lists provided by the military

branches which allowed Dr. Kruse to determine, with precision, how many servicemembers and dependents live in each off-base enumeration district near a given installation.

Table II shows the numbers of non-resident servicemembers and dependents deducted from the population of each base and the total number of non-resident servicemembers and dependents deducted from the off-base areas adjoining the installations.

#### C. IDEAL DISTRICT POPULATIONS

The total non-resident servicemember and dependent count is 31,363.8. When that number is subtracted from the census population of 400,481, an adjusted state population of 369,117.2 results.

The ideal house district population is the quotient of the adjusted population divided by the number of house seats to be apportioned, i.e.  $40. \underline{13}$ / That quotient is 9,228.

The ideal senate district population is the quotient of the adjusted population divided by the number of senate seats to be apportioned, i.e.  $20. \underline{14}$ / That quotient is 18,456.

### IV. THE ELECTION DISTRICTS

#### A. GUIDELINES

Federal and state constitutional provisions prescribe two basic rules to be followed by the Board in designing new election districts. First,

The Equal Protection Clause requires that a state make an honest and good faith effort to construct districts, in both houses of its legislature, as nearly of equal population as is practicable.

Reynolds v. Sims, 377 U.S. 533, 12 L. Ed 2d 506, 536 (1964)

(emphasis added).

Second,

Each new district so created shall be formed of contiguous and compact territory containing as nearly as practicable a relatively integrated socio-economic area.

Alaska Constitution, Article VI, § 6.

The population parameter first mentioned is elucidated in Groh v. Egan:

We conclude that in the absence of a showing that the manner of reapportioning the state was improperly motivated or had an impermissible effect, [combined] deviations of up to ten percent require no showing of justification. The state, however, has the burden of showing that [combined] deviations in excess of ten percent are "based on legitimate considerations incident to the effectuation of a rational state policy."

526 P.2d at 877. Thus, it was the Board's goal to fashion districts with combined deviations or variances from the population ideal of not more than ten percent. This was accomplished: the most overrepresented and underpopulated house district is Mid-Town Anchorage at 4.1737 percent; the most underrepresented and overpopulated house district is Juneau at 5.8084 percent; their combined variance is 9.9821 percent. Table III contains a statistical summary of the proposed house districts.

Notwithstanding the Board's success on the paramount population front, the district configurations also represent

contiguous, compact, relatively integrated socio-economic areas. The Board's conception of these terms follows.

1. Compactness and Contiguity

"Compact" and "contiguous" are relative terms embodying imprecise concepts. In the Board's view, the requirements aim to serve at least two goals. First, they are intended to foster the inclusion in a single district of people with substantially like backgrounds and concerns. Such people are typically found in a single region or area. Second, the standards introduce an efficiency into representative government by requiring a closer grouping of people to form a constituency. Such a grouping facilitates communication among constituents and between constituents and legislators.

To implement these concepts, the Board decided to fashion single-member house and senate districts throughout the state except in five relatively populous and socio-economically homogeneous areas.

Still, there is, in some features of the plan, an undeniable tension between the geographical aspect of the compactness requirement and its socio-economic aspect. Nowhere is this more apparent than in the Cordova-Inside Passage District. It is indisputable that Cordova is physically closer to Valdez and Seward than it is to the balance of House District 2. However, it is also indisputable that, from a socio-economic standpoint, Cordova has less in common with the predominantly commercialized and industrialized

economies of Seward and Valdez than with the fishing communities of the Inside Passage. Thus, to honor the form of the compactness command would debase its substance by combining socio-economically less compatible communities.

## 2. Socio-Economic Homogeneity

The concept of socio-economic homogeneity has a number of interrelated components, including ethnic composition, economic base, governmental and neighborhood boundaries, community size, transportation and communication links, and other miscellaneous considerations. In the task of district composition, a balance often had to be struck between competing socio-economic factors. In a given case one factor, e.g. economic base, might indicate the inclusion of a population group in district X. However, its ethnic composition might indicate inclusion in district Y. This balancing process was the most difficult part of the Board's task.

A primary concern of the Board, especially in northern and western Alaska was the ethnic composition of the districts. Divisions between the Athabascan and Eskimo peoples go back centuries and profoundly influence voting patterns today. Eskimos note bright-line distinctions between Inupiat Eskimos in the north and Yupik Eskimos in the south. Unfortunately, unbending observance of these divisions would have produced enormous population variances and severed other current and substantial cross-cultural socio-economic ties. It was therefore impossible to conform

district lines to the distribution of each of those cultural and social groups. Still, substantial respect for such divisions is apparent in the district boundaries between the North Slope-Kotzebue and Norton Sound districts on the one hand, and the Interior Rivers District on the other. Ethnic composition was a tertiary consideration in the design of the Inside Passage-Cordova District, after economic base and community size.

Economic base was a major factor in the composition of many districts. A shared economic base was a primary or secondary consideration in House Districts 1, 2 and 3 (fishing, timber), 4 (government), 5 (energy, fishing), 6 (shipping, recreation), 16 (agriculture), 17 (transportation, subsistence), 24 (subsistence), 26 and 27 (fishing).

A distinct effort was made to observe the Alaska Native Regional Corporation boundaries and the socio-economic divisions they embody, but there are a number of significant deviations therefrom, especially in the relatively populous Lower Yukon and Lower Kuskokwim areas. Respect for political subdivision boundaries is also apparent throughout the state. A deliberate and largely successful effort was made to respect the boundaries of the following political subdivisions: the Ketchikan Gateway Borough, the City and Borough of Juneau, the Haines Borough, the City and Borough of Sitka, the Kenai Peninsula Borough, the Municipality of Anchorage, the Matanuska-Susitna Borough, the Fairbanks North Star Borough, the North Slope Borough, the Bristol Bay

Borough and the Kodiak Island Borough. In Anchorage, the Board endeavored to follow the formal neighborhood council boundaries, with considerable success. Substantial strides were made toward the goal of eliminating large, multi-member districts in Anchorage and Fairbanks while preserving the integrity of the cities' neighborhoods. In Anchorage, none of the long-established neighborhoods has seen any substantial portion of its citizenry placed in a different district. It is the Board's hope that, in future decades, as the newer areas coalesce into readily identifiable neighborhoods, their geographic and social integrity will be respected in the reapportionment process.

Transportation and communication links explain many of the decisions made at the edges of districts. For example, these were important considerations in placing Platinum and Goodnews Bay in the Lower Kuskokwim district while Twin Hills and Togiak went with the Bristol Bay district. With the exception of the southern reaches of the Interior Rivers District and the southern third of the Norton Sound District, the villages on the edges of each bush district are oriented toward a transportation and communication center within the district.

There are a number of other miscellaneous considerations which influenced the Board, some of which are merely shorthand expressions for a combination of the socio-economic factors already discussed. One such expression is "lifestyle". It is illustrated more or less clearly in virtually every

district, with some districts reflecting an urban lifestyle, other districts representing a suburban lifestyle and still others representing rural and/or subsistence lifestyles. The senate district including South Anchorage, the Kenai Peninsula and the south coast constitutes a balance of rural and suburban interests in a region that is experiencing increasing commercialization and industrialization.

The Ketchikan-Wrangell-Petersburg district depicts the resolution of two legitimate but conflicting considerations: the logic of keeping all of the Ketchikan Gateway Borough together in one district; and the logic of not submerging the interests of Wrangell and Petersburg by including them in a "metropolitan" district with the much larger Ketchikan. In the case of House District 1, inclusion of Wrangell and Petersburg with Ketchikan is justified by the considerable identity and interdependence of their economies and the substantial ties between their citizens. Were districts drawn separating Ketchikan from Wrangell and Petersburg, it would also be necessary to submerge scores of small Indian villages in two districts dominated by the three larger white communities. This would do substantially more violence to the social interests of the Indian communities than District 1 does to the interests of Wrangell and Petersburg.

### 3. Single Member vs. Multi-member Districts

The Board decided at an early date to endeavor to fashion forty single-member house districts. Testimony in all communities save Fairbanks clearly favored the con-

cept.15/ The case is especially compelling in the bush areas where even single-member house districts are larger than most of our sister states. Thus, the Board adhered steadfastly to the single-member concept in bush Alaska.16/

In six areas of the state, however, two-member districts were fashioned. In Ketchikan, a two-member district was designed because of the overpopulation of the Ketchikan Gateway Borough. In order to create single-member districts, a portion of urban Ketchikan would have had to be carved out and joined with either Wrangell and Petersburg or a collection of smaller communities to the west and north of Ketchikan.

In Juneau a two-member district was utilized for two reasons: First, a two-member district would allow the preservation of the entire City and Borough of Juneau in a single district. Second, the population of Juneau constitutes a virtually indivisible unit that, with a government service economy, is unique in a region otherwise dominated by fishing and timber interests.

The Kenai Peninsula Borough is populous enough for two and three-quarters seats. If single-member seats were utilized, as in the Board staff's first proposal, the borough would be divided in three.17/ By use of a two-member house district, the borough is divided only in two. Even that split is ameliorated by the combination of the Kenai Peninsula, South Coast and South Anchorage districts in a two-member senate district. With the exception of the

Kachemak Bay communities, the senate district encompasses an area of growing urbanization, commercialization and industrialization.

A two-member district was utilized in the Matanuska-Susitna Borough area to keep the borough intact. The population approximates the ideal for a two-member house district.

The Fairbanks North Star Borough includes one two-member house district in downtown Fairbanks and three single-member house districts covering the outlying areas.

In Anchorage there are eight two-member house districts. These configurations accomplish two things: First, they allow the inclusion in a single district of entire neighborhoods which would have to be split if single-member house districts were the rule. Second, they work less hardship on incumbents and constituents who have, since the 1974 reapportionment, been joined in districts with broader interests in Anchorage. This plan is, in effect, a step toward single-member districts, which goal may be reached in the 1991 reapportionment plan if the intervening decade of experience recommends the concept.

In the rural areas of Alaska the Board combined two house districts to make one single-member senate district. In three areas, Fairbanks, Anchorage, and the Kenai Peninsula, the Board combined four house districts to make two-member senate districts with designated seats. Table IV contains a statistical summary of the proposed senate districts.

#### 4. Length of Senate Terms

Realignment of senate districts in this plan creates some districts with two or more incumbents and some districts with no incumbents. The Board believes that that situation must be corrected at the next election in 1982. In order to accomplish this, candidates must run to represent the vacant districts. However, because the constitution limits the size of the senate to 20, for every vacant district that elects a senator, another district with two or more incumbents must give up a senator. Some of those senators are serving terms that will not expire until January 1985.

Another problem is the need to preserve the staggering of senate seats whereby only half of the seats are filled at each election.<sup>18/</sup> Thus, for the 1982 elections in which more than ten senate seats may be filled, the Board must decide which seats will have two-year terms and which will have four-year terms.

Truncation of some senators' terms is unavoidable. The Board recommends that truncation occur only in two situations: First, where approximately one-third or more of an incumbent senator's constituency has changed, truncation may occur. That is, approximately one-third of the population of an incumbent's new district did not have an opportunity to vote on the incumbent in 1980, that incumbent's term may be truncated in 1982. Additionally, if approximately one-third of the population which had the

opportunity to vote on the incumbent in 1980 is now in a different district, that incumbent's term may be truncated. Second, if it is the case that, notwithstanding the numerical standard just articulated, an incumbent now represents a district in which the method of selecting senators has changed, that incumbent's term may be truncated. For example, if an incumbent had been elected in an at-large, multi-member district in 1980, and were now in a two-member district with designated seats, his or her term could be truncated.

In each of the six two-member senate districts, the seat designated "A" will be a two-year seat for the 1982 elections; the seat designated "B" will be a four-year seat. For the remaining eight single-member senate districts, length of terms commencing in 1982 was decided by drawing lots:

<u>Senate District</u>	<u>Term</u>
A	four-year
B	two-year
C	four-year
I	two-year
J	four-year
L	four-year
M	two-year
N	two-year

Beginning in 1984, senate elections should follow the constitutionally prescribed scheme wherein ten seats are filled at each election for four-year terms.

## B. DISTRICT CONFIGURATIONS AND POPULATIONS

### 1. Ketchikan-Wrangell-Petersburg

District 1 is an area within a line proceeding from Dixon Entrance in a northerly direction up Clarence Strait, passing west of Zarembo Island, northerly up Duncan Canal, across Frederick Sound to a point just north and west of Cape Fanshaw, then northeasterly to the Canadian border and southerly along the Canadian border to the point of beginning at Dixon Entrance. The district includes the Ketchikan Gateway Borough, Wrangell, Petersburg, Metlakata, Hyder, Saxman, Meyers Chuck and Kupreanof. It has a population of 17,940 and a variance of -2.8 percent. Candidates will run for either of two designated seats in the house and one senate seat.

### 2. Inside Passage-Cordova

District 2 is composed of that portion of Southeast Alaska between Dixon Entrance and Port Gravina on Prince William Sound that is not contained in Districts 1, 3 and 4. Included within its boundaries are the communities of Cordova, Yakutat, Haines, Skagway, Klukwan, Gustavus, Angoon, Kake, Thorne Bay, Klawock, Craig and Hydaburg. The district has a population of 9,301 and a variance of +.8 percent. One house member will be elected from the district. With District 3, it will elect one senator.

### 3. Baranof-Chichagof

District 3 consists of Baranof Island and Chichagof Island. The communities on the islands include Sitka,

Pelican, Hoonah, Tenakee Springs and Port Alexander. The district has a population of 9,266 and variance of +.4 percent. It will elect one house member and, with District 2, one senator.

4. Juneau

District 4 boundaries coincide with those of the City and Borough of Juneau. The district has a population of 19,528 and a variance of +5.8084 percent. It will elect two house members to designated seats and one senator.

5. Kenai-Cook Inlet

District 5 includes all of the coastal areas on the east and west sides of Cook Inlet that lie south and west of Nikishka. Sterling is also within the district. The district has a population of 19,058 and a variance of +3.3 percent. Candidates will run for either of two designated seats in the house. Districts 5, 6 and 7 will elect two senators to designated seats.

6. North Kenai-South Coast

District 6 includes the northern quarter of the Kenai Peninsula, Nikishka, Hope, Cooper Landing, Moose Pass, Seward, Whittier and Valdez. It has a population of 9,267 and a variance of +.4 percent. It will elect one house member and, with Districts 5 and 7, two senators to designated seats.

7. South Anchorage

District 7 contains the suburban southern and southeastern reaches of the Municipality of Anchorage,

including the community council areas of Eldon, Old Seward/Oceanview, Rabbit Creek, Turnagain Arm and Girdwood Valley. Its northern boundary proceeds east from the inlet on Klatt Road to the New Seward Highway, southerly on the New Seward Highway to DeArmoun Road, east on DeArmoun Road to Morgaard Road, easterly on Morgaard Road to DeArmoun Road, easterly and southerly on Rabbit Creek. The district has a population of 8,853.2 and a variance of -4.1 percent. It will elect one house member and, with Districts 5 and 6, two senators to designated seats.

#### 8. Hillside

District 8 is bounded on the south by Rabbit Creek, Morgaard Road and DeArmoun Road and on the west by the Seward Highway. At Tudor Road the boundary proceeds east to Bragaw Road where it turns south. This district includes the neighborhood council areas of Campbell Park, Abbott Loop, Huffman-O'Malley, Mid-Hillside, Hillside East and Glen Alps. The district population is 18,202.1 and its variance is -1.4 percent. It will elect two house members to designated seats and, with District 9, two senators to designated seats.

#### 9. Sand Lake

District 9 is bounded by a line beginning at the inlet and proceeding east on Klatt Road. The line proceeds north on the New Seward Highway to Dimond Boulevard where it turns west. At Minnesota Drive the line turns north and proceeds to International Airport Road where it turns west

and extends to the inlet. The district includes the community council areas of Sand Lake and Klatt Road. Its population is 18,004.7 and its variance is -2.4 percent. It will elect two house members to designated seats and, with District 8, two senators to designated seats.

10. Mid-Town

District 10 is bounded by a line beginning at the intersection of the Seward Highway and Dimond Boulevard. The line proceeds west to Minnesota Drive, north to International Airport Road, east to the Alaska Railroad, north by northwest along the railroad right of way to Tudor Road, east to Arctic Boulevard, north to 36th Avenue, east on 36th Avenue to C Street, north to Northern Lights Boulevard, west to Spenard Road, north to W. 25th Street, west to Minnesota Drive, north to Chester Creek, easterly to Lake Otis Road, south to Tudor Road, west to the New Seward Highway and south to the point of beginning. The district includes the community council areas of North Star, Rogers Park, Tudor, and parts of Spenard and Taku-Campbell. It has a population of 17,685.7 and a variance of -4.1737 percent. It will elect two house members to designated seats and, with District 11, two senators to designated seats.

11. West Side

District 11 is bounded by the boundary of District 10 on the east, International Airport Road on the south, and the inlet and Chester Creek on the north. It includes the community council area of Turnagain and the major part of

the Spenard area. It has a population of 17,957.8 and a variance of -2.7 percent. It will elect two house members to designated seats and, with District 10, two senators to designated seats.

12. Downtown

District 12 is bounded by Chester Creek on the south, Bragaw Road on the east, Commercial Drive and the Elmendorf reservation boundary on the north and the inlet on the west. Included are the community council areas of Government Hill, Downtown, Penland Park and South Addition, and parts of the areas of Fairview, North Mountain View and Airport Heights. The district has a population of 18,170 and a variance of -1.5%. It will elect two house members to designated seats and, with District 13, two senators to designated seats.

13. Mountain View-University

District 13 is bounded by a line beginning at the intersection of Tudor Road and Lake Otis Road proceeding east to Baxter Road, north to Northern Lights Boulevard, west to Boniface Road, north to the Glenn Highway, west on the Glenn Highway, northerly and westerly around North Mountain View along the Elmendorf military reservation boundary, south to the Glenn Highway, east to Bragaw Road, south to Chester Creek, westerly to Lake Otis Road and south to the point of beginning. The district includes the community council areas of Russian Jack Park and University, and parts of the North Mountain View and Airport Heights

areas. It has a population of 18,907.5 and a variance of +2.4 percent. It will elect two house members to designated seats and, with District 12, two senators to designated seats.

14. Muldoon

District 14 includes Stuckagain Heights and the community council areas of Northeast and Scenic Park. That part of the Northeast area bounded by Boniface Road, DeBarr Road, Turpin Street and the Glenn Highway is included in District 15. District 14 has a population of 19,031.5 and a variance of +3.1 percent. It will elect two house members to designated seats and, with District 15, two senators to designated seats.

15. Chugiak-Eagle River-Bases

District 15 includes the community council areas of Eklutna Valley, Chugiak, Birchwood and Eagle River Valley. Also included are Fort Richardson, Elmendorf Air Force Base and that area of the Northeast community council area bounded by Boniface Road, DeBarr Road, Turpin Street and the Glenn Highway. The district has a population of 18,560.7 and a variance of +.56 percent. It will elect two house members to designated seats and, with District 14, two senators to designated seats.

16. Matanuska-Susitna

District 16 is comprised of the Matanuska-Susitna Borough, including the communities of Talkeetna, Willow, Houston, Big Lake, Wasilla, Bodenbug Butte, Palmer, Sutton,

Peter's Creek, Montana and Chickaloon. It has a population of 17,724.6 and a variance of -4.0 percent. It will elect two house members to designated seats and one senator.

17. Interior Highways

District 17 is made up of those areas outside of the Matanuska-Susitna Borough and the Fairbanks North Star Borough which are along the Glenn, Parks, Richardson and Alaska Highways. Included are Paxson, Gulkana, Glennallen, Copper Center, Tonsina, Tazlina, McCarthy, Eagle, Delta, Fort Greely, Tanacross, Tok, Tetlin, Northway, Nenana, Anderson, Healy and Cantwell. The district has a population of 9,111.9 and a variance of -1.2 percent. It will elect one house member and, with District 18, one senator.

18. Southeast North Star Borough

District 18 encompasses the southeast section of the Fairbanks North Star Borough. It includes North Pole, Eielson Air Force Base, Salcha and Harding Lake. Its population is 9,300, with a variance of +.7 percent. It will elect one house member and, with District 17, one senator.

19. Fort Wainwright-Outer Fairbanks

District 19 includes Livengood, Ester, Goldstream Road, the Steese Highway, the eastern half of Farmers Loop Road, Fort Wainwright, Chena Hot Springs Road, Circle, Central and Circle Hot Springs. It has a population of 8,934.3 and a variance of -3.2 percent. It will elect one house member and, with Districts 20 and 21, two senators to designated seats.

## 20. Fairbanks City

District 20 is bounded by the Noyes Slough and University Avenue on the west, the Fairbanks International Airport on the southwest, the Tanana River on the south and Fort Wainwright on the east. The Creamers Field area is included as the northern edge of the district. The district has a population of 18,319.7 and a variance of -.7 percent. It will elect two house members to designated seats and, with Districts 19 and 21, two senators to designated seats.

## 21. West Fairbanks

District 21 includes the western half of Farmers Loop Road and the area west of Noyes Slough and University Avenue to, but not including, the Ester area. It has a population of 9,247.1 and a variance of +.2 percent. It will elect one house member and, with Districts 19 and 20, two senators to designated seats.

## 22. North Slope-Kotzebue

District 22 includes the areas of the North Slope Borough/Arctic Slope Regional Corporation and the Northwest Alaska Native Association. It has a population of 9,030 and a variance of -2.1 percent. The district will elect one house member and, with District 23, one senator.

## 23. Norton Sound

District 23 includes the area of the Bering Straits Regional Corporation; Shishmaref, Diomedes, Teller, Nome, Koyuk and Saint Michael, and the coastal communities

as far south as Hooper Bay and Paimiut. Chevak is also included along with Yukon River villages down river from Mountain Village. The district has a population of 9,388 and a variance of +1.7 percent. It will elect one house member and, with District 22, one senator.

#### 24. Interior Rivers

District 24 includes the communities on or near the great interior rivers, the Yukon, the Koyukuk and the Kuskokwim, as far down river as Mountain Village on the Yukon and Lower Kalskag on the Kuskokwim. The Lake Clark and Lake Iliamna communities, Minto and Manley Hot Springs are included; Eagle and Circle are not included. The district has a population of 9,549 and a variance of +3.5 percent. It will elect one house member and, with District 25, one senator.

#### 25. Lower Kuskokwim

District 25 includes the Kuskokwim River communities down river from Tuluksak and the coastal communities from Newtok to Platinum. It has a population of 9,698 and a variance of +5.1 percent. It will elect one representative and, with District 24, one senator.

#### 26. Bristol Bay-Aleutian Islands

District 26 includes all of the Bristol Bay Native Corporation area except Ivanof Bay, Perryville, Chignik Lake, Chignik Lagoon and the Lake Clark-Lake Iliamna communities. Included are the remainder of the Alaska Peninsula communities, the Aleutian communities, the Bristol Bay

communities as far west as Twin Hills, and communities as far up river as Aleknagik and Koliganek. The Bristol Bay Borough is also included. The district has a population of 9,479 and a variance of +2.7 percent. It will elect one house member and, with District 27, one senator.

27. Kodiak-East Alaska Peninsula

District 27 covers the Kodiak Island Borough and the Alaska Peninsula communities of Ivanof Bay, Perryville, Chignik Lake, Chignik and Chignik Lagoon. It has a population of 9,592.4 and a variance of +3.9 percent. It will elect one house member and, with District 26, one senator.

## TABLE I

REAPPORTIONMENT BOARD  
PUBLIC HEARING SCHEDULE

<u>Community</u>	<u>Date and Time</u>	<u>Location</u>
Anchorage	January 8, 1981 1:30 p.m. 7:30 p.m.	Grand Jury Room #402 Alaska Court Building 303 K Street
Barrow	October 20, 1980 1:30 p.m.	Borough Assembly Chambers
Bethel	October 17, 1980 7:30 p.m.	City Council Chambers
Cordova	November 20, 1980 7:30 p.m.	Public Library Meeting Room
Delta Junction	January 6, 1981 7:00 p.m.	Delta School Gymnasium
Dillingham	October 17, 1980 1:30 p.m.	City Council Chambers
Fairbanks	January 7, 1981 1:30 p.m. 7:30 p.m.	Borough Assembly Chambers
Glennallen	November 18, 1980 7:30 p.m.	School District Office
Juneau	December 11, 1980 7:30 p.m.	Alaska Court Building
Kenai	November 17, 1980 7:30 p.m.	Fire Hall
Ketchikan	December 8, 1980 7:30 p.m.	Borough Assembly Chambers
Kodiak	October 16, 1980 7:30 p.m.	Borough Assembly Chambers
Kotzebue	October 19, 1980 7:30 p.m.	City Council Chambers
Nome	October 18 1980 1:30 p.m.	City Hall, Council Chambers
Palmer	November 18, 1980 1:30 p.m.	Borough Assembly Chambers
Petersburg	February 5, 1981* 7:30 p.m.	City Council Chambers

Seward	November 17, 1980 1:30 p.m.	City Council Chambers
Sitka**	December 10, 1980 7:30 p.m.	Centennial Building
Valdez	November 19, 1980 7:30 p.m.	City Council Chambers
Wrangell	December 9, 1980 12:00 p.m.	City Council Chambers

\*Originally scheduled December 9, 1980, but due to weather the hearing had to be cancelled.

\*\*Due to weather conditions, Av Gross was the only board member in attendance. Participants did not wish their remarks to be taped. Therefore, there is no transcript of the Sitka hearing.

TABLE II

CALCULATION OF NON-RESIDENT  
MILITARY POPULATION

On-Base

<u>Installation</u>	<u>Census Count</u>	<u>Ratio of Dependents to Servicemembers</u>	<u>Proportion of Non-Resident Dependents</u>	<u>Proportion of Non-Resident Servicemembers</u>	<u>Non-Resident Population Coefficients</u>	<u>Non-Resident Population</u>	<u>Resident Population</u>
Elmendorf AFB	9,189	1.71	.69	.78	.723	6,643.6	2,545.4
Eielson AFB	5,232	1.39	.70	.79	.738	3,861.2	1,370.8
Ft. Wainwright	5,812	1.49	.66	.77	.704	4,091.6	1,720.4
Ft. Richardson	8,157	1.14	.77	.78	.775	6,321.7	1,835.3
Ft. Greely	1,635	1.08	.78	.81	.794	1,298.2	336.8
Adak Naval Stn	3,315	1.14	.87	.91	.889	2,947	368
Kodiak CG Stn	1,370	1.71	.59	.71	.634	868.6	501.4
Subtotals	(34,710)					(26,031.9)	(8,678.1)

Off-Base

Anchorage - (Elmendorf AFB/Ft Richardson)	4,678.5
Fairbanks - (Eielson AFB/Ft Wainwright)	382.1
Matanuska-Susitna - (Elmendorf AFB/Ft Richardson)	41.4
Delta Junction - (Ft Greely)	229.9
Subtotal	(5,331.9)
TOTAL NON-RESIDENT MILITARY AND DEPENDENTS	31,363.8

Total 1980 Statewide Population 400,481 - 31,363.8 = 369,117.2

Total 1980 Statewide Population less Non-resident Military and Dependents:  
369,117.2 ÷ 40 = 9,227.9

Ideal House District Population 9,227.9  
Senate District Population 18,455.8

TABLE III

STATISTICAL SUMMARY  
HOUSE DISTRICTS  
June 10, 1981

<u>House District</u>	<u>Name</u>	<u>Population</u>	<u>Population Variance</u>
1. Seat A (2) Seat B	Ketchikan-Wrangell- Petersburg	17,940 (8,970/seat)	-2.6%
2. (1)	Inside Passage-Cordova	9,301	+ .8%
3. (1)	Baranof-Chichagof	9,266	+ .4%
4. Seat A (2) Seat B	Juneau	19,528 (9,764/seat)	+5.8084%
5. Seat A (2) Seat B	Kenai-Cook Inlet	19,068 (9,534/seat)	+3.3%
6. (1)	North Kenai-South Coast	9,267	+ .4%
7. (1)	South Anchorage	8,853.2	-4.1%
8. Seat A (2) Seat B	Hillside	18,202.1 (9,101.05/seat)	-1.4%
9. Seat A (2) Seat B	Sand Lake	18,004.7 (9,002.35/seat)	-2.4%
10. Seat A (2) Seat B	Mid-Town	17,685.7 (8,842.85/seat)	-4.17371%
11. Seat A (2) Seat B	West Side	17,957.8 (8,978.9/seat)	-2.7%
12. Seat A (2) Seat B	Downtown	18,170 (9,085/seat)	-1.5%
13. Seat A (2) Seat B	Mountain View-University	18,907.5 (9,453.75/seat)	+2.4%
14. Seat A (2) Seat B	Muldoon	19,031.5 (9,515.75/seat)	+3.1%
15. Seat A (2) Seat B	Chugiak-Eagle River- Bases	18,560.7 (9,280.35/seat)	+ .56%
16. Seat A (2) Seat B	Matanuska-Susitna	17,724.6 (8,862.3/seat)	-4.0%
17. (1)	Interior Highways	9,111.9	-1.2%
18. (1)	Southeast North Star Borough	9,300	+ .7%

19. (1)	Outer Fairbanks	8,934.3	-3.2%
20. Seat A (2) Seat B	Fairbanks City	18,319.7 (9,159.8/seat)	- .7%
21. (1)	West Fairbanks	9,247.1	+ .2%
22. (1)	North Slope-Kotzebue	9,030	-2.1%
23. (1)	Norton Sound	9,388	+1.7%
24. (1)	Interior Rivers	9,549	+3.5%
25. (1)	Lower Kuskokwim	9,698	+5.1%
26. (1)	Bristol Bay-Aleutian Islands	9,479	+2.7%
27. (1)	Kodiak-East Alaska Peninsula	9,592.4	+3.9%
	TOTAL POPULATION (Less Non-Resident Military and Dependents)	<u>369,117.2</u>	
	Maximum Overpopulation	5.8084% (Juneau)	
	Maximum Underpopulation	<u>4.17371%</u> (South Anchorage)	
	Total Combined Variation	9.98211%	

TABLE IV

STATISTICAL SUMMARY  
SENATE DISTRICTS  
June 10, 1981

<u>Senate District</u>	<u>Name</u>	<u>Population</u>	<u>Population Variance</u>
A. (1)	Ketchikan-Wrangell-Petersburg	17,940	-2.8%
B. (1)	Inside Passage-Cordova-Baranof-Chichagof	18,567	+ .6%
C. (1)	Juneau	19,528	+5.8%
D. Seat A (2) Seat B	Kenai-Cook Inlet-North Kenai-South Coast-South Anchorage	37,188.2	+ .7%
E. Seat A (2) Seat B	Hillside-Sand Lake	36,206.8	-1.9%
F. Seat A (2) Seat B	Mid-Town-West Side	35,643.5	-3.4%
G. Seat A (2) Seat B	Downtown-Mountain View-University	37,077.5	+ .4%
H. Seat A (2)	Muldoon-Chugiak-Eagle River-Bases	37,592.2	+1.8%
I. (1)	Matanuska-Susitna	17,724.6	-4.0%
J. (1)	Interior Highways-Southeast North Star Borough	18,411.9	- .2%
K. Seat A (2) Seat B	Outer Fairbanks-Fairbanks City-West Fairbanks	36,501.1	-1.1%
L. (1)	North Slope-Kotzebue Norton Sound	18,418	- .2%
M. (1)	Interior Rivers-Lower Kuskokwim	19,247	+4.3%
N. (1)	Bristol Bay-Aleutian Islands-Kodiak-East Alaska Peninsula	19,071.4	+3.3%
TOTAL POPULATION (Less Non-resident military and dependents)		<u>369,117.2</u>	
Maximum Overpopulation		+5.8% (Juneau)	
Maximum Underpopulation		<u>-4.0%</u> (Mat-Su)	
Combined Variation		9.8%	

NOTES

1/ See "Final Report, Design and Implementation of Alaska 1980 Reapportionment Data Collection Effort," August 29, 1980 by Dr. John A. Kruse of the Institute of Social and Economic Research (ISER) of the University of Alaska (hereinafter "Kruse") p. 9.

2/ See, generally, Kruse at 9-35.

3/ Id. at 9-11 and 23-26.

4/ Id. at 11-12 and 26-28.

5/ Id. at 26-28.

6/ Id. at 28 and 30.

7/ Id. at 30-33.

8/ Id. at 33.

9/ In 1972, the Board found only 11% of the active duty military personnel to be residents. Groh v. Egan, 526 P. 2d 863, 874 (Alaska 1973).

10/ Alaska's election code prescribes the following rules for determining residency for voting purposes:

(1) No person may be considered to have gained a residence solely by reason of his presence nor may he lose it solely by reason of his absence while in the civil or military service of this state or of the United States....

(2) The residence of a person is that place in which his habitation is fixed, and to which, whenever he is absent, he has the intention to return....

AS 15.05.020

11/ See, generally, Kruse at 35-48.

12/ Id. at 42

13/ Alaska Constitution, Article II, § 1

14/ Id.

15/ In Fairbanks, the sentiment was fairly evenly split.

16/ As a consequence, the relatively populous Calista Native Regional Corporation area cannot be contained within a single district.

17/ A variation on the staff proposal, dividing the Kenai Peninsula Borough in three and placing Kenai and Soldotna in separate districts, was favored by Kenai Peninsula Borough Mayor Stan Thompson in a letter to the Board dated May 21, 1981.

18/ Alaska Constitution, Article II, § 3.

# REAPPORTIONMENT AND REDISTRICTING PLAN FOR THE ALASKA STATE LEGISLATURE



Prepared by: The Reapportionment Board  
June 10, 1981

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I.           INTRODUCTION

Article VI of the Alaska Constitution requires that reapportionment of election districts take place following each decennial census. The Governor is responsible for reapportionment with the assistance of a five-member advisory board.

The board must submit a plan for reapportionment and redistricting to the Governor within 90 days following receipt of official census data. The Governor has an additional 90 days to approve or modify the plan and issue a proclamation of reapportionment and redistricting.

A.   COMPOSITION OF THE BOARD

Article VI, Section 8 of the Alaska Constitution provides for appointment of a five-member reapportionment board to act in an advisory capacity to the Governor. None of the members is to be a public employee or official. Appointments are to be made without regard to political affiliation. One member each is to be appointed from the Southeastern, Southcentral, Central and Northwestern Senate Districts, the original geographic senate districts at the time of statehood. In September of 1979 Governor Hammond appointed the following individuals to serve on the Reapportionment Board: Kent Dawson, Juneau; Cliff Groh, Anchorage; John Holm, Fairbanks; Byron Mallott, Yakutat; and John Schaeffer, Kotzebue. During their organizational meeting in December 1979, Byron Mallott was selected as Board chairman and served until his resignation in August of 1980. In

September 1980, Governor Hammond appointed Avrum Gross of Juneau to the Board to replace Mallot. John Schaeffer was elected chairman during the Board meeting on October 15, 1981 and Kent Dawson was elected vice chairman.

#### R. STAFF AND TECHNICAL REQUIREMENTS

The Board secured the services of Karen Ward as full-time Executive Director to be responsible for all administrative and fiscal details for the Board. The Executive Director arranged meetings and prepared and maintained records for all meetings, hearings, and other business conducted by the Board. Additionally, the Executive Director developed proposals and monitored the work of consultants and other personnel retained by the Board. Suzanne Lowell was retained to provide clerical and administrative support on a part-time basis over the course of the project. The Board also entered into a Reimbursable Services Agreement (RSA) with the Department of Law to provide legal counsel on a full-time basis. Assistant Attorney General Thomas M. Jahnke served as legal counsel to the Board throughout its existence.

The University of Alaska, Institute of Social and Economic Research (ISER) was retained to assist the Board in its use of census data and to supplement that data with additional information on non-residents. The Institute presented a report prepared by Dr. John A. Kruse. Dr. Kruse's findings are discussed in detail in Section III of this report.

R & M Consultants, Inc., was selected to prepare the election district maps and corresponding legal boundary descriptions for the Board.

Additionally, demographic and statistical assistance was provided by the Department of Labor, Research and Analysis Section. Stephen Harrison assisted in developing pre-census population estimates by election district. State Demographer Dave Swanson assisted in organizing the census data for use by the Board. The Research and Analysis Section also handled all requests for population data regarding the 1980 census.

John Gliva of the Department of Community and Regional Affairs, Division of Community Planning, provided preliminary cartographic services. A complete set of Community and Regional Affairs mylars with incorporated city, regional corporation, Regional Education Attendance Area, and borough boundaries was made available to the Board and provided considerable assistance in developing preliminary proposals.

#### C. BUDGET

The Governor's Contingency Fund was the source of \$50,000 for the immediate activities of the Board in January of 1980. The Legislature approved a special appropriation of \$204,800 for Fiscal Year 1980. \$50,000 was returned to the Governor's Contingency Fund. \$47,025.90 lapsed at the end of FY 80. The Reapportionment Board was funded \$314,200 for FY 81.

## II. PUBLIC PARTICIPATION

The Reapportionment Board conducted 20 public hearings across the state beginning in October of 1980 and ending in February, 1981. A schedule of the dates and locations of the hearings is included in Table I.

The Board scheduled a week out of each month, over a period of four months, for public hearings. In almost every case, at least two board members were present to conduct the hearing. Weather conditions during the December hearing schedule grounded several of the board members in different locations. John Holm conducted the Ketchikan and Wrangell hearings, and Avrum Gross conducted the Sitka hearing. The Petersburg hearing for December was cancelled due to weather and rescheduled in February.

Advertising for the hearings included newspaper display ads that were typeset and camera-ready, and sent to the newspapers in the specific areas for each hearing. Thirty second public service announcements were recorded with the assistance of the Broadcast Information Office in the Office of the Governor, Division of Communications, and sent via telephone to the local radio stations. Formal press releases were issued prior to each set of hearings with the dates and locations of the hearings. Additionally, a televised interview with Board Executive Director Karen Ward was conducted prior to each round of hearings and sent via satellite to television stations across the state. Individual television and radio stations and newspapers

conducted interviews which resulted in increased advertising for the hearings.

Attendance at the hearings varied in each location. The time of day during which the hearing was held and conflicts with other activities may have contributed to a lower turnout at some of the meetings.

Many people expressed the sentiment that, prior to receipt of census data and absent any formal action by the Board, there was little to contribute regarding reapportionment during the public hearings. However, the Board had several major policy decisions to make concerning reapportionment and how they would proceed in developing their recommendations upon receiving census data. The Board sought public comment on a proposal to create 40 single-member house districts as well as arguments supporting multi-member districts. Various alternatives for apportioning the state senate were discussed during the hearings, including single-member districts and electing senators statewide. Local input and suggestions for either expanding current election district boundaries, if need be, or carving out portions of election districts to join with adjacent underpopulated districts were also sought during the meetings.

The Alaska Constitution allows 90 days from receipt of census data to prepare the reapportionment plan and submit it to the Governor. That period did not allow adequate time for the Board to conduct a second set of public hearings. The Board received official census data on

March 12, 1981. Organizing the census data, applying the results of the data obtained by ISER and preparing the maps for the Board to utilize in developing the plan took approximately 30 of the allotted 90 days.

The Board released a draft plan for house districts on May 5. Copies of the draft plan were supplied to each legislative information office, regional governor's and election offices, and mailed to each of the several hundred people who attended the public hearings. A statewide teleconference was scheduled for May 12, 1981 for public comment and testimony. The teleconference tied in 23 communities and approximately 60 people testified during the three-hour conference. Additionally, the Board received numerous telephone calls, telegrams and letters.

As a result of testimony received regarding the first proposal, the Board made several revisions and called for written public comment. The Board met on May 22, 1981 to finalize their recommendations and instructed the staff to prepare the text and corresponding maps to submit to the Governor.

### III. POPULATION BASE AND IDEAL DISTRICT SIZE

#### A. THE CENSUS POPULATION

The United States Census of 1980 reported a state population of 400,481. That total may include a significant number of persons who do not consider themselves to be residents or domiciliaries of Alaska, including aliens, oil

production base camp workers, lumber camp workers, workers at fish processing facilities, college students and military personnel and their dependents.1/

#### B. ADJUSTMENT OF CENSUS FIGURES

The United States Supreme Court has held that

[T]he Equal Protection Clause does not require the states to use total population figures derived from the federal census as the standard by which this substantial population equivalency is to be measured ... Neither in *Reynolds v. Sims* nor in any other decision has this Court suggested that the states are required to include aliens, transients, short-term or temporary residents, or persons denied the vote for conviction of a crime, in the apportionment base by which their legislators are distributed and against which compliance with the Equal Protection Clause is to be measured.

Burns v. Richardson, 384 U.S. 73, 16 L. Ed 2d 376, 390-391 (1966). With this principle in mind, Dr. John A. Kruse of the Institute of Social and Economic Research (ISER) of the University of Alaska inquired into the census treatment of the groups enumerated in III-A above.2/

In communication with the Bureau of the Census prior to the census date, Dr. Kruse learned that the census bureau had developed a special procedure for enumerating oil production base camps which allowed the census bureau to allocate the workers back to their true residence in Alaska or elsewhere.3/

There was extensive consideration by Dr. Kruse of floating and on-shore fish processing facilities.4/ Floating processors were enumerated by the census bureau in January through March 1980, at which time the non-resident population would have been at its lowest. On-shore processors were

enumerated ahead of the peak employment period, but there was a chance that some non-residents were included. Dr. Kruse noted the very short time-frame in which ISER would have to work, the variations in residency patterns from company to company, uncertainty as to how the residency of persons would be recorded in the census, and the likely resistance of workers to the efforts of ISER. Based on these factors, the Board decided to forego further inquiry into the residency of workers at fish processing facilities.5/

All but one of 88 companies active in the timber industry responded to ISER inquiries. Their responses indicated 630 non-resident lumber camp employees or dependents out of a total of 1,442. The Board decided not to undertake a further inquiry given the large number of camp locations and the relatively small number of people in each affected region.6/

Dr. Kruse recommended that there be no special study of college students to determine their residency characteristics. His reasons included the extremely low proportion of students (10%) paying non-resident tuition rates, indicating a relatively low non-residency factor, and their small number compared to the population of the surrounding communities.7/ The Board concurred.

The alien population in Alaska, based upon figures provided by the Immigration and Naturalization Service, is extremely small. Though relatively concentrated in a dozen election districts, their proportion does not exceed 2.9% in

any one area of concentration. The decision was made not to undertake a special study.8/

Felons and persons who are mentally incompetent were also considered. Their numbers were so small that no effort was made to eliminate any portion from the population base for reapportionment.

The only segment of the population thought to contain large and readily identifiable concentrations of non-residents is military personnel and their dependents. Historically, this group has been concentrated in great numbers in a handful of communities. Their residency factor has been thought to be very low.9/

The Alaska Supreme Court has approved the principle that non-resident military personnel may constitutionally be excluded from the reapportionment population base:

[W]hile the clause of the Alaska Constitution seeking to exclude military as a class is unconstitutional, that is not to say that some military cannot be excluded as a permissible device for limiting the impact of transients and non-residents on legislative districting.

Egan v. Hammond, 502 P. 2d 586, 869 (Ak. 1972). More to the point, the court observed:

We hold that it was reasonable for the Board to exclude some proportion of military personnel not merely because of their transience, but because a significant number of Alaska-based military personnel exercise an option to be non-Alaskans, despite their physical presence here. This phenomenon is well demonstrated by the minuscule voter registration on military enclaves. It is thus not offensive to notions of equal protections to exclude from the population base even military personnel who have lived in Alaska for substantial

periods of time, so long as those people have exercised their option to remain residents and domiciliaries of other states.

Id. at 872-873. 10/

Dr. Kruse determined that there are seven military installations with populations large enough to affect the reapportionment process.11/ These installations are Elmendorf Air Force Base, Eielson Air Force Base, Fort Wainwright, Fort Richardson, Fort Greely, Adak Naval Base, and the Kodiak Coast Guard Station.

Because military records are not updated consistently, they were deemed unreliable. A full census of military personnel and their dependents was rejected both because of cost and because more reliable results can actually be obtained from a survey of a scientific sample. Thus, it was decided to proceed with a survey of military personnel and dependents, both on- and off-base.

The survey sought to answer two questions. First, did the respondent consider Alaska to be his or her home; second, was the respondent registered to vote in Alaska. If the answer to either of these inquiries was "yes", the respondent was deemed to be a resident; put another way, a person was not deemed to be a non-resident unless he or she neither voted nor considered Alaska home.12/

Separate non-residency factors were obtained for on-base servicemembers, on-base dependents, off-base servicemembers and off-base dependents. The off-base results were achieved by use of address lists provided by the military

branches which allowed Dr. Kruse to determine, with precision, how many servicemembers and dependents live in each off-base enumeration district near a given installation.

Table II shows the numbers of non-resident servicemembers and dependents deducted from the population of each base and the total number of non-resident servicemembers and dependents deducted from the off-base areas adjoining the installations.

#### C. IDEAL DISTRICT POPULATIONS

The total non-resident servicemember and dependent count is 31,363.8. When that number is subtracted from the census population of 400,481, an adjusted state population of 369,117.2 results.

The ideal house district population is the quotient of the adjusted population divided by the number of house seats to be apportioned, i.e. 40. 13/ That quotient is 9,228.

The ideal senate district population is the quotient of the adjusted population divided by the number of senate seats to be apportioned, i.e. 20. 14/ That quotient is 18,456.

### IV. THE ELECTION DISTRICTS

#### A. GUIDELINES

Federal and state constitutional provisions prescribe two basic rules to be followed by the Board in designing new election districts. First,

The Equal Protection Clause requires that a state make an honest and good faith effort to construct districts, in both houses of its legislature, as nearly of equal population as is practicable.

Reynolds v. Sims, 377 U.S. 533, 12 L. Ed 2d 506, 536 (1964)

(emphasis added).

Second,

Each new district so created shall be formed of contiguous and compact territory containing as nearly as practicable a relatively integrated socio-economic area.

Alaska Constitution, Article VI, § 6.

The population parameter first mentioned is elucidated in Groh v. Egan:

We conclude that in the absence of a showing that the manner of reapportioning the state was improperly motivated or had an impermissible effect, [combined] deviations of up to ten percent require no showing of justification. The state, however, has the burden of showing that [combined] deviations in excess of ten percent are "based on legitimate considerations incident to the effectuation of a rational state policy."

526 P.2d at 877. Thus, it was the Board's goal to fashion districts with combined deviations or variances from the population ideal of not more than ten percent. This was accomplished: the most overrepresented and underpopulated house district is Mid-Town Anchorage at 4.1737 percent; the most underrepresented and overpopulated house district is Juneau at 5.8084 percent; their combined variance is 9.9821 percent. Table III contains a statistical summary of the proposed house districts.

Notwithstanding the Board's success on the paramount population front, the district configurations also represent

contiguous, compact, relatively integrated socio-economic areas. The Board's conception of these terms follows.

1. Compactness and Contiguity

"Compact" and "contiguous" are relative terms embodying imprecise concepts. In the Board's view, the requirements aim to serve at least two goals. First, they are intended to foster the inclusion in a single district of people with substantially like backgrounds and concerns. Such people are typically found in a single region or area. Second, the standards introduce an efficiency into representative government by requiring a closer grouping of people to form a constituency. Such a grouping facilitates communication among constituents and between constituents and legislators.

To implement these concepts, the Board decided to fashion single-member house and senate districts throughout the state except in five relatively populous and socio-economically homogeneous areas.

Still, there is, in some features of the plan, an undeniable tension between the geographical aspect of the compactness requirement and its socio-economic aspect. Nowhere is this more apparent than in the Cordova-Inside Passage District. It is indisputable that Cordova is physically closer to Valdez and Seward than it is to the balance of House District 2. However, it is also indisputable that, from a socio-economic standpoint, Cordova has less in common with the predominantly commercialized and industrialized

economies of Seward and Valdez than with the fishing communities of the Inside Passage. Thus, to honor the form of the compactness command would debase its substance by combining socio-economically less compatible communities.

## 2. Socio-Economic Homogeneity

The concept of socio-economic homogeneity has a number of interrelated components, including ethnic composition, economic base, governmental and neighborhood boundaries, community size, transportation and communication links, and other miscellaneous considerations. In the task of district composition, a balance often had to be struck between competing socio-economic factors. In a given case one factor, e.g. economic base, might indicate the inclusion of a population group in district X. However, its ethnic composition might indicate inclusion in district Y. This balancing process was the most difficult part of the Board's task.

A primary concern of the Board, especially in northern and western Alaska, was the ethnic composition of the districts. Divisions between the Athabascan and Eskimo peoples go back centuries and profoundly influence voting patterns today. Eskimos note bright-line distinctions between Inupiat Eskimos in the north and Yupik Eskimos in the south. Unfortunately, unbending observance of these divisions would have produced enormous population variances and severed other current and substantial cross-cultural socio-economic ties. It was therefore impossible to conform

district lines to the distribution of each of those cultural and social groups. Still, substantial respect for such divisions is apparent in the district boundaries between the North Slope-Kotzebue and Norton Sound districts on the one hand, and the Interior Rivers District on the other. Ethnic composition was a tertiary consideration in the design of the Inside Passage-Cordova District, after economic base and community size.

Economic base was a major factor in the composition of many districts. A shared economic base was a primary or secondary consideration in House Districts 1, 2 and 3 (fishing, timber), 4 (government), 5 (energy, fishing), 6 (shipping, recreation), 16 (agriculture), 17 (transportation, subsistence), 24 (subsistence), 26 and 27 (fishing).

A distinct effort was made to observe the Alaska Native Regional Corporation boundaries and the socio-economic divisions they embody, but there are a number of significant deviations therefrom, especially in the relatively populous Lower Yukon and Lower Kuskokwim areas. Respect for political subdivision boundaries is also apparent throughout the state. A deliberate and largely successful effort was made to respect the boundaries of the following political subdivisions: the Ketchikan Gateway Borough, the City and Borough of Juneau, the Haines Borough, the City and Borough of Sitka, the Kenai Peninsula Borough, the Municipality of Anchorage, the Matanuska-Susitna Borough, the Fairbanks North Star Borough, the North Slope Borough, the Bristol Bay

Borough and the Kodiak Island Borough. In Anchorage, the Board endeavored to follow the formal neighborhood council boundaries, with considerable success. Substantial strides were made toward the goal of eliminating large, multi-member districts in Anchorage and Fairbanks while preserving the integrity of the cities' neighborhoods. In Anchorage, none of the long-established neighborhoods has seen any substantial portion of its citizenry placed in a different district. It is the Board's hope that, in future decades, as the newer areas coalesce into readily identifiable neighborhoods, their geographic and social integrity will be respected in the reapportionment process.

Transportation and communication links explain many of the decisions made at the edges of districts. For example, these were important considerations in placing Platinum and Goodnews Bay in the Lower Kuskokwim district while Twin Hills and Togiak went with the Bristol Bay district. With the exception of the southern reaches of the Interior Rivers District and the southern third of the Norton Sound District, the villages on the edges of each bush district are oriented toward a transportation and communication center within the district.

There are a number of other miscellaneous considerations which influenced the Board, some of which are merely shorthand expressions for a combination of the socio-economic factors already discussed. One such expression is "lifestyle". It is illustrated more or less clearly in virtually every

district, with some districts reflecting an urban lifestyle, other districts representing a suburban lifestyle and still others representing rural and/or subsistence lifestyles. The senate district including South Anchorage, the Kenai Peninsula and the south coast constitutes a balance of rural and suburban interests in a region that is experiencing increasing commercialization and industrialization.

The Ketchikan-Wrangell-Petersburg district depicts the resolution of two legitimate but conflicting considerations: the logic of keeping all of the Ketchikan Gateway Borough together in one district; and the logic of not submerging the interests of Wrangell and Petersburg by including them in a "metropolitan" district with the much larger Ketchikan. In the case of House District 1, inclusion of Wrangell and Petersburg with Ketchikan is justified by the considerable identity and interdependence of their economies and the substantial ties between their citizens. Were districts drawn separating Ketchikan from Wrangell and Petersburg, it would also be necessary to submerge scores of small Indian villages in two districts dominated by the three larger white communities. This would do substantially more violence to the social interests of the Indian communities than District 1 does to the interests of Wrangell and Petersburg.

### 3. Single Member vs. Multi-member Districts

The Board decided at an early date to endeavor to fashion forty single-member house districts. Testimony in all communities save Fairbanks clearly favored the con-

cept.15/ The case is especially compelling in the bush areas where even single-member house districts are larger than most of our sister states. Thus, the Board adhered steadfastly to the single-member concept in bush Alaska.16/

In six areas of the state, however, two-member districts were fashioned. In Ketchikan, a two-member district was designed because of the overpopulation of the Ketchikan Gateway Borough. In order to create single-member districts, a portion of urban Ketchikan would have had to be carved out and joined with either Wrangell and Petersburg or a collection of smaller communities to the west and north of Ketchikan.

In Juneau a two-member district was utilized for two reasons: First, a two-member district would allow the preservation of the entire City and Borough of Juneau in a single district. Second, the population of Juneau constitutes a virtually indivisible unit that, with a government service economy, is unique in a region otherwise dominated by fishing and timber interests.

The Kenai Peninsula Borough is populous enough for two and three-quarters seats. If single-member seats were utilized, as in the Board staff's first proposal, the borough would be divided in three.17/ By use of a two-member house district, the borough is divided only in two. Even that split is ameliorated by the combination of the Kenai Peninsula, South Coast and South Anchorage districts in a two-member senate district. With the exception of the

Kachemak Bay communities, the senate district encompasses an area of growing urbanization, commercialization and industrialization.

A two-member district was utilized in the Matanuska-Susitna Borough area to keep the borough intact. The population approximates the ideal for a two-member house district.

The Fairbanks North Star Borough includes one two-member house district in downtown Fairbanks and three single-member house districts covering the outlying areas.

In Anchorage there are eight two-member house districts. These configurations accomplish two things: First, they allow the inclusion in a single district of entire neighborhoods which would have to be split if single-member house districts were the rule. Second, they work less hardship on incumbents and constituents who have, since the 1974 reapportionment, been joined in districts with broader interests in Anchorage. This plan is, in effect, a step toward single-member districts, which goal may be reached in the 1991 reapportionment plan if the intervening decade of experience recommends the concept.

In the rural areas of Alaska the Board combined two house districts to make one single-member senate district. In three areas, Fairbanks, Anchorage, and the Kenai Peninsula, the Board combined four house districts to make two-member senate districts with designated seats. Table IV contains a statistical summary of the proposed senate districts.

#### 4. Length of Senate Terms

Realignment of senate districts in this plan creates some districts with two or more incumbents and some districts with no incumbents. The Board believes that that situation must be corrected at the next election in 1982. In order to accomplish this, candidates must run to represent the vacant districts. However, because the constitution limits the size of the senate to 20, for every vacant district that elects a senator, another district with two or more incumbents must give up a senator. Some of those senators are serving terms that will not expire until January 1985.

Another problem is the need to preserve the staggering of senate seats whereby only half of the seats are filled at each election.<sup>18/</sup> Thus, for the 1982 elections in which more than ten senate seats may be filled, the Board must decide which seats will have two-year terms and which will have four-year terms.

Truncation of some senators' terms is unavoidable. The Board recommends that truncation occur only in two situations: First, where approximately one-third or more of an incumbent senator's constituency has changed, truncation may occur. That is, if approximately one-third of the population of an incumbent's new district did not have an opportunity to vote on the incumbent in 1980, that incumbent's term may be truncated in 1982. Additionally, if approximately one-third of the population which had the

opportunity to vote on the incumbent in 1980 is now in a different district, that incumbent's term may be truncated. Second, if it is the case that, notwithstanding the numerical standard just articulated, an incumbent now represents a district in which the method of selecting senators has changed, that incumbent's term may be truncated. For example, if an incumbent had been elected in an at-large, multi-member district in 1980, and were now in a two-member district with designated seats, his or her term could be truncated.

In each of the six two-member senate districts, the seat designated "A" will be a two-year seat for the 1982 elections; the seat designated "B" will be a four-year seat. For the remaining eight single-member senate districts, length of terms commencing in 1982 was decided by drawing lots:

<u>Senate District</u>	<u>Term</u>
A	four-year
B	two-year
C	four-year
I	two-year
J	four-year
L	four-year
M	two-year
N	two-year

Beginning in 1984, senate elections should follow the constitutionally prescribed scheme wherein ten seats are filled at each election for four-year terms.

B. DISTRICT CONFIGURATIONS AND POPULATIONS

1. Ketchikan-Wrangell-Petersburg

District 1 is an area within a line proceeding from Dixon Entrance in a northerly direction up Clarence Strait, passing west of Zarembo Island, northerly up Duncan Canal, across Frederick Sound to a point just north and west of Cape Fanshaw, then northeasterly to the Canadian border and southerly along the Canadian border to the point of beginning at Dixon Entrance. The district includes the Ketchikan Gateway Borough, Wrangell, Petersburg, Metlakata, Hyder, Saxman, Meyers Chuck and Kupreanof. It has a population of 17,940 and a variance of -2.8 percent. Candidates will run for either of two designated seats in the house and one senate seat.

2. Inside Passage-Cordova

District 2 is composed of that portion of Southeast Alaska between Dixon Entrance and Port Gravina on Prince William Sound that is not contained in Districts 1, 3 and 4. Included within its boundaries are the communities of Cordova, Yakutat, Haines, Skagway, Klukwan, Gustavus, Angoon, Kake, Thorne Bay, Klawock, Craig and Hydaburg. The district has a population of 9,301 and a variance of +.8 percent. One house member will be elected from the district. With District 3, it will elect one senator.

3. Baranof-Chichagof

District 3 consists of Baranof Island and Chichagof Island. The communities on the islands include Sitka,

Pelican, Hoonah, Tenakee Springs and Port Alexander. The district has a population of 9,266 and variance of +.4 percent. It will elect one house member and, with District 2, one senator.

4. Juneau

District 4 boundaries coincide with those of the City and Borough of Juneau. The district has a population of 19,528 and a variance of +5.8084 percent. It will elect two house members to designated seats and one senator.

5. Kenai-Cook Inlet

District 5 includes all of the coastal areas on the east and west sides of Cook Inlet that lie south and west of Nikishka. Sterling is also within the district. The district has a population of 19,068 and a variance of +3.3 percent. Candidates will run for either of two designated seats in the house. Districts 5, 6 and 7 will elect two senators to designated seats.

6. North Kenai-South Coast

District 6 includes the northern quarter of the Kenai Peninsula, Nikishka, Hope, Cooper Landing, Moose Pass, Seward, Whittier and Valdez. It has a population of 9,267 and a variance of +.4 percent. It will elect one house member and, with Districts 5 and 7, two senators to designated seats.

7. South Anchorage

District 7 contains the suburban southern and southeastern reaches of the Municipality of Anchorage,

including the community council areas of Eldon, Old Seward/Oceanview, Rabbit Creek, Turnagain Arm and Girdwood Valley. Its northern boundary proceeds east from the inlet on Klatt Road to the New Seward Highway, southerly on the New Seward Highway to DeArmoun Road. east on DeArmoun Road to Morgaard Road, easterly on Morgaard Road to DeArmoun Road, easterly and southerly on Rabbit Creek. The district has a population of 8,853.2 and a variance of -4.1 percent. It will elect one house member and, with Districts 5 and 6, two senators to designated seats.

#### 8. Hillside

District 8 is bounded on the south by Rabbit Creek, Morgaard Road and DeArmoun Road and on the west by the Seward Highway. At Tudor Road the boundary proceeds east to Bragaw Road where it turns south. This district includes the neighborhood council areas of Campbell Park, Abbott Loop, Huffman-O'Malley, Mid-Hillside, Hillside East and Glen Alps. The district population is 18,202.1 and its variance is -1.4 percent. It will elect two house members to designated seats and, with District 9, two senators to designated seats.

#### 9. Sand Lake

District 9 is bounded by a line beginning at the inlet and proceeding east on Klatt Road. The line proceeds north on the New Seward Highway to Dimond Boulevard where it turns west. At Minnesota Drive the line turns north and proceeds to International Airport Road where it turns west

and extends to the inlet. The district includes the community council areas of Sand Lake and Klatt Road. Its population is 18,004.7 and its variance is -2.4 percent. It will elect two house members to designated seats and, with District 8, two senators to designated seats.

10. Mid-Town

District 10 is bounded by a line beginning at the intersection of the Seward Highway and Dimond Bculevard. The line proceeds west to Minnesota Drive, north to International Airport Road, east to the Alaska Railroad, north by northwest along the railroad right of way to Tudor Road, east to Arctic Boulevard, north to 36th Avenue, east on 36th Avenue to C Street, north to Northern Lights Boulevard, west to Spenard Road, north to W. 25th Street, west to Minnesota Drive, north to Chester Creek, easterly to Lake Otis Road, south to Tudor Road, west to the New Seward Highway and south to the point of beginning. The district includes the community council areas of North Star, Rogers Park, Tudor, and parts of Spenard and Taku-Campbell. It has a population of 17,685.7 and a variance of -4.1737 percent. It will elect two house members to designated seats and, with District 11, two senators to designated seats.

11. West Side

District 11 is bounded by the boundary of District 10 on the east, International Airport Road on the south, and the inlet and Chester Creek on the north. It includes the community council area of Turnagain and the major part of

the Spenard area. It has a population of 17,957.8 and a variance of -2.7 percent. It will elect two house members to designated seats and, with District 10, two senators to designated seats.

12. Downtown

District 12 is bounded by Chester Creek on the south, Bragaw Road on the east, Commercial Drive and the Elmendorf reservation boundary on the north and the inlet on the west. Included are the community council areas of Government Hill, Downtown, Penland Park and South Addition, and parts of the areas of Fairview, North Mountain View and Airport Heights. The district has a population of 18,170 and a variance of -1.5%. It will elect two house members to designated seats and, with District 13, two senators to designated seats.

13. Mountain View-University

District 13 is bounded by a line beginning at the intersection of Tudor Road and Lake Otis Road proceeding east to Baxter Road, north to Northern Lights Boulevard, west to Boniface Road, north to the Glenn Highway, west on the Glenn Highway, northerly and westerly around North Mountain View along the Elmendorf military reservation boundary, south to the Glenn Highway, east to Bragaw Road, south to Chester Creek, westerly to Lake Otis Road and south to the point of beginning. The district includes the community council areas of Russian Jack Park and University, and parts of the North Mountain View and Airport Heights

areas. It has a population of 18,907.5 and a variance of +2.4 percent. It will elect two house members to designated seats and, with District 12, two senators to designated seats.

14. Muldoon

District 14 includes Stuckagain Heights and the community council areas of Northeast and Scenic Park. That part of the Northeast area bounded by Boniface Road, DeBarr Road, Turpin Street and the Glenn Highway is included in District 15. District 14 has a population of 19,031.5 and a variance of +3.1 percent. It will elect two house members to designated seats and, with District 15, two senators to designated seats.

15. Chugiak-Eagle River-Bases

District 15 includes the community council areas of Eklutna Valley, Chugiak, Birchwood and Eagle River Valley. Also included are Fort Richardson, Elmendorf Air Force Base and that area of the Northeast community council area bounded by Boniface Road, DeBarr Road, Turpin Street and the Glenn Highway. The district has a population of 18,560.7 and a variance of +.56 percent. It will elect two house members to designated seats and, with District 14, two senators to designated seats.

16. Matanuska-Susitna

District 16 is comprised of the Matanuska-Susitna Borough, including the communities of Talkeetna, Willow, Houston, Big Lake, Wasilla, Bodenbug Butte, Palmer, Sutton,

Peter's Creek, Montana and Chickaloon. It has a population of 17,724.6 and a variance of -4.0 percent. It will elect two house members to designated seats and one senator.

17. Interior Highways

District 17 is made up of those areas outside of the Matanuska-Susitna Borough and the Fairbanks North Star Borough which are along the Glenn, Parks, Richardson and Alaska Highways. Included are Paxson, Gulkana, Glennallen, Copper Center, Tonsina, Tazlina, McCarthy, Eagle, Delta, Fort Greely, Tanacross, Tok, Tetlin, Northway, Nenana, Anderson, Healy and Cantwell. The district has a population of 9,111.9 and a variance of -1.2 percent. It will elect one house member and, with District 18, one senator.

18. Southeast North Star Borough

District 18 encompasses the southeast section of the Fairbanks North Star Borough. It includes North Pole, Eielson Air Force Base, Salcha and Harding Lake. Its population is 9,300, with a variance of +.7 percent. It will elect one house member and, with District 17, one senator.

19. Fort Wainwright-Outer Fairbanks

District 19 includes Livengood, Ester, Goldstream Road, the Steese Highway, the eastern half of Farmers Loop Road, Fort Wainwright, Chena Hot Springs Road, Circle, Central and Circle Hot Springs. It has a population of 8,934.3 and a variance of -3.2 percent. It will elect one house member and, with Districts 20 and 21, two senators to designated seats.

20. Fairbanks City

District 20 is bounded by the Noyes Slough and University Avenue on the west, the Fairbanks International Airport on the southwest, the Tanana River on the south and Fort Wainwright on the east. The Creamers Field area is included as the northern edge of the district. The district has a population of 18,319.7 and a variance of -.7 percent. It will elect two house members to designated seats and, with Districts 19 and 21, two senators to designated seats.

21. West Fairbanks

District 21 includes the western half of Farmers Loop Road and the area west of Noyes Slough and University Avenue to, but not including, the Ester area. It has a population of 9,247.1 and a variance of +.2 percent. It will elect one house member and, with Districts 19 and 20, two senators to designated seats.

22. North Slope-Kotzebue

District 22 includes the areas of the North Slope Borough/Arctic Slope Regional Corporation and the Northwest Alaska Native Association. It has a population of 9,030 and a variance of -2.1 percent. The district will elect one house member and, with District 23, one senator.

23. Norton Sound

District 23 includes the area of the Bering Straits Regional Corporation; Shishmaref, Diomedes, Teller, Nome, Koyuk and Saint Michael, and the coastal communities

as far south as Hooper Bay and Paimiut. Chevak is also included along with Yukon River villages down river from Mountain Village. The district has a population of 9,388 and a variance of +1.7 percent. It will elect one house member and, with District 22, one senator.

24. Interior Rivers

District 24 includes the communities on or near the great interior rivers, the Yukon, the Koyukuk and the Kuskokwim, as far down river as Mountain Village on the Yukon and Lower Kalskag on the Kuskokwim. The Lake Clark and Lake Iliamna communities, Minto and Manley Hot Springs are included; Eagle and Circle are not included. The district has a population of 9,549 and a variance of +3.5 percent. It will elect one house member and, with District 25, one senator.

25. Lower Kuskokwim

District 25 includes the Kuskokwim River communities down river from Tuluksak and the coastal communities from Newtok to Platinum. It has a population of 9,698 and a variance of +5.1 percent. It will elect one representative and, with District 24, one senator.

26. Bristol Bay-Aleutian Islands

District 26 includes all of the Bristol Bay Native Corporation area except Ivanof Bay, Perryville, Chignik Lake, Chignik Lagoon and the Lake Clark-Lake Iliamna communities. Included are the remainder of the Alaska Peninsula communities, the Aleutian communities, the Bristol Bay

communities as far west as Twin Hills, and communities as far up river as Aleknagik and Koliganek. The Bristol Bay Borough is also included. The district has a population of 9,479 and a variance of +2.7 percent. It will elect one house member and, with District 27, one senator.

27. Kodiak-East Alaska Peninsula

District 27 covers the Kodiak Island Borough and the Alaska Peninsula communities of Ivanof Bay, Perryville, Chignik Lake, Chignik and Chignik Lagoon. It has a population of 9,592.4 and a variance of +3.9 percent. It will elect one house member and, with District 26, one senator.

## TABLE I

REAPPORTIONMENT BOARD  
PUBLIC HEARING SCHEDULE

<u>Community</u>	<u>Date and Time</u>	<u>Location</u>
Anchorage	January 8, 1981 1:30 p.m. 7:30 p.m.	Grand Jury Room #402 Alaska Court Building 303 K Street
Barrow	October 20, 1980 1:30 p.m.	Borough Assembly Chambers
Bethel	October 17, 1980 7:30 p.m.	City Council Chambers
Cordova	November 20, 1980 7:30 p.m.	Public Library Meeting Room
Delta Junction	January 6, 1981 7:00 p.m.	Delta School Gymnasium
Dillingham	October 17, 1980 1:30 p.m.	City Council Chambers
Fairbanks	January 7, 1981 1:30 p.m. 7:30 p.m.	Borough Assembly Chambers
Glennallen	November 18, 1980 7:30 p.m.	School District Office
Juneau	December 11, 1980 7:30 p.m.	Alaska Court Building
Kenai	November 17, 1980 7:30 p.m.	Fire Hall
Ketchikan	December 8, 1980 7:30 p.m.	Borough Assembly Chambers
Kodiak	October 16, 1980 7:30 p.m.	Borough Assembly Chambers
Kotzebue	October 19, 1980 7:30 p.m.	City Council Chambers
Nome	October 18, 1980 1:30 p.m.	City Hall, Council Chambers
Palmer	November 18, 1980 1:30 p.m.	Borough Assembly Chambers
Petersburg	February 5, 1981* 7:30 p.m.	City Council Chambers

Seward	November 17, 1980 1:30 p.m.	City Council Chambers
Sitka**	December 10, 1980 7:30 p.m.	Centennial Building
Valdez	November 19, 1980 7:30 p.m.	City Council Chambers
Wrangell	December 9, 1980 12:00 p.m.	City Council Chambers

\*Originally scheduled December 9, 1980, but due to weather the hearing had to be cancelled.

\*\*Due to weather conditions, Av Gross was the only board member in attendance. Participants did not wish their remarks to be taped. Therefore, there is no transcript of the Sitka hearing.

TABLE II

On-Base		CALCULATION OF NON-RESIDENT MILITARY POPULATION					
<u>Installation</u>	<u>Census Count</u>	<u>Ratio of Dependents to Servicemembers</u>	<u>Proportion of Non-Resident Dependents</u>	<u>Proportion of Non-Resident Servicemembers</u>	<u>Non-Resident Population Coefficients</u>	<u>Non-Resident Population</u>	<u>Resident Population</u>
Elmendorf AFB	9,189	1.71	.69	.78	.723	6,643.6	2,545.4
Eielson AFB	5,232	1.39	.70	.79	.738	3,861.2	1,370.8
Ft. Wainwright	5,812	1.49	.66	.77	.704	4,091.6	1,720.4
Ft. Richardson	8,157	1.14	.77	.78	.775	6,321.7	1,835.3
Ft. Greely	1,635	1.08	.78	.81	.794	1,298.2	336.8
Adak Naval Stn	3,315	1.14	.87	.91	.889	2,947	368
Kodiak CG Stn	1,370	1.71	.59	.71	.634	868.6	501.4
Subtotals	(34,710)					(26,031.9)	(8,678.1)
-----							
Off-Base							
Anchorage - (Elmendorf AFB/Ft Richardson)						4,678.5	
Fairbanks - (Eielson AFB/Ft Wainwright)						382.1	
Matanuska-Susitna - (Elmendorf AFB/Ft Richardson)						41.4	
Delta Junction - (Ft Greely)						229.9	
Subtotal						(5,331.9)	
-----							
TOTAL NON-RESIDENT MILITARY AND DEPENDENTS						31,363.8	

Total 1980 Statewide Population 400 481 - 31,363.8 = 369,117.2

Total 1980 Statewide Population less Non-resident Military and Dependents:  
 $369,117.2 \div 40 = 9,227.9$

Ideal House District Population 9,227.9  
 Senate District Population 18,455.8

TABLE III

STATISTICAL SUMMARY  
HOUSE DISTRICTS  
June 10, 1981

<u>House District</u>	<u>Name</u>	<u>Population</u>	<u>Population Variance</u>
1. Seat A (2) Seat B	Ketchikan-Wrangeli- Petersburg	17,940 (8,970/seat)	-2.8%
2. (1)	Inslue Passage-Cordova	9,301	+ .8%
3. (1)	Baranof-Chichagof	9,266	+ .4%
4. Seat A (2) Seat B	Juneau	19,528 (9,764/seat)	+5.8084%
5. Seat A (2) Seat B	Kenai-Cook Inlet	19,068 (9,534/seat)	+3.3%
6. (1)	North Kenai-South Coast	9,267	+ .4%
7. (1)	South Anchorage	8,853.2	-4.1%
8. Seat A (2) Seat B	Hillside	18,202.1 (9,101.05/seat)	-1.4%
9. Seat A (2) Seat B	Sand Lake	18,004.7 (9,002.35/seat)	-2.4%
10. Seat A (2) Seat B	Mid-Town	17,685.7 (8,842.85/seat)	-4.17371%
11. Seat A (2) Seat B	West Side	17,957.8 (8,978.9/seat)	-2.7%
12. Seat A (2) Seat B	Downtown	18,170 (9,085/seat)	-1.5%
13. Seat A (2) Seat B	Mountain View-University	18,907.5 (9,453.75/seat)	+2.4%
14. Seat A (2) Seat B	Muldoon	19,031.5 (9,515.75/seat)	+3.1%
15. Seat A (2) Seat B	Chugiak-Eagle River- Bases	18,560.7 (9,280.35/seat)	+ .56%
16. Seat A (2) Seat B	Matanuska-Susitna	17,724.6 (8,862.3/seat)	-4.0%
17. (1)	Interior Highways	9,111.9	-1.2%
18. (1)	Southeast North Star Borough	9,300	+ .7%

19. (1)	Outer Fairbanks	8,934.3	-3.2%
20. Seat A (2) Seat B	Fairbanks City	18,319.7 (9,159.8/seat)	- .7%
21. (1)	West Fairbanks	9,247.1	+ .2%
22. (1)	North Slope-Kotzebue	9,030	-2.1%
23. (1)	Norton Sound	9,388	+1.7%
24. (1)	Interior Rivers	9,549	+3.5%
25. (1)	Lower Kuskokwim	9,698	+5.1%
26. (1)	Bristol Bay-Aleutian Islands	9,479	+2.7%
27. (1)	Kodiak-East Alaska Peninsula	9,592.4	+3.9%
	TOTAL POPULATION (Less Non-Resident Military and Dependents)	<u>369,117.2</u>	
	Maximum Overpopulation	5.8084% (Juneau)	
	Maximum Underpopulation	<u>4.17371%</u> (South Anchorage)	
	Total Combined Variation	9.98211%	

TABLE IV

STATISTICAL SUMMARY  
SENATE DISTRICTS  
June 10, 1981

<u>Senate District</u>	<u>Name</u>	<u>Population</u>	<u>Population Variance</u>
A. (1)	Ketchikan-Wrangell-Petersburg	17,940	-2.8%
B. (1)	Inside Passage-Cordova-Baranof-Chichagof	18,567	+ .6%
C. (1)	Juneau	19,528	+5.8%
D. Seat A (2) Seat B	Kenai-Cook Inlet-North Kenai-South Coast-South Anchorage	37,188.2	+ .7%
E. Seat A (2) Seat B	Hillside-Sand Lake	36,206.8	-1.9%
F. Seat A (2) Seat B	Mid-Town-West Side	35,543.5	-3.4%
G. Seat A (2) Seat B	Downtown-Mountain View- University	37,077.5	+ .4%
H. Seat A (2)	Muldoon-Chugiak-Eagle River-Bases	37,592.2	+1.8%
I. (1)	Matanuska-Susitna	17,724.6	-4.0%
J. (1)	Interior Highways- Southeast North Star Borough	18,411.9	- .2%
K. Seat A (2) Seat B	Outer Fairbanks-Fairbanks City-West Fairbanks	36,501.1	-1.1%
L. (1)	North Slope-Kotzebue Norton Sound	18,418	- .2%
M. (1)	Interior Rivers-Lower Kuskokwim	19,247	+4.3%
N. (1)	Bristol Bay-Aleutian Islands-Kodiak-East Alaska Peninsula	19,071.4	+3.3%
TOTAL POPULATION (Less Non-resident military and dependents)		<u>369,117.2</u>	
Maximum Overpopulation		+5.8% (Juneau)	
Maximum Underpopulation		<u>-4.0%</u> (Mat-Su)	
Combined Variation		9.8%	

NOTES

1/ See "Final Report, Design and Implementation of Alaska 1980 Reapportionment Data Collection Effort," August 29, 1980 by Dr. John A. Kruse of the Institute of Social and Economic Research (ISER) of the University of Alaska (hereinafter "Kruse") p. 9.

2/ See, generally, Kruse at 9-35.

3/ Id. at 9-11 and 23-26.

4/ Id. at 11-12 and 26-28.

5/ Id. at 26-28.

6/ Id. at 28 and 30.

7/ Id. at 30-33.

8/ Id. at 33.

9/ In 1972, the Board found only 11% of the active duty military personnel to be residents. *Groh v. Egan*, 526 P. 2d 863, 874 (Alaska 1973).

10/ Alaska's election code prescribes the following rules for determining residency for voting purposes:

(1) No person may be considered to have gained a residence solely by reason of his presence nor may he lose it solely by reason of his absence while in the civil or military service of this state or of the United States....

(2) The residence of a person is that place in which his habitation is fixed, and to which, whenever he is absent, he has the intention to return....

AS 15.05.020

11/ See, generally, Kruse at 35-48.

12/ Id. at 42

13/ Alaska Constitution, Article II, § 1

14/ Id.

15/ In Fairbanks, the sentiment was fairly evenly split.

16/ As a consequence, the relatively populous Calista Native Regional Corporation area cannot be contained within a single district.

17/ A variation on the staff proposal, dividing the Kenai Peninsula Borough in three and placing Kenai and Soldotna in separate districts, was favored by Kenai Peninsula Borough Mayor Stan Thompson in a letter to the Board dated May 21, 1981.

18/ Alaska Constitution, Article II, § 3.

STATE OF ALASKA  
EXECUTIVE PROCLAMATION  
OF REAPPORTIONMENT AND REDISTRICTING

WHEREAS, Article VI, Section 3 of the Constitution of the State of Alaska requires the Governor to reapportion the House of Representatives immediately following the official reporting of each decennial census of the United States; and

WHEREAS, the Supreme Court of the United States has determined that both houses of the state legislature must be apportioned on the basis of equal population; and

WHEREAS, the Supreme Court of the State of Alaska has determined that the Constitution of the State of Alaska requires the Governor to reapportion the Senate as well as the House of Representatives, and

WHEREAS, I, Jay S. Hammond, Governor of the State of Alaska, in accordance with Article VI, Section 8 of the Constitution of the State of Alaska, appointed a Reapportionment Board and directed that they prepare an advisory plan to submit to me no later than 90 days following receipt of official census data; and

WHEREAS, I directed that the Reapportionment Board prepare a plan that would meet the requirements of the United States Supreme Court and the Alaska Supreme Court decisions on reapportionment and those provisions of the Constitution of the State of Alaska that are not in conflict with those decisions; and

WHEREAS, the Reapportionment Board convened pursuant to my order and, after conducting public hearings in 20 communities throughout the state, releasing several draft versions of the reapportionment plan for public comment, and reviewing and revising their recommendations subsequent to receipt of public testimony, submitted their recommendations

for reapportionment and redistricting to me on June 9, 1981;  
and

WHEREAS, Article VI, Section 10 of the Constitution of the State of Alaska requires the Governor to issue a proclamation of reapportionment and redistricting within 90 days from receipt of the recommendations of the Reapportionment Board;

NOW, THEREFORE, I, JAY S. HAMMOND, Governor of the State of Alaska, hereby proclaim:

First, the recommendations of the Reapportionment Board for reapportionment and redistricting of the House of Representatives are accepted;

Second, the recommendations of the Reapportionment Board for reapportionment and redistricting for the Senate are accepted with the exception of the recommendations for truncation and length of terms as explained in the accompanying statement;

Third, the terms of all members of the Twelfth State Legislature shall terminate on the third Monday of January, 1983, except those senators elected in 1980 whose constituencies have not changed as a result of this reapportionment by more than 40 percent;

Fourth, this reapportionment and redistricting shall be effective for election of members of the Legislature until the next decennial census;

Fifth, this reapportionment and redistricting shall be implemented for the 1982 primary and general elections;

Sixth, in the 1982 general election, 40 members shall be elected to the House of Representatives, and 10 members to the Senate;

Seventh, members of the House of Representatives shall be elected in 1982 from the following House Districts:

<u>HOUSE DISTRICT</u>	<u>NAME OF DISTRICT</u>	<u>NUMBER OF REPRESENTATIVES</u>
1	Ketchikan-Wrangell-Petersburg	2 (A-B)
2	Inside Passage-Cordova	1
3	Baranof-Chichagof	1
4	Juneau	2 (A-B)
5	Kenai-Cook Inlet	2 (A-B)
6	North Kenai-South Coast	1
7	South Anchorage	1
8	Hillside	2 (A-B)
9	Sand Lake	2 (A-B)

10	Mid-Town	2	(A-B)
11	West Side	2	(A-B)
12	Downtown	2	(A-B)
13	Mountain View-University	2	(A-B)
14	Muldoon	2	(A-B)
15	Chugiak-Eagle River-Bases	2	(A-B)
16	Matanuska-Susitna	2	(A-B)
17	Interior Highways	1	
18	Southeast North Star Borough	1	
19	Outer Fairbanks	1	
20	Fairbanks City	2	(A-B)
21	West Fairbanks	1	
22	North Slope-Kotzebue	1	
23	Norton Sound	1	
24	Interior Rivers	1	
25	Lower Kuskokwim	1	
26	Bristol Bay-Aleutian Islands	1	
27	Kodiak-East Alaska Peninsula	1	

Eighth, members of the Senate shall be elected in 1982 from the following Senate Districts except those seats where an asterisk (\*) indicates the existing senator's term will continue until January 1985;

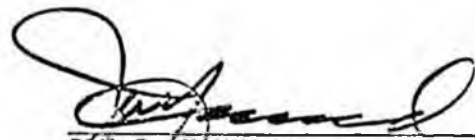
<u>SENATE DISTRICT</u>	<u>COMPOSED OF HOUSE DISTRICTS</u>	<u>LENGTH OF TERM</u>
A	Ketchikan-Wrangell-Petersburg	4 years
B	Inside Passage-Cordova-Baranof-Chichagof	2 years*
C	Juneau	4 years
D	Kenai-Cook Inlet-North Kenai-South Coast-South Anchorage	Seat A - 2 years Seat B - 4 years
E	Hillside-Sand Lake	Seat A - 2 years Seat B - 4 years
F	Mid-Town-West Side	Seat A - 2 years Seat B - 4 years
G	Downtown-Mountain View-University	Seat A - 2 years Seat B - 4 years
H	Muldoon-Chugiak-Eagle River-Bases	Seat A - 2 years Seat B - 4 years
I	Matanuska-Susitna	2 years*

- |   |   |                                      |
|---|---|--------------------------------------|
| J | Interior Highways-Southeast<br>North Star Borough             | 2 years                              |
| K | Outer Fairbanks-Fairbanks City-<br>West Fairbanks             | Seat A - 2 years<br>Seat B - 4 years |
| L | North Slope-Kotzebue<br>Norton Sound                          | 4 years                              |
| M | Interior Rivers-Lower Kuskokwim                               | 4 years                              |
| N | Bristol Bay-Aleutian Islands-<br>Kodiak-East Alaska Peninsula | 2 years                              |


Ninth, in all two-member house and senate districts candidates will run for designated seats indicated by Seat A and Seat B. Candidates will file for one of the available seats. Each qualified voter in the district may cast one vote for their choice among the candidates for each seat. The candidate receiving the greatest number of votes cast for each seat is elected.

IN WITNESS WHEREOF I have set my hand and caused the seal of the State of Alaska to be affixed, this 24<sup>th</sup> day of July, 1981.



  
 \_\_\_\_\_  
 JAY S. HAMMOND  
 GOVERNOR  
 STATE OF ALASKA

Attest:

  
 \_\_\_\_\_  
 TERRY MILLER  
 LIEUTENANT GOVERNOR  
 STATE OF ALASKA

ACCOMPANYING STATEMENT

PROCLAMATION OF REAPPORTIONMENT AND REDISTRICTING

HAMMOND STATEMENT ON ACCEPTANCE OF STATE REAPPORTIONMENT PLAN.

FOLLOWING SEVERAL WEEKS OF CAREFUL REVIEW, I AM TODAY FORMALLY ISSUING MY PROCLAMATION WHICH PLACES INTO EFFECT NEW ELECTION DISTRICTS AND SETS UP THE PROCEDURES FOR REAPPORTIONMENT OF ALASKA HOUSE AND SENATE SEATS FOR THE NEXT DECADE.

OVER A YEAR AGO I APPOINTED A FIVE-MEMBER BOARD TO UNDERTAKE THE DIFFICULT TASK OF MAPPING NEW ELECTION DISTRICTS FOR ALASKA, DISTRICTS WHICH WOULD BE COMPACT, WITH CONTIGUOUS BOUNDARIES AND WHICH WOULD INCLUDE RESIDENTS WITH SIMILAR TRADITIONS AND ECONOMIC TIES. I DIRECTED THE BOARD, AS ITS FOREMOST GOAL, TO DEVELOP A REAPPORTIONMENT PLAN FREE OF PARTISAN POLITICAL FAVORITISM WHICH CLEARLY MET THE U.S. SUPREME COURT'S ONE-MAN, ONE-VOTE EDICT. I ASKED THE BOARD TO DESIGN, WHERE FEASIBLE, SINGLE-MEMBER DISTRICTS SO THAT VOTERS WILL HAVE A GREATER SENSE OF ACCOUNTABILITY OVER THEIR ELECTED REPRESENTATIVES.

I AM PLEASED TODAY TO SAY THAT THE 1980 REAPPORTIONMENT BOARD LARGELY LIVED UP TO MY EXPECTATIONS. THE PLAN, APPROVED UNANIMOUSLY BY THE BOARD APPEARS TO BE AS FAIR AND LEGALLY SUSTAINABLE AS ANY PLAN COULD BE. THE COMPOSITION OF THE COMMITTEE -- TWO DEMOCRATS, TWO REPUBLICANS AND ONE INDEPENDENT -- SERVED TO SUPPRESS PARTISAN POLITICAL FAVORITISM OR BIAS.

FROM A LEGAL STANDPOINT, THE PLAN FITS WELL WITHIN THE 10 PERCENT POPULATION VARIANCE WHICH COURTS HAVE RULED IN THE PAST IS AN ACCEPTABLE GUIDELINE TO TELL WHEN A PLAN

MEETS THE SPIRIT OF THE SUPREME COURT'S EDICT OF EQUAL REPRESENTATION.

WHILE I FIRST QUESTIONED SOME OF THE PLAN'S PROVISIONS, I AM SATISFIED THAT THE BOARD USED SOUND REASONING IN CARVING OUT THE HOUSE AND SENATE DISTRICTS WHICH WILL GO INTO EFFECT PRIOR TO THE AUGUST 1982 PRIMARY ELECTION. ABSENT MORE COMPELLING REASONS TO DO OTHERWISE, I AM DISINCLINED TO ALTER DISTRICT BOUNDARIES. TO ADJUST ONE BOUNDARY WOULD NOT ONLY TRIGGER A DOMINO EFFECT REQUIRING FURTHER ADJUSTMENTS, BUT ALSO WOULD UNDERSTANDABLY RAISE CHARGES THAT PARTISAN OR PERSONAL BIAS INCLINED ME TO OVERRIDE UNANIMOUS DECISIONS OF THE BOARD. TO AVOID THUS TAINING THE PUBLIC'S PERCEPTION OF THE PLAN, I AM THEREFORE ADOPTING ALL TECHNICAL ASPECTS OF THE REDISTRICTING PLAN.

THE BOARD HELD 20 PUBLIC HEARINGS AND WAS THE FIRST IN STATE HISTORY TO RELEASE SEVERAL DRAFTS OF ITS RECOMMENDATIONS BEFORE SUBMITTING A PLAN. MODIFICATIONS TO THEIR RECOMMENDATIONS WERE MADE IN RESPONSE TO PUBLIC COMMENT. IN PRIOR YEARS PLANS WERE NOT AVAILABLE FOR REVIEW BY THE PUBLIC UNTIL AFTER THE GOVERNOR ISSUED HIS PROCLAMATION. THIS YEAR WE BATHED THE ENTIRE PROCESS IN THE LIGHT OF PUBLIC COMMENT.

I HAVE MODIFIED THE BOARD'S RECOMMENDATIONS IN ONLY TWO WAYS: ONE, CONCERNING THE TRUNCATION OF SENATE TERMS AND, TWO, CONCERNING THE LENGTH OF TWO OF THEM. THE BOARD (IN SECTION IV, SUBSECTION 4, PAGES 20-21) SUGGESTED THAT THE TERMS OF CURRENT SENATE MEMBERS BE CUT SHORT, OR TRUNCATED, IF APPROXIMATELY ONE-THIRD OR MORE OF AN INCUMBENT SENATOR'S CONSTITUENCY CHANGED AS A RESULT OF THE NECESSARY REDISTRICTING OR IF THE METHOD OF ELECTING SENATORS HAD CHANGED. FOR EXAMPLE, IF AN INCUMBENT HAD BEEN ELECTED IN AN AT-LARGE, MULTI-MEMBER DISTRICT AND WERE NOW IN A TWO-MEMBER DISTRICT WITH DESIGNATED SEATS, THEIR TERM SHOULD BE TRUNCATED. FURTHER, THE BOARD, IN ORDER TO INSURE THE STAGGERING OF SENATE TERMS, RULED THAT IN EACH OF THE

PROPOSED "TWO-MEMBER" SENATE DISTRICTS, THE SEAT DESIGNATED AS SEAT A BE A TWO-YEAR TERM, WHILE THE SECOND SEAT, SEAT B, WOULD BE A FOUR-YEAR TERM.

THE LAW PERMITS RETENTION OF ONE'S SENATE SEAT UNLESS THERE HAS BEEN A "SUBSTANTIAL" CHANGE OF ONE'S CONSTITUENCY. LACKING MORE DEFINITIVE LEGAL GUIDELINES, I BELIEVE THAT ANYTHING MORE THAN 40 PERCENT IS "SUBSTANTIAL" WHILE ANYTHING LESS SHOULD PERMIT A SENATOR TO SERVE OUT HIS FOUR-YEAR TERM. THEREFORE, BECAUSE OF MY DESIRE TO PRESERVE AS MUCH AS POSSIBLE THE CONTRACT BETWEEN INCUMBENT SENATORS AND THE PEOPLE WHO ELECTED THEM TO SERVE UNTIL JANUARY 1985, I HAVE EXPANDED THE BOARD'S RECOMMENDATION TO REQUIRE AN INCUMBENT SENATOR'S TERM BE TRUNCATED ONLY IF MORE THAN 40 PERCENT OF HIS CONSTITUENCY HAS CHANGED, AND FOLLOWED THEIR SUGGESTION THAT A TERM BE CUT SHORT IF THE METHOD OF ELECTING A SENATOR HAS CHANGED.

ALSO IN THOSE NEW DISTRICTS WHERE THERE ARE MORE INCUMBENT SENATORS THAN THERE ARE SENATE SEATS, IT IS MY BELIEF THAT IT IS INAPPROPRIATE FOR ME TO IMPOSE ONE OF THOSE SENATORS ON THE VOTERS OF THAT DISTRICT WHEN THE VOTERS MIGHT PREFER THE OTHER SENATOR. THUS, IN THOSE DISTRICTS, EVERY INCUMBENT'S TERM IS TRUNCATED, WITH THE VOTERS TO MAKE THEIR SELECTION AT THE POLLS IN 1982.

AS A RESULT, EIGHT SENATORS' TERMS WILL BE CUT SHORT AND THEIR SEATS, PLUS THE SEATS OF THOSE SENATORS WHOSE TERMS WOULD HAVE EXPIRED IN JANUARY 1983, WILL BE FILLED IN THE 1982 ELECTIONS. THE TWO SENATORS WHO WILL NOT BE REQUIRED TO RUN UNDER THIS RULING ARE SENATORS RICHARD ELIASON OF SITKA AND JAY KERTTULA OF PALMER. EACH WILL SERVE THE REMAINING TWO YEARS OF THEIR SENATE TERM.

ADDITIONALLY, I HAVE REVISED THE BOARD'S RECOMMENDATIONS REGARDING THE LENGTH OF TERMS, WHICH THEY DETERMINED BY LOTTERY, FOR SENATE DISTRICTS J AND M. SENATE DISTRICT J CURRENTLY DOES NOT HAVE AN INCUMBENT SENATOR RESIDING WITHIN ITS BOUNDARIES. IT WAS GIVEN A FOUR-YEAR TERM BY THE BOARD.

SENATE DISTRICT M HAS TWO INCUMBENTS, BOTH OF WHOM WILL BE TRUNCATED AND WAS GIVEN ONLY A TWO-YEAR TERM. BECAUSE THESE SENATORS' TERMS WILL BE CUT SHORT, I BELIEVE IT IS MORE EQUITABLE TO ALLOW THEM TO COMPETE FOR A FOUR-YEAR TERM. THUS, SENATE DISTRICT J WILL BE GIVEN A TWO-YEAR TERM AND SENATE DISTRICT M THE FOUR-YEAR SEAT INITIALLY.

I AM ACCEPTING ALL OTHER ASPECTS OF THE PLAN AS PRESENTED TO ME BY THE REAPPORTICNMENT BOARD.

I AM AWARE THAT THERE ARE SEVERAL AREAS IN THE STATE WHERE THERE IS DISPLEASURE WITH THE NEW DISTRICTS, SUCH AS PETERSBURG, CORDOVA, AND, IN MY OWN DISTRICT, ILIAMNA. I CAN ONLY SAY THAT GIVEN THE CONSTITUTIONAL AND JUDICIAL GUIDELINES OF STRICT POPULATION EQUALITY, THE BOARD HAD NO COMBINATION OF OPTIONS WHICH WOULD HAVE BEEN MORE LEGALLY OR POLITICALLY ACCEPTABLE. GIVEN SOUTHEAST'S POPULATION DISTRIBUTION AND GEOGRAPHIC CONSTRAINTS, FOR EXAMPLE, THE BOARD HAD LITTLE ALTERNATIVE BUT TO MOVE PETERSBURG AND WRANGELL INTO A DISTRICT WITH KETCHIKAN, AND PLACE CORDOVA IN A SOUTHEAST COASTAL DISTRICT.

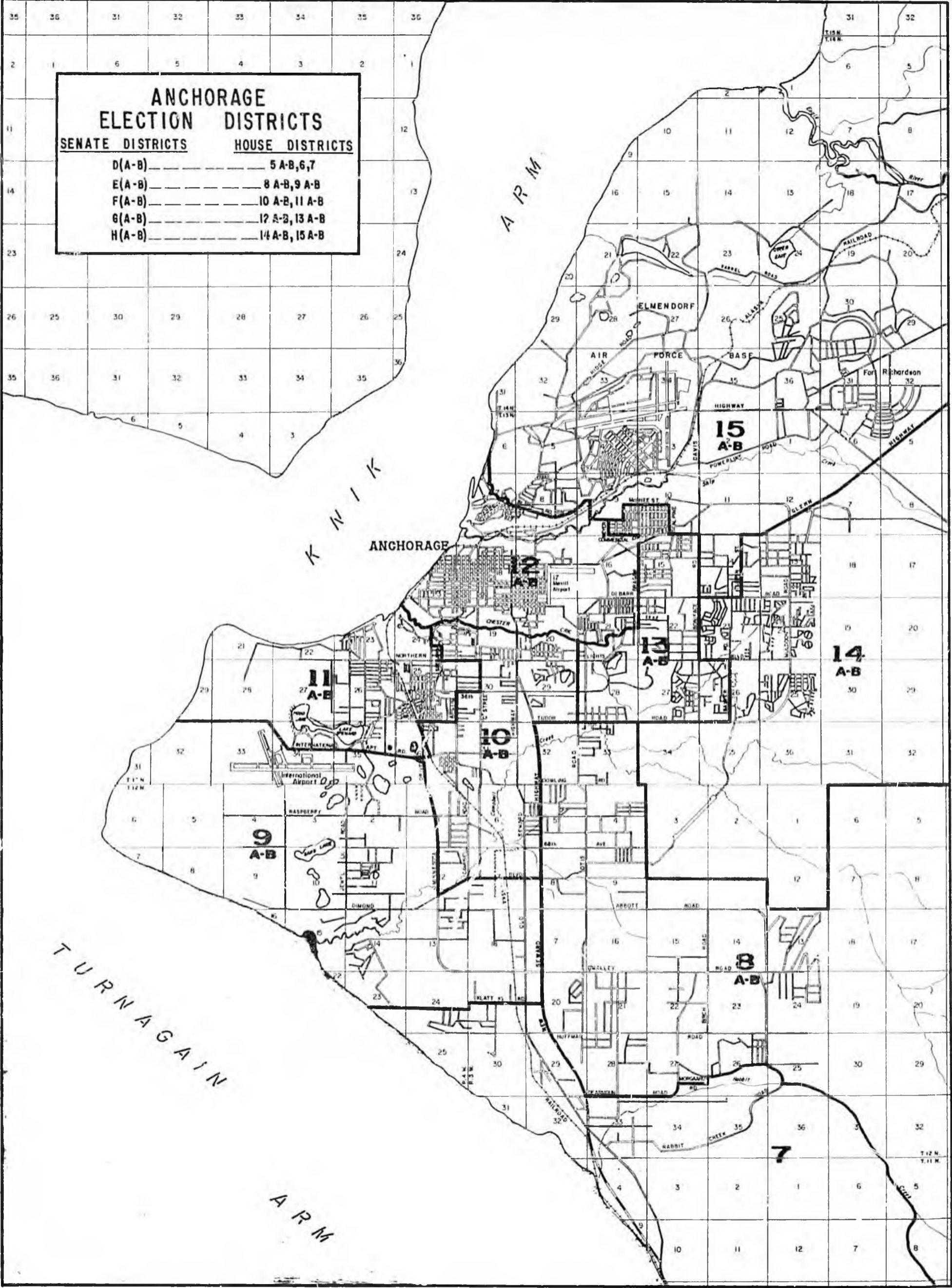
TO HAVE INCREASED THE COMBINED POPULATION DEVIATION BETWEEN THE DISTRICTS TO MORE THAN THE COURT-ALLOWED 10 PERCENT WOULD HAVE AUTOMATICALLY PLACED THIS PLAN IN LEGAL JEOPARDY. IT IS MY INTENTION THAT THIS PLAN NOT SUFFER THE FATE OF THE 1970 PLAN. I DO NOT WANT IT TO SPEND FOUR YEARS IN COURT WHILE MANY ALASKANS REMAIN ESSENTIALLY DISENFRANCHISED.

I WOULD AGAIN LIKE TO EXPRESS MY APPRECIATION TO THE MEMBERS OF THE REAPPORTIONMENT BOARD AND THEIR STAFF WHO WORKED SO MANY HOURS IN TAKING PUBLIC TESTIMONY, STUDYING DATA, AND MAPPING NEW LEGISLATIVE DISTRICTS. TO JOHN SCHAEFFER, BOARD CHAIRMAN; TO KENT DAWSON, CLIFF GROH, AV GROSS AND JOHN HOLM, I CAN ONLY THANK THEM FOR THEIR EFFORTS AND PRAISE THEM FOR THEIR PATIENCE. ALL ALASKANS AND OUR REPRESENTATIVE FORM OF GOVERNMENT WILL BENEFIT FROM THEIR WORK.



### ANCHORAGE ELECTION DISTRICTS

SENATE DISTRICTS	HOUSE DISTRICTS
D(A-B)	5 A-B, 6, 7
E(A-B)	8 A-B, 9 A-B
F(A-B)	10 A-B, 11 A-B
G(A-B)	12 A-B, 13 A-B
H(A-B)	14 A-B, 15 A-B



TURNAGAIN

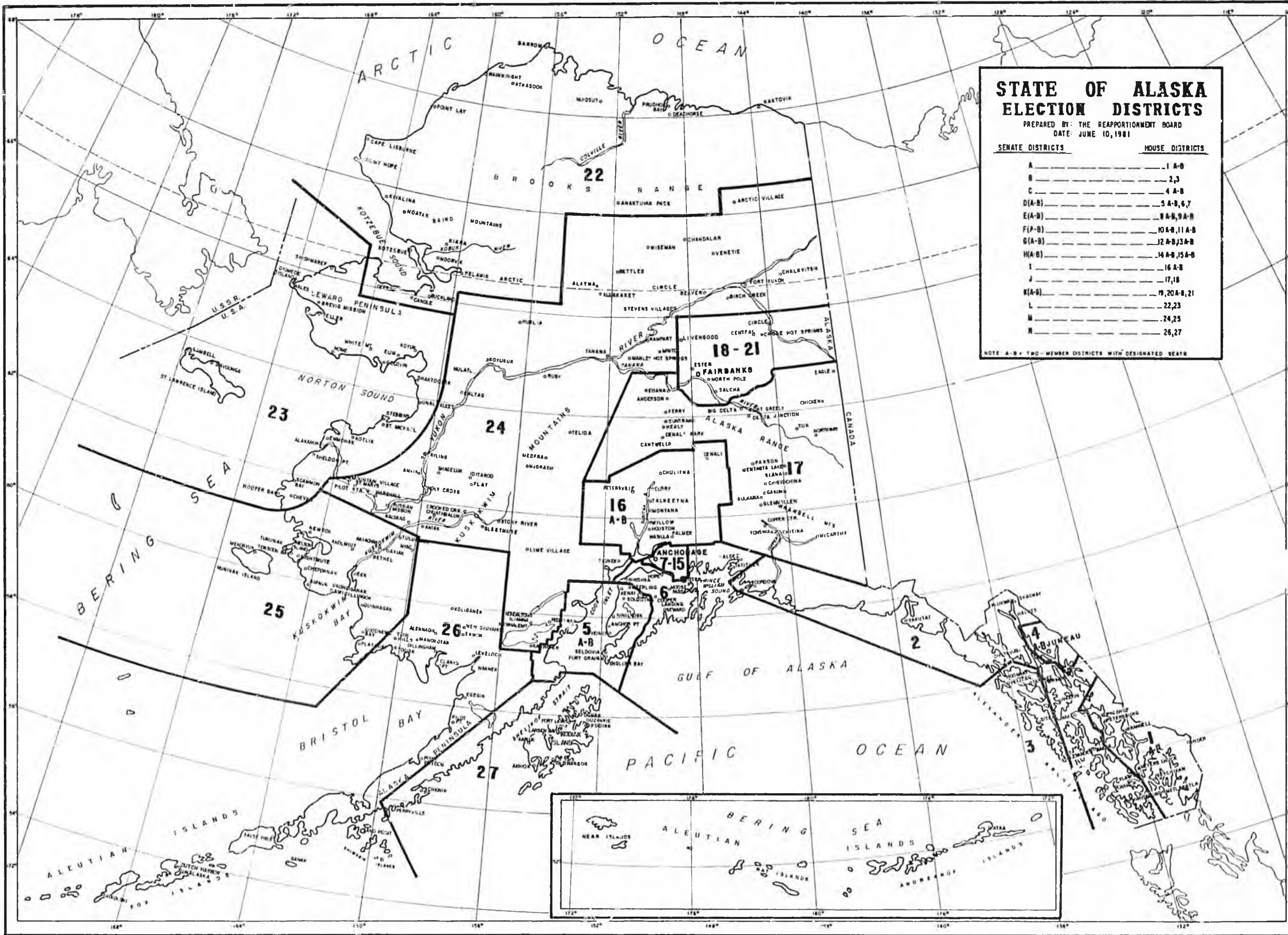
A R M

K N I K

ANCHORAGE

A R M

T. 12 N.  
R. 11 W.



### STATE OF ALASKA ELECTION DISTRICTS

PREPARED BY: THE REAPPORTIONMENT BOARD  
DATE: JUNE 10, 1981

SENATE DISTRICTS	HOUSE DISTRICTS
A	1 A-B
B	2, 3
C	4 A-B
D(A-B)	5 A-B, 6, 7
E(A-B)	8 A-B, 9 A-B
F(A-B)	10 A-B, 11 A-B
G(A-B)	12 A-B, 13 A-B
H(A-B)	14 A-B, 15 A-B
I	16 A-B
J	17, 18
K(A-B)	19, 20 A-B, 21
L	22, 23
M	24, 25
N	26, 27

NOTE: A-B = TWO-MEMBER DISTRICTS WITH DESIGNATED SEATS