

H B

226

Original sponsors: Cotten and Phillips

1 IN THE HOUSE

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 226 (C&RA)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to school boards."

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

8 * Section 1. AS 14.08.051(d) is amended to read:

9 (d) Multi-member sections may be created. However,

10 (1) each seat on the regional board shall be designated by
11 letter or number and when the declaration of candidacy or other nomi-
12 nation papers of a candidate for the regional school board are filed
13 those papers must indicate the seat that the candidate seeks; and
14

15 (2) except as provided in (f) of this section, a [NO]
16 section may not be represented by more than

17 (A) three members, if a board consists of five mem-
18 bers;

19 (B) four members, if a board consists of seven mem-
20 bers;

21 (C) five members, if a board consists of nine members;
22 or

23 (D) six members, if a board consists of 11 members.

24 * Sec. 2. AS 14.08.051 is amended by adding new subsections to read:

25 (f) The commissioner may permit a section that contains more
26 than one community to be represented by more board members than the
27 number set out in (d)(2) of this section if the commissioner deter-
28 mines that

29 (1) the regional educational attendance area has had a

1 pattern of substantial population fluctuations between geographic
2 areas within the regional educational attendance area; and

3 (2) compliance with the requirements of (d)(2) of this
4 section could result in continuous underrepresentation and overrep-
5 resentation of sections.

6 (g) In a regional educational attendance area subject to (f) of
7 this section, no more than two members may be elected from the same
8 community.

9 * Sec. 3. AS 14.12.030(b) is amended to read:

10 (b) Each borough and city school district with an average daily
11 membership exceeding 5,000 has a school board of at least seven, but
12 not more than 11 members. School board members may be elected at
13 large, or as provided in AS 29.23.310.

14 * Sec. 4. AS 29.23.310 is amended to read:

15 Sec. 29.23.310. ELECTION. Each borough and city school district
16 has a school board. Members are elected at the regular election held
17 annually on the first Tuesday of October, unless a different election
18 date or interval of years is provided by ordinance, for three-year
19 terms and until their successors take office. All board members are
20 elected at large, except that, in a school district with an average
21 daily membership exceeding 5,000, members may be elected by district
22 in the manner provided in AS 29.23.023. If school board members are
23 elected by district, the provisions of AS 29.23.021 - 29.23.031 apply
24 to the apportionment, recomposition, and reapportionment of school
25 board seats [BUT SCHOOL ZONES FOR THE ELECTION OF BOROUGH SCHOOL
26 BOARDS MAY BE ESTABLISHED, ALTERED, OR ABOLISHED AS PROVIDED BY
27 AS 29.23.100].
28
29

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DIVISION OF ELECTIONS
POUCH AF
JUNEAU, ALASKA 99811-9974

PHONE: (907) 586-6181

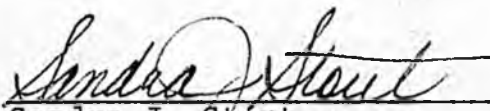
OPINION PAPER
CS FOR HOUSE BILL NO. 226 (C&RA)
March 12, 1985

The Division of Elections has reviewed the Committee Substitute for House Bill No. 226 (C&RA), "An Act relating to school boards", and raises no objections to its intent or content. It should be noted, however, that the issues covered by this bill do not fall under the normal jurisdiction of the division.

There may be some school districts within the Rural Educational Attendance Areas which experience extreme population fluctuations making the establishment of stable section boundaries within the district difficult to maintain. We would concur that a solution as provided by the new subsection, AS 14.08.051 (1), could provide a viable alternative for districts facing these unusual circumstances. Further, we acknowledge that any action taken in the proper exercise of this provision would rest with the Commissioner of Education.

The impact of this amendment on the division would only be evident in terms of any special elections resulting from a ruling of the Commissioner to realign section boundaries and assignment of school board seats, under this statute. In general, it is assumed that the flexibility provided by this section would help to minimize the frequency of section realignment in school districts with continuing population fluctuations. We would further anticipate that prior to any election necessitated by the exercise of this provision, the division would require notice in writing from the commissioner authorizing such an election.

With regard to the proposed amendments to AS 14.12.030(b) and AS 29.23.310, the division offers no opinion. The provisions outlined in these sections, would seem to primarily impact incorporated communities, over whose elections we have no jurisdiction.



Sandra J. Stout
Director

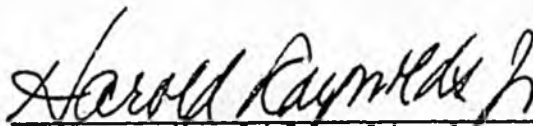
POSITION PAPER OF THE DEPARTMENT OF EDUCATION

FOURTEENTH ALASKA LEGISLATURE

House Bill 226

March 11, 1985

The State Board of Education has elected to take no position on this bill.



Harold Reynolds, Jr.
Commissioner

STATE OF ALASKA
THE LEGISLATURE

POUCH 7 - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

HC & RA 3-14-85 3p.m.
3-13-85 3pm

Introduced: 2/22/85
Referred: Community & Regional
Affairs and Health, Education &
Social Services

1 IN THE HOUSE

BY COTTEN AND PHILLIPS

2

HOUSE BILL NO. 226

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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24 board seats [BUT SCHOOL ZONES FOR THE ELECTION OF BOROUGH SCHOOL
25 BOARDS MAY BE ESTABLISHED, ALTERED, OR ABOLISHED AS PROVIDED BY
26 AS 29.23.100].

COMMITTEE REPORT

3/15

HOUSE

HEALTH, EDUCATION AND
FURTHER: SOCIAL SERVICES

(7)

2/22/85

Date: _____

Mr. Speaker:

The Committee on COMMUNITY & REGIONAL AFFAIRS has had HB 226

"An Act relating to school boards."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 226 (C+RA) same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB-226
 Title: An Act relating to school boards
 Sponsor: Cotten
 Requestor: House C & RA
 Date of Request: 3-7-85

FISCAL DETAIL

Agency Affected: Education
 Program Category Affected: _____
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

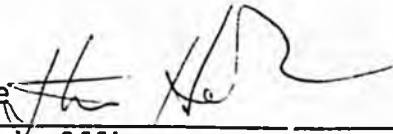
GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

The bill has no fiscal impact on this department.

Prepared By: Steve Hole  Phone: 2800
 Division: Commissioner's Office Date: 3-7-85
 Approved by Commissioner: Harold Reynolds, Jr. Date: 3-7-85
 Agency: Education

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

REPRESENTATIVE
SAM COTTEN
DISTRICT 15



P.O. BOX 296, EAGLE RIVER, AK 99577
POUCH V, JUNEAU, AK 99811

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
MEMORANDUM

FROM: Rep. Sam Cotten

TO: Members of House Committee
on Community and Regional Affairs

RE: HB 226: An act relating to school boards

This bill amends state law to allow the larger school districts (with more than 5,000 students*) to elect school board members by district, if they so choose. The state currently requires areawide elections.

The lack of local representation on the Anchorage School Board has been a particularly troubling issue for Chugiak-Eagle River, which has had numerous school-related problems in the past two years due to booming population, construction of new schools (including the trouble-plagued Gruening Junior High), and several accidents involving school buses and students. Residents feel they might have better representation and response if a local resident were on the school board.

This bill does not require local governments to hold elections by district, it merely gives them the option of doing so.

The bill makes one other change. The state currently requires that school boards consist of 7 members for areas of more than 5,000 students. This bill would allow these larger communities to have between 7 and 11 members on their school boards, once again, at the option of the local governments. Having more members on the school board also enhances the goal of better local representation.

There are no costs associated with this bill. In fact, it would help out school board candidates by reducing the cost of campaigning, because candidates would only have to campaign in their districts rather than areawide.

I ask your support for HB 226.

* Currently this would only affect Anchorage and Fairbanks. The student populations of Alaska's four largest cities are as follows: Anchorage, 41,743; Fairbanks, 13,170; Juneau, 4,694; Ketchikan, 2,369.

MEMORANDUM

State of Alaska

TO: The Honorable Peter Goll
Alaska State Representative
Chairman, House Community and
Regional Affairs Committee

DATE: March 8, 1985

FILE NO: 006.3(1)

TELEPHONE NO: 465-2800

FROM: Harold Reynolds, Jr., Commissioner
Department of Education

SUBJECT: House Bill 226

During its March 4 and 5 meeting, the State Board of Education decided to take no position on this Bill.

Southeast Island School District

640 Park Ave. - P.O. Box 8340 - Ketchikan, Alaska 99901 - (907) 225-9658 or 225-9659



March 6, 1985

Representative Peter Goll
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Goll:

This is to follow up on earlier information sent to you expressing concern regarding AS 14.08.051, and its limitation on the number of board members which can be elected from a section in a regional educational attendance area which has been divided into sections (section (d) (2)).

My understanding of this limitation is that it is designed to prevent a large community in a given section from having the power, by virtue of number of votes, to elect more than a simple majority of members of the school board, effectively denying representation to smaller communities.

The problem that we have is that it is not practical for the Southeast Island School District to adhere to the statutory standards. Prior to mid-1983, this District was divided into two sections, one with two members from Thorne Bay and one at-large area with three members from the remaining communities. In mid-1983, the State reapportioned regional educational attendance area board sections in light of the 1980 census. This created several problems for this District. First, the census was grossly inaccurate for rural communities in southern Southeast Alaska. One of our communities with 200 people was listed on the census as having 0 residents. Areas that are federal bird sanctuaries were listed as having human residents, and so on. Second, to compound the census errors, this District experiences significant population changes in many, although not all, communities due to the nature of the economy in this part of the state. We have approximately a 50% student turnover annually, and frequently open up schools in new communities and close schools in areas which have suffered a population decline. In addition, we also have cases where entire communities, sometimes built on floats, move around the district.

Third, the population of the District had changed significantly since the 1970 census so that Thorne Bay had only about 20% of the population. Consequently, the recommended reapportionment reduced the Thorne Bay section from two seats to one, and created two additional sections along an arbitrary east-west line. The Southeast Island School District Board

Representative Peter Goll
March 6, 1985
Page Two

requested that the State establish a Thorne Bay section with one seat, and an at-large area with four seats. We were told that existing statutory limitations would not allow this, so we looked for some type of reasonable alternative. As a result of information supplied by this District, the State agreed to modify the line to reflect actual population at that time. Since the reapportionment, the usual changes have occurred. In 1982, the schools in the north and south sections had 39% and 45% of our student population (which can be used as a fairly reasonable measure of the general population). In 1983, just after the reapportionment along the new lines, each section had 41% of the student population; i.e. the sections did provide fair representation for that one moment. In 1984, the north and south sections had 31% and 43% of our student population respectively. Put in terms of variance combining the overpopulation and underpopulation of existing sections (which is the statistic normally used at times of reapportionment), the current total combined variance is about 55%, far exceeding the level normally acceptable during reapportionments. This variance increased from 15% to 55% in one year, again reflecting the massive population changes which occur across arbitrary section lines in this District. (Note: Again this data is based upon student population, which can be used as a guide as to general population variations and changes.) The point I am trying to make is that there are substantial annual population changes, by section, although the total population remains about the same.

Now, we have an additional problem which magnifies the issue for us. As a result of the population changes we normally have, we have had a fairly high turnover in Board members. We historically have had an average of one Board member resignation per year due to the member moving from the District. However, prior to the reapportionment, if a Board member (or the community in which the Board member resided) moved elsewhere in the at-large section, the Board member could remain on the Board. Now, if this occurs, the Board member would have to resign from the Board. Thus, an already difficult management situation is being compounded. This year, we have lost one Board member due to a move from the District (Thorne Bay section). At a Board meeting last week, I was informed that an additional Board member (south section) would be resigning for the same reason, while still a further board member (south section) would be resigning because, for the first time, a move of a community was being made across the new arbitrary Board section lines. In less than one year, 60% of the Board will have resigned. While two resignations were unavoidable, I believe the third could be avoided by the application of a reasonable standard to this District.

At a meeting of February 5, the Southeast Island School District Board approved a resolution requesting that the State review this situation and change the sections, administratively if possible, to one section with one seat (Thorne Bay) and an at-large area, with four seats, consisting of the remainder of the District. After a considerable amount of discussion

Representative Peter Goll
March 6, 1985
Page Three

with the Department of Education and Division of Elections, it has become apparent that the Division of Elections feels that existing statutes prevents us from arriving at a practical administrative solution to our problem.

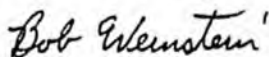
Therefore, the Southeast Island School District Board is requesting your assistance in this matter. Enclosed you will find some possible language for a statute change. The intent of the proposal is:

1. To allow the Commissioner of Education to exempt a regional educational attendance area, upon the request of its Board, from the limitations of AS 14.08.051 (d) (2) upon a determination that population fluctuations make it impractical for the existing statutory standards to be applied. This would eliminate the need for continual revisions due to frequent population changes across section boundaries, and significantly reduce existing variance between sections;
2. To prevent, by a limitation on the number of Board members who can be elected from a given community in an exempted board section, one community from excessively dominating the Board [as does subsection (d) (2)].

This proposal should have little, if any, effect upon other REAA's, due to the stringent limitation suggested for the number of board members from a single community. Please advise me if you have any questions about the enclosed information, or if I may answer additional questions.

Thank you for your assistance.

Sincerely,



Robert Weinstein
Superintendent

RW:cm

cc: Senator Dick Eliason
Senator Robert Ziegler, Sr.
Senator Frank Ferguson
Representative Mike Miller
Representative Robin Taylor
Representative John Sund
Representative Niilo Koponen

DRAFT

For an act entitled: "An Act relating to reapportionment of regional educational attendance areas."

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

Section 1. AS 14.08.051 is amended by amending subsection (d)(2) to read:

(d)(2): No section, except as otherwise provided by (f) of this section, may be represented by more than (A) three members, if a board consists of five members; (B) four members, if a board consists of seven members; (C) five members, if a board consists of nine members; or (D) six members, if a board consists of eleven members.

Section 2. AS 14.08.051 is amended by adding a new subsection to read:

(f)(1): The Commissioner (of Education) may permit a section consisting of more than one community to be represented by more members than are permitted under (d)(2) of this section upon a determination that: (A) The regional educational attendance area has had a pattern of substantial population fluctuations and such fluctuations may be reasonably expected to continue; (B) Adherence to the limitations imposed by (d)(2) of this section could result in continuous overrepresentation and underrepresentation of sections;

(2): No more than two members may be elected from a community in a section which is not subject to the limitations of (d)(2) of this section.

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

*For HB 226
School Boards*

March 29, 1985

BILL SHEFFIELD, GOVERNOR

REPLY TO:

1031 W 4th AVENUE
SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-3550

1st NATIONAL CENTER
100 CUSHMAN ST.
SUITE 400
FAIRBANKS, ALASKA 99701
PHONE: (907) 452-1568

POUCH K - STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3600
465-3603

The Honorable Max F. Gruenberg, Jr.
Alaska State House
Pouch V
Juneau, AK 99811

Re: CSHB 226 (C&RA)
Our file: 366-414-85

Dear Representative Gruenberg:

You have asked us whether certain language in CSHB 226 (C&RA) violates the one man-one vote principle enunciated by the U.S. Supreme Court in such cases as Reynolds v. Sims, 377 U.S. 533, 84 S.Ct. 1362, 12 L.Ed.2d 506 (1964), and Baker v. Carr, 369 U.S. 186, 82 S.Ct. 671, 7 L.Ed.2d 663 (1962). In order to get this opinion to you as soon as possible our research has not been exhaustive; however, it is our opinion that the language of CSHB 226 (C&RA) does not violate this principle.

Sections 1 and 2 of CSHB 226 (C&RA) state as follows:

Section 1. AS 14.08.051(d) is amended to read:

(d) Multi-member sections may be created. However,

(1) each seat on the regional board shall be designated by letter or number and when the declaration of candidacy or other nomination papers of a candidate for the regional school board are filed those papers must indicate the seat that the candidate seeks; and

(2) except as provided in (f) of this section, a [NO] section may not be presented by more than

(A) three members, if a board consists of five members;

(B) four members, if a board consists of seven members;

(C) five members, if a board consists of nine members; or

(D) six members, if a board consists of 11 members.

Sec. 2. AS 14.08.051 is amended by adding new subsections to read:

(f) The commissioner may permit a section that contains more than one community to be represented by more board members than the number set out in (d)(2) of this section if the commissioner determines that

(1) the regional educational attendance area has had a pattern of substantial population fluctuations between geographic areas within the regional educational attendance area; and

(2) compliance with the requirements of (d)(2) of this section could result in continuous underrepresentation and overrepresentation of sections.

(g) In a regional educational attendance area section subject to (f) of this section, no more than two members may be elected from the same community.

Basically these sections are an attempt to refine the method by which school board members of a regional educational attendance area (REAA) are elected in those areas which have opted to subdivide the REAA into sections and which have also opted to permit the election of more than one member from a section. Your question relates specifically to the amendment of AS 14.08.051(d)(2) and the enactment of AS 14.08.051(g), both which on their face provide for an absolute number of members to be elected from a section or a community within a section. It is my understanding that you are concerned that these maximums could run afoul of the one man-one vote constitutional principle.

As we understand it the introduction of this bill is principally the result of a request by the Southeast Island School District for amendments which would permit it to more equitably elect and retain its school board members within its REAA. At the present time REAA #19 (see Exhibit A) is divided into three sections and we are told that because much of the population is involved with the logging industry, there is considerable intersectional population movements which hamper the ability of members to remain on the school board and for the population to have continuous equal representation. This occurs mainly because although school board members are elected at-large, particular members must represent and live in a

specific section. This bill is designed to alleviate that problem, mainly by the addition of AS 14.08.051(f) and (g).

Under subsection (f) the commissioner could permit a district to elect members other than in accordance with subsection (d)(2) in response to "substantial population fluctuations between geographic areas within the regional educational attendance area" which "result in continuous underrepresentation or overrepresentation of sections." 1/

Subsection (g) would basically prohibit one community from within a section from electing more than two members to a school board, regardless of the effect of population fluctuations within or outside of its section. 2/

It is an established canon of statutory construction that statutes on the same subject be construed together. It is also assumed that a legislature has in mind already enacted statutes on the same subject and therefore will enact new legislation in harmony therewith. 2A N. Singer, Sutherland Statutory Construction § 51.02 (4th ed. 1984). AS 14.08.051 establishes the procedures by which an REAA may be divided into sections for the purpose of electing representatives to the district school boards. AS 14.08.051(a) requires that "each school board member shall represent, as nearly as practicable, 3/ an equal number of

1/ We note that since the commissioner has no authority to increase the total number of board members, that the commissioner's authority is really to decrease representation in one section and increase it in another, and vice versa, in response to the factors mentioned above.

2/ One can envision circumstances where underrepresentation of a particular community within a section could be exacerbated because of the fact that the population movement was into that particular community. Subsection (g) would apparently prevent that community from having more than two members on the school board regardless of the percentage of the population within the section which it might possess because of the fluctuations. We don't believe that this worse case possibility makes the subsection invalid as a matter of law. However, under certain facts this subsection could be unconstitutional as applied.

3/ This language is identical to that used by the U.S. Supreme
(Footnote Continued)

persons." (Emphasis added). When read together it seems clear that the intent of the statute is to permit individual school districts, to the extent possible, to adopt school board election procedures which suit local conditions. At the same time it is clear that the legislature has intended and required that as closely as possible those procedures conform to providing equal and fair representation within the district. As a matter of law we simply do not see the amendments proposed by CSHB 226 (C&RA) as doing violence to that intent. In fact, for the most part, the amendments appear to enhance a school district's ability to have equal and fair representation.

Since the early 1960's the United States Supreme Court has reviewed a large number of reapportionment plans and redistricting schemes. While the Court has consistently ruled that districting plans be based upon population, with the ideal being that each election unit have as near as possible equal population, the Court has actually accepted different descending levels of compliance with that ideal, depending upon whether the election unit in question was a federal, state, or local political unit, respectively. Reynolds, 377 U.S. at 568; Kirkpatrick v. Preisler, 394 U.S. 526, 89 S.Ct. 1225, 22 L.Ed.2d 519; White v. Weiser, 412 U.S. 783, 93 S.Ct. 2348, 37 L.Ed.2d 335; Wesberry v. Sanders, 376 U.S. 1, 84 S.Ct. 526, 11 L.Ed.2d 481.

The Court has recognized that mathematical equality in the real world is rarely possible; states may deviate from the equal population standard as long as they make a good faith effort to achieve population equality and can justify deviations from it. Kirkpatrick, 394 U.S. at 530-531; White, 412 U.S. at 790. Accord Karcher v. Daggett, 103 S.Ct. 2653 (1983). The Alaska Supreme Court in Groh v. Egan, 526 P.2d 863 (Alaska 1974), indicated its approval of the standard set by the U.S. Supreme Court that population of state election districts may deviate up to 10 percent without justification. See also Carpenter v. Hammond, 667 P.2d 1204 (Alaska 1983) at 1212-1213. As we stated earlier, the procedures set out in AS 14.08.051, including those which would be incorporated by CSHB 226 (C&RA), do not appear

(Footnote Continued)

Court in stating the one man-one vote principle. See, for example, Reynolds v. Sims, 377 U.S. at 577.

Hon. Max F. Gruenberg, Jr.
Alaska State House
366-414-85

March 29, 1985
Page 5

inconsistent with the above standard. ^{4/} In any event under the U.S. Supreme Court's descending levels of compliance, as a local political unit, the REAA's may well have more flexibility.

The provisions of AS 14.08.051(d) were enacted by the legislature in 1975 and have therefore been in effect for nearly 10 years. We are aware of no circumstances in its use to-date which indicate that it has had the effect of diluting the voting strength of persons living in school districts which have elected multi-member districting plans. Even so, the amendment to subsection (d) contemplated by CSHB 226 (C&RA), if anything, will only enhance the ability of the school district to attain "as nearly as practicable" the standard required by the one man-one vote principle.

In short, it is our opinion that the bill does not run afoul of the one man-one vote principle.

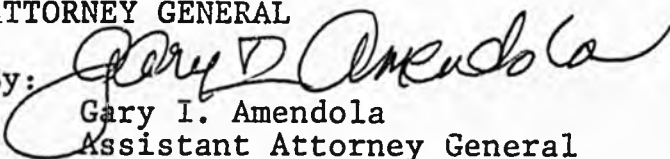
Finally, we note that the State of Alaska is subject to the preclearance requirements of § 5 of the Voting Rights Act of 1965, 42 U.S.C. §§ 1973 et seq. This means that if enacted, the election procedure changes in CSHB 226 (C&RA) must be submitted to the U.S. Attorney General for approval.

I apologize for not getting this information to you sooner. If you have further questions do not hesitate to contact us.

Sincerely,

NORMAN C. GORSUCH
ATTORNEY GENERAL

By:

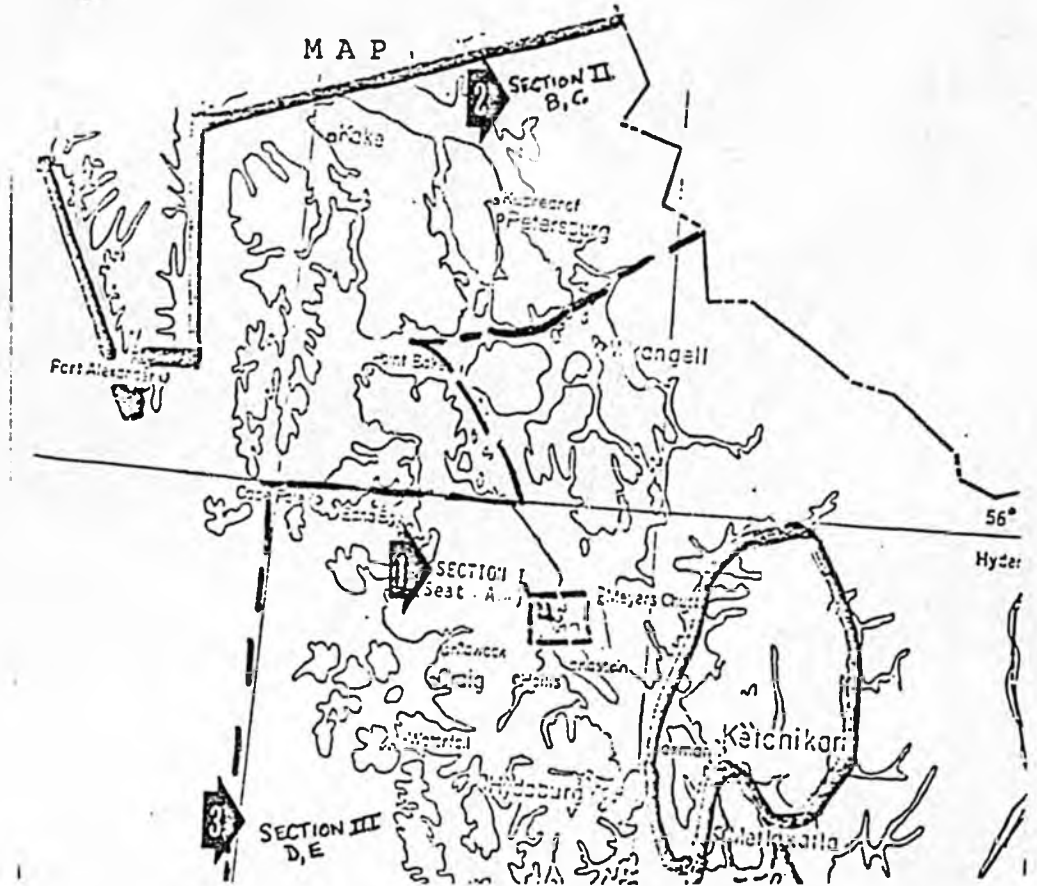

Gary I. Amendola
Assistant Attorney General

GIA:jal
cc: Hon. Peter Goll

^{4/} The Courts have required only that when reapportionment takes place in response to the census taken decennially, that it be in conformity with the above standards. Interim imbalances may and do likely occur. However, we have no facts before us to indicate that this legislation is necessary as a matter of constitutional law.

REAA #19 - SOUTHEAST ISLANDS

- o Nominate by Section and Elect at Large
- o Number of Seats: 5 (A,B,C,D,E)
- o Number of Sections: 3
 - a. Section I - 1 Seat; A
 - b. Section II - 2 Seats; B,C
 - c. Section III - 2 Seats; D,E
- o Terms: All are 3-year Seats



SECTION I

Thorne Bay

SECTION II

Coffman Cove
 Flat Creek
 Kupreanof
 Labouchere Bay
 Pt. Baker
 Fort Alexander
 Rowan Bay
 Whale Pass
 Portage Bay

SECTION III

Big Salt Lake
 Cape Pole
 Edna Bay
 El Capitan
 Hollis
 Hyder
 Kasaan
 Long Island
 Marble Island
 Meyers Chuck
 Naukati
 Port Alice
 Roosevelt Harbor
 Smith Cove
 St. John's Harbor
 View Cove



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James O. Smith
Signature of Camera Operator

7/25/89
Date