

ALASKA LEGISLATURE COMMITTEE FILES 1983-1984 80/2

2479

HJ

HJR 53

2479

TABLE II

Southeast vs Anchorage

Plan 2  
Dec 19, 1983

Total Population            53308 + 159466 = 212774  
                                 Southeast Anchorage

Ave Juneau Seat Size 8885            212774 ÷ 8885 = 23.95

23.95 - 6 = 17.95

Should be 6 seats in Juneau and 18 in Anchorage

S.E.

Anchorage

6/  $\overline{53308} = 8885/\text{seat}$

17/  $\overline{159466} = 9380/\text{seat}$

Ave S.E. variance - 3.5%

Ave Anch variance + 1.8%

9380 - 8885 = 495/seat

495 x 6 = 2970

495 x 17 = 8415

TABLE III

Remaining AK (excluding Anch) vs Southeast

Plan 2  
Dec. 19, 1983

Remaining Alaska (excluding Anch)

Southeast 6 seats

<u>District</u>	<u>Population</u>	<u>Variance</u>
D5	19190	+4.2
D6	8598	-6.7
D16	17692	-3.9
D17	8918	-3.2
D18	9300	+ .9
D19	8934	-3.0
D20	18320	- .5
D21	9247	+ .4
D22	8999	-2.3
D23	9339	+1.4
D24	8936	-3.0
D25	9432	+2.4
D26	9158	- .6
D27	9592	+4.1
	17/ 155655 = 9156/seat	

<u>District</u>	<u>Population</u>
D1	16602
D2	8924
D3	8449
D4	19333
	6/ 53508 = 8885/seat
	9210
	-8885
	<u>325</u>
	325
	<u>9210 = 3.5%</u>

9210  
-9156  
54  
54  
9210 = -0.6%

9156      271  
-8885     x17  
271/    4607  
seat

Anchorage vs Remain Alaska (excluding S.E.)

Plan 2  
Dec. 19, 1983

Anch	17 seats	159466	9380	+1.8%
Alaska	17 seats	-155656	9156	-0.6%
		<u>3820</u>	<u>224/seat</u>	

Anchorage vs Rest of Alaska (including S.E.)

Anch	17 seats	159466	9380/seat	+1.8%
Alaska	23 seats	208954	9085/seat	-1.4%
			<u>295/seat</u>	

295  
x17  
5015

Plan 1

S.E. 6 seats

Anchorage 17 seats

<u>District</u>	<u>Population</u>
D1	16602
D2	8924
D3	8449
D4	19353
	6/ 53308 = 8885/seat

Ave S.E. Variance = -3.2%  
Ave S.E. Seat size = 8885

<u>District</u>	<u>Population</u>
D7	9110
D8	18269
D9	18005
D10	19083
D11	18960
D12	18170
D13	18908
D14	19032
D15	18561
	17/ 158053 = 9297/seat

Ave Anch Variance = +1.3%  
Ave Anch Seat size = 9297

$$9297 - 8885 = 412/\text{seat}$$

$$6 \text{ S.E. seats vs } 6 \text{ Ave Anch seats } \quad 53308 - 55782 = 2474$$

$$6 \text{ S.E. seats vs } 6 \text{ most populated Anch seats } \quad 57050 - 53308 = 3722$$

$$\text{Total Anch under represented vs. S.E.} = 17 \times 412 = 7004$$

$$\text{Total Alaska under represented vs. S.E.} = 7004 + 4641 = 11645$$

TABLE X  
 Districts With Combined Variances  
 Greater Than Ten Percent

<u>Districts</u>	<u>Variances</u>	<u>Districts</u>	<u>Variances</u>
1 v. 4	9.9 + 4.9 = 14.8	3 v. 4	8.3 + 4.9 = 13.2
1 v. 5	9.9 + 4.2 = 14.1	3 v. 5	8.3 + 4.2 = 12.5
1 v. 7	9.9 + 4.0 = 13.9	3 v. 7	8.3 + 4.0 = 12.3
1 v. 8	9.9 + 4.4 = 14.3	3 v. 8	8.3 + 4.4 = 12.7
1 v. 9	9.9 + 4.0 = 13.9	3 v. 9	8.3 + 4.0 = 12.3
1 v. 11	9.9 + 2.1 = 12.0	3 v. 11	8.3 + 2.1 = 10.4
1 v. 12	9.9 + 1.4 = 11.3	3 v. 13	8.3 + 4.1 = 12.4
1 v. 13	9.9 + 4.1 = 14.0	3 v. 25	8.3 + 2.4 = 10.7
1 v. 18	9.9 + 0.9 = 10.8	3 v. 27	8.3 + 4.1 = 12.4
1 v. 21	9.9 + 0.4 = 10.3		
1 v. 23	9.9 + 1.4 = 11.3	6 v. 4	6.7 + 4.9 = 11.6
1 v. 25	9.9 + 2.4 = 12.3	6 v. 5	6.7 + 4.2 = 10.9
1 v. 27	9.9 + 4.1 = 14.0	6 v. 8	6.7 + 4.4 = 11.1
		6 v. 9	6.7 + 4.0 = 10.7
		6 v. 13	6.7 + 4.1 = 10.8
		6 v. 27	6.7 + 4.1 = 10.8



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

January 6, 1984

The Honorable Terry Martin  
State Representative  
Pouch V  
Juneau, AK 99811

Dear Mr. Martin:

Thank you for your recent letter expressing your concerns with the 1981 Reapportionment Plan, the restrictions placed on this Board by the Court, and our current proposals to amend the plan. We appreciate your time in preparing the extensive background information that accompanied your letter.

First, let me say that it is unlikely that this Board would encourage Governor Sheffield to seek authority from the Court to undertake a comprehensive redistricting of the state. Although we understand and appreciate your contention that there may have been serious problems with the work of the previous board, it appears the courts have already made their decision on the validity of that plan.

Secondly, we have been subjected to criticism from those who believe we have already gone too far in making our revisions. Those criticisms center around the use by this Board of official corrections made by the U.S. Bureau of the Census to the 1980 census counts for Alaska. These corrections were not available to the 1981 Board. As you know, our state constitution requires that reapportionment utilizes federal census data. We feel that this implies use of the most accurate census data available.

Finally, we realize that some people will be unhappy with our recommendations. Reapportionment is a very difficult task and one that is surrounded by controversy. Given the history of reapportionment litigation in our state, it is

The Hon. Terry Martin

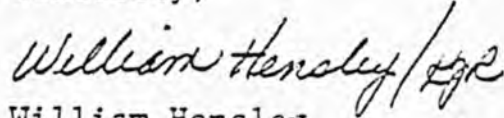
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January 6, 1984

likely that this plan will face legal challenge. Please be assured that this Board has made every effort to follow the constitutional and court-mandated guidelines in developing our proposal.

Thank you again for your letter.

Sincerely,

A handwritten signature in cursive script that reads "William Hensley" followed by a stylized flourish or initials.

William Hensley  
Chairman  
Reapportionment Board

cc: Governor Sheffield  
Senator Jalmar Kerttula  
Representative Joe Hayes  
Attorney General Gorsuch  
Press



Official Business

# Alaska State Legislature

Pouch V  
State Capitol  
Juneau, Alaska 99811

January 9, 1984

FOR IMMEDIATE RELEASE  
CONTACT: REP. TERRY MARTIN  
465-3783 or 465-3784

## REP. MARTIN SEEKS CONSTITUTIONAL AMENDMENT ON REAPPORTIONMENT PROCESS

JUNEAU - Rep. Terry Martin today introduced a House Joint Resolution which would place a constitutional amendment to alter the state's reapportionment process on the 1984 general election ballot.

Martin said the constitutional amendment is needed to "correct the potential for party politics of being the major consideration for reapportionment."

As proposed in HJR 53:

- The entire state would be reapportioned into single-member House and Senate election districts;
- Only a two percent disparity in population will be allowed statewide and no more than five percent disparity per district;
- All military personnel and their families must be counted equally throughout the state.

"This resolution calls for the necessary changes in the state constitution pertaining to equality of representation for all Alaskans," said Martin, R-Anchorage.

"A major feature of this is to correct a problem that discriminates against military residents," Martin said. "As it is now, most military residents are treated like second-class citizens."

Currently, most military residents living in the southeast and southwest portions of the state are counted as "100 percent" residents. But in Anchorage and Fairbanks, Martin said, the military residents count as only "15 percent" residents. This inequitable formula, Martin said, inflates the population statistics for the southern parts of the state while "robbing Anchorage and Fairbanks of equal representation."

"The disparity from district to district is appalling," Martin said. "Some areas, primarily Anchorage, are under represented."

Martin said his resolution would allow only a five percent disparity in population in each district "with some justification for socio-economic factors."

"But in the last reapportionment (1980) and the current reapportionment negotiations, the boards have put socio-economic factors ahead of equal representation."

Martin said he is confident the resolution would be approved by the voters, "If this does pass both houses I'll be surprised," Martin said. "It won't allow them to play as many games."

But Martin said he felt the public, if given the opportunity, would support his measure.

"It's fair, it's equal and I just hope the other members of the legislature put aside party politics and vote for something that allows the state equal representation for all residents.

"This is really getting down to the fundamentals of pure democracy," Martin concluded. "The goal is to get this on the ballot and let the people see the value of it and vote accordingly."

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# MEMORANDUM

Note Copy

## State of Alaska

TO: William Hensley, Chairman  
Reapportionment Board

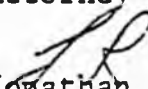
DATE: January 10, 1984

FILE NO:

TELEPHONE NO: 465-3600

FROM: Norman C. Gorch  
Attorney General

SUBJECT: Legal review of  
proposed reapportionment  
plan

By:  Jonathan B.  
Assistant Attorney General

Following the Reapportionment Board's (Board) tentative adoption on December 16, 1983 of proposed amendments to the 1981 Reapportionment Plan (Plan), the Department of Law requested an opportunity to review certain legal concerns which had been raised during the course of the Board's deliberations. Our legal review of several probable areas of concern are set forth in this memorandum. We caution, however, that the law relating to reapportionment is, in many respects, quite unsettled and that, as a consequence, our legal analysis is intended more as an indication of probable judicial analysis than as a statement of legal validity. 1/

### I. Southeast Alaska

The proposed configuration of districts in Southeast Alaska retains the conceptual approach embodied in the 1981 Plan. Cordova, of course, has been removed from District 2. To retain the concept of a predominantly rural, "island chain" district, the communities of Metlakatla and Hoonah were removed from Districts 1 and 3 respectively, and relocated into District 2. In other respects, the 1981 Plan is unchanged. The comparative variation of this proposed plan is 14.8 percent, with District 4 (Juneau) the most overpopulated district, and District 1 (Ketchikan) the most underpopulated.

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1/ To assist in this review, the Department of Law engaged the law firm of Sanosky, Chambers, Sachse & Guido, a firm located in Washington, D.C. with substantial expertise in the areas of reapportionment law. The views of the Sanosky firm are included within this memorandum.

To evaluate the proposed configuration, we assess the proposed Plan as opposed to Southeast Option No. 5, an alternative option considered by the Board which rejects the concept of District 2, and instead divides the region in a more horizontal fashion. Under this plan, District 1 would be a two-member district which includes Ketchikan, Metlakatla, Wrangell, and Prince of Wales. District 2 would include Petersburg, Hoonah, Gustavus, Haines, Skagway, and Yakutat. The comparative variation in this plan is 15.5 percent.

#### A. Population Variances

We first address whether the proposed comparative variance of 14.8 percent raises a substantial legal problem under the Equal Protection Clause of the United States and Alaska Constitutions.

In Reynolds v. Sims, 377 U.S. 533 (1964), the Supreme Court enunciated the basic test for judging the population distribution in a state legislative redistricting plan, with the Equal Protection Clause:

[T]he 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.

377 U.S. at 577. The Court recognized that "legitimate considerations incident to the effectuation of a rational state policy," 377 U.S. at 579, such as a desire to respect subdivision lines or to provide for compact districts of contiguous territory, justify some deviations from the principle of equal population. But it cautioned that the "overriding objective" of state redistricting plans "must be substantial equality of population among the districts, so that the vote of any citizen is approximately equal in weight to that of any other citizen." Id. 2/

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2/ In Reynolds, the Court struck down population variance ratios of 41 to 1 in the Alabama Senate and 16 to 1 in the Alabama House. 377 U.S. at 546. On the same day Reynolds was decided, continued

In the cases subsequent to Reynolds and its companion cases, the Court refined its analysis of permissible population variances in state legislative redistricting plans. Although the Court has acknowledged that such districts are to be judged by more flexible standards than congressional districts, see e.g., Wesberry v. Sanders, 376 U.S. 1 (1964); Kirkpatrick v. Roelster, 394 U.S. 526 (1969); Gaffney v. Cummings, 412 U.S. 735, 742 (1973), the apparent "rule" is that state legislative districts should not exceed a maximum deviation of 10 percent, and may not exceed a maximum deviation of 16.5 percent. This rule has been applied -- virtually without exception -- since the early 1970's by both the Supreme Court and the lower federal courts.

In Swann v. Adams, 385 U.S. 440 (1967), for instance, the Supreme Court disapproved of maximum variance of 25.65 percent in the Florida legislature. Similarly, it disapproved a maximum deviation of 26.48 percent in Kilgarin v. Hill, 386 U.S. 120 (1967), and deviations of 24.78 percent and 28.20 percent in Whitcomb v. Chairs, 403 U.S. 124 (1971). On the other hand, the Court permitted a maximum deviation of 7.83 percent in Gaffney v. Cummings, 412 U.S. 735 (1973), and, with justification by the state, a deviation of 11.9 percent in Abate v. Mundt, 403 U.S. 182 (1971).

In White v. Regester, 412 U.S. 755 (1973), the Court held that a maximum deviation of 9.9 percent in a state redistricting plan did not, in itself, establish a prima facie case of invidious discrimination under the Equal Protection Clause. 412 U.S. at 764. Thus, the state bore no burden to justify any deviation up to that degree. Id. The Court did recognize, however, that "larger differences between districts would not be tolerable without justification" based on the effectuation of a rational state policy. Id.

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2/ continued

The Court also struck down redistricting plans with a variance ratio of 1.7 to 1 in the House and 3.6 to 1 in the Senate in Colorado, Lucas v. Colorado General Assembly, 377 U.S. 713 (1964); a variance of 32 to 1 in the Senate and 6 to 1 in the House in Maryland, Maryland Committee v. Tawes, 377 U.S. 656 (1964), a variance of 2.65 to 1 in the Senate and 4.36 to 1 in the House in Virginia, Davis v. Mann, 377 U.S. 678 (1964), and a variance of 15 to 1 in the Senate and 35 to 1 in the House in Delaware, Roman v. Sincock, 377 U.S. 695 (1964). In each instance, the Court found that such wide population disparities among legislative districts violated the Equal Protection Clause.

16.4% In a prior case, Mahan v. Howell, 410 U.S. 315 (1973), the Court permitted Virginia to accept a plan with a maximum deviation of 16.4 percent -- but only after making a strong demonstration that the deviation was justified by the state policy of respecting subdivision boundaries. 410 U.S. at 328. The Court expressly noted that the 16.4 percent deviation approved in Mahan "may well approach tolerable limits ..." 410 U.S. at 329.

The Court has adopted a three part test. Maximum deviations below 10 percent are treated by the Court as "minor deviations from mathematical equality" which are "insufficient to make out a prima facie case of invidious discrimination ... so as to require justification by the State." Gaffney v. Cummings, 412 U.S. at 745. Deviation greater than 10 percent but less than the 16.5 percent in Mahan "may be sufficiently large to require justification but nonetheless justifiable and legally sustainable." Id. Finally, deviations larger than the 16.4 percent approved in Mahan would likely exceed the tolerable limits in state redistricting plans. 3/

Virtually all court rulings from the early 1970's to the present support these distinctions. Maximum deviations below 10 percent are approved with little or no further scrutiny, and those below 16.5 percent approved if justified by a rational state policy. See, e.g., Farnum v. Burns, 561 F. Supp. 83 (D. R.I. 1983) (deviation of 2.5 percent); Boyer v. Gardner, 540 F. Supp. 624 (D. N.H. 1982) (deviation of 13.74 percent); Winter v. Dockering, 373 F. Supp. 308 (D. Kansas 1974) (deviation of 11.6

3/ A 1983 case, Brown v. Thomson, \_\_\_ U.S. \_\_\_, 77 L.Ed.2d 214 (1983) appears as an exception to this rule but is, we believe, of virtually no precedential value. There, the Court approved an extraordinary maximum deviation of 89 percent in the Wyoming House of Representatives on the grounds that the state redistricting plan furthered the state policy of preserving county boundaries. 77 L.Ed.2d at 272. The Court found the population variances to be "entirely the result of the consistent and nondiscriminatory application of a legitimate state policy." Id. at 223. However, the Court explicitly addressed only the marginal deviation that resulted from the overrepresentation of a particular county. Indeed, six members of the Court, including two justices from the majority, noted the limited question at issue, and as a consequence, Brown will likely have little, if any, precedential effect.

percent); Gaines v. Herskell, 362 F. Supp. 313 (S.D. W Va. 1973) (deviation of 16.1 percent); Kelly v. Bumbers, 340 F. Supp. 468 (B.D. Ark. 1972) (deviations of 3.5 percent and 9.5 percent); Dunn v. State of Oklahoma, 343 F. Supp. 320 (W.D. Okla. 1972) (deviation of 2.2 percent); In re Senate Bill No. 220, 225 Kan. 628, 593 P.2d 1 (Kansas 1979) (deviation of 6.5 percent); In re Senate Bill 177, 318 A.2d 157 (Vt. 1974) (deviation of 16.6 percent); Franklin v. Krause, 367 N.Y.S.2d 998 (N.Y. 1975) (deviation of 8.6 percent) (county commissioners); Schneider v. Rockefeller, 31 N.Y.2d 420, 293 N.E.2d 67 (N.Y. 1972) (deviations of 1.82 percent and 3.38 percent); Davenport v. Apportionment Commission, 65 J.J. 125, 319 A.2d 718 (N.J. 1974) (deviation of 4.2 percent); In re Apportionment Law, 263 So.2d 797 (Fla. 1972) (deviations of .3 percent and 1.15 percent).

~~On the other hand, maximum deviations exceeding 16.5 percent are, virtually without exception, stuck down as a violation of equal protection. As one federal court noted in a recent decision:~~

In fact, as far as we can ascertain from independent research, it appears that no court since Mahan has upheld a legislative reapportionment scheme which includes a maximum deviation of 16.5% or more. Apparently most courts have read the Supreme Court's caveat in Mahan as implicitly setting this figure as the outermost limit allowed by the Constitution.

Travis v. King, 552 F. Supp. 554, 562 (D. Hawaii 1982). A review of the court decisions confirms the view that a 16.5 percent maximum deviation is the limit permissible, and that deviations between 10 percent and 16.5 percent will be approved only if justified by the state. See, e.g., Farnum v. Burns, 548 F. Supp. 769 (D. R.I. 1982) (disapproved deviation of 88 percent); Travis v. King, 552 F. Supp. 554 (D. Hawaii 1982) (disapproved deviations of 15.02 percent and 43.2 percent); Sanchez v. King, 550 F. Supp. 13 (D. N.M. 1982) (disapproved deviations of 94 percent and 83 percent); Cosner v. Dalton, 572 F. Supp. 350 (E.D. Va. 1981) (disapproved deviations of 26.63 percent and 72.12 percent); Mader v. Crowell, 498 F. Supp. 726 (M.D. Tenn. 1980) (disapproved deviation of 18.03 percent); Sullivan v. Crowell, 444 F. Supp. 606 (W.D. Tenn. 1978) (disapproved deviations of 21.8 percent and 35.6 percent); Chapman v. Meier, 407 F. Supp. 649 (D. N.D. 1975) (disapproved deviation of 20.17 percent); Cohen v. Maloney, 410 F. Supp. 1147 (D. Del. 1976) (disapproved deviation of 18.3 percent) (city council); Winter v. Docking, 356 F. Supp. 88 (D. Kansas 1973) (disapproved deviation of 17.41

percent); Sims v. Amos, 336 F. Supp. 924 (M.D. Ala.) aff'd 409 U.S. 942 (1972) (disapproved deviations of 28.65 percent and 24.28 percent); Stufy v. Anderson, 93 Wash.2d 546, 611 P.2d 764 (Wash. 1980) (disapproved deviation of 168.6 percent) (county commissioner); In re Senate Bill 177, 294 A.2d 657 (Ver. 1972) (deviation of 25.33 percent disapproved); Franklin v. Krause, 367 N.Y.S. 998 (N.Y. 1975) (deviation of 22 percent disapproved) (county commissioner); Scrimminger v. Sherwin, 60 N.J. 483, 291 A.2d 134 (N.J. 1972) (deviations of 28.83 percent and 26.20 percent disapproved); Opinion of the Justices, 307 A.2d 198 (Me. 1973) (deviation of 94.02 percent disapproved).

Thus, any state redistricting plan with a maximum deviation less than 10 percent will likely be found per se not to violate the Equal Protection Clause. A plan with a deviation between 10 percent and 16.5 percent may be upheld if the state meets its burden of rebutting a prima facie violation of equal protection by demonstrating both that the state made a good faith effort to minimize the population deviation and that the deviation is necessary to effectuate a legitimate state policy, such as compact, contiguous districts that preserve subdivision lines. Finally, the case law indicates that maximum deviations in excess of 16.5 percent will likely be held to violate the equal protection clause, no matter what justification is offered by the state. Accordingly, deviations in excess of 16.5 percent would raise substantial legal uncertainty and should thus be avoided.

It is our view that the projected deviation in Southeast Alaska does not violate the Equal Protection Clause. The projected variance directly results from the Board's decision to retain a two-member district within the boundaries of the City and Borough of Juneau, a district which is 4.8 percent overpopulated. Simply put, a population deviation of less than 10 percent could not be obtained unless a segment of the Juneau population was included within another southeast district. Importantly, the projected deviations under the proposed plan are less than 16.5 percent, threshold recognized as the tolerable limit to permissible population deviations. Historically, of course, the boundaries of the Juneau area have been preserved in the redistricting process. Preservation of political subdivision boundaries has been repeatedly recognized as a legitimate state objective. E.g. Mahan v. Howell, 410 U.S. at 328. More importantly, the long-standing state policy to establish districts which are socio-economically integrated, as required under article 6, section 6 of the Alaska Constitution, may well preclude the promulgation of a reapportionment plan which severs the Juneau community. See Groh v. Egan, 526 P.2d at 879, n.65.

why  
split up  
Anchorage-  
w/  
Nikolai?

B. Voting Rights Act Considerations

Any consideration of the two identified alternative districting options in Southeast Alaska must revolve around a comparative assessment under the Voting Rights Act of 1965 (Act), as amended, 42 U.S.C. § 1973C. The inquiry as to compliance with the Act focuses on the impact on minority voting prerogatives. House District 2, as established in the 1981 Plan, contained a 27.5 percent Native population. The proposed District 2 would contain a 41.9 percent Native population, while under the alternative approach, 28.9 percent of the district would be Native.

Analysis

The Act was adopted to insure the protection of rights guaranteed by the Fifteenth Amendment and "to rid the country of racial discrimination in voting." South Carolina v. Katzenbach, 383 U.S. 301 (1966). Section 5 requires that no jurisdiction subject to "preclearance" procedures, such as Alaska, may implement any change in "any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting" unless such change has been approved by the United States Attorney General or the District Court for the District of Columbia. 42 U.S.C. § 1973C. The standard on review is to ensure that such change "does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color." Id. This standard was intended to guarantee that gains in minority political participation "would not be emasculated or destroyed through new discriminatory procedures and techniques." Mississippi v. United States, 490 F. Supp. 569, 581 (D.D.C. 1979) (three-judge court).

492  
Gives  
More  
weight

The Supreme Court has held that section 5 applies to state legislative redistricting plans. See Georgia v. United States, 511 U.S. 526 (1973); Beer v. United States, 425 U.S. 130 (1976); Allen v. State Board of Elections, 393 U.S. 544 (1969). The burden of proof lies with the state in demonstrating the legality of its plan under section 5. Georgia v. United States, supra; South Carolina v. Katzenbach, supra.

In Beer, supra, the Supreme Court stated the test for a section 5 analysis in terms of "retrogression":

[T]he purpose of § 5 has always been to insure that no voting-procedure changes would be made that would lead to a retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise.

425 U.S. at 141. The central issue is whether a proposed change would "dilute the effectiveness" of the vote of a racial minority as compared to the situation prior to change. City of Rome v. United States, 446 U.S. 156, 183 (1980). Minority voting strength is impermissibly diluted when a redistricting scheme would operate "to minimize or cancel out the voting strength of racial elements of the voting population." Fortsen v. Dorsey, 379 U.S. 433, 439 (1965); Burns v. Richardson, 384 U.S. 73, 88 (1963).

In applying this test, lower federal courts have held that a redistricting plan dilutes minority votes when minority population concentrations are "unnecessarily fragmented and dispensed." Mississippi v. United States, 490 F. Supp at 582. In Kirksey v. Board of Supervisors, 554 F.2d 139 (5th Cir. 1977), for instance, the Fifth Circuit held that a reapportionment plan for a unit of local government would "tend to dilute the voting strength of the minority" because it fragmented members of the minority bloc between two districts. 554 F.2d at 144. See also Robinson v. Commissioners Court, 505 F.2d 674, 679 (5th Cir. 1974).

If viewed solely as a question of the percentage of Native voters in District 2, it would appear that neither of the two alternatives reflect a diminution in minority voting strength. While the proposed District 2 would substantially enlarge the percentage of Native residents in District 2, the state is under no affirmative obligation to maximize the percentage of Native residents in the district.

We caution, though, that the probative consideration is whether a proposed redistricting would "delete the effectiveness" of the minority vote. Were the concept of a chain of rural, island communities rejected, it is arguable that the inclusion of rural Native communities with more urbanized population centers in Southeast may, as a practical matter, dilute the effectiveness of the minority vote. <sup>4/</sup> And, if the alternative districting

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<sup>4/</sup> In preliminary research, we have not discovered any authority which directly addresses this matter.

proposal in southeast is viewed as a retrogressive plan, the fact that the alternative plan would extend, not reduce, the comparative population deviation in southeast would be material.

In sum, while we believe that either alternative would ultimately obtain Justice Department approval, we cannot unequivocally advise that the alternative approach to House District 2 would not prove violative of the Voting Rights Act. Our review of the available case law suggests that absent compelling facts to establish a diminution in the effectiveness of minority voting prerogatives, a numerical inquiry is the traditional mode of analysis. Yet, it bears noting that while either version may well be acceptable under the Voting Rights Act, the likelihood of expeditious review and approval is undoubtedly furthered under the proposed District 2, a proposal which substantially increases the percentage of Native residents in the district.

### C. Article VI, Section 6 Considerations

Article VI, section 6 provides that all districts "shall be formed of contiguous and compact territory containing as nearly as practicable a relatively integrated socio-economic areas." As initially adopted at the constitutional convention, the substantive restrictions set forth in section 6 were principally intended to inhibit, if not prevent, the instances of impermissible political gerrymandering. 3 Alaska Legislative Council, Alaska Constitutional Convention 1846 (1965); see Carpenter v. Hammond, 667 P.2d 1204, (Alaska 1983). The Carpenter decision illustrates, though, that the section 6 standard operates independent of any evidence of gerrymandering. Importantly, though, while the recent Carpenter ruling has spawned a broader public sensitivity to section 6 considerations, the substantive restrictions established in section 6 are subsidiary to the concern for equal population distribution, the "overriding objective" under a federal constitutional inquiry.

#### 1. Compactness

Section 6 mandates that districts shall be compact. The compactness requirement, however, is clearly not an absolute standard which demands that any configuration less than the most compact is impermissible. The Alaska Supreme Court has unambiguously recognized the governor's authority under article

VI to select between single-member or multi-member districts. Cf. Groh v. Egan, 526 P.2d at 880; Egan v. Hammond, 501 P.2d at 873. Since a multi-member district is necessarily less compact than a single-member district, it is apparent that compactness is a relative concept.

While the alternative southeast configuration may well be more compact than the proposed configuration of District 2, 23 believe that either alternative satisfies the constitutional mandate. Importantly, the proposed configuration of District 2 is more compact than the district at issue in Carpenter, a district which a majority of the court did not find impermissibly noncompact. 5/

## 2. Socio-Economic Integration

The more difficult inquiry concerns the mandate to establish districts which "contain as nearly as practicable a relatively integrated socio-economic area." The most extensive discussion of the constitutional provision is included in Carpenter v. Hammond, 667 P.2d 1204. In Carpenter, the Alaska Supreme Court concluded that the record presented to the court did not establish the requisite degree of social and economic interaction between Cordova and the communities in District 2 to support the inclusion of Cordova within the district.

The Carpenter decision, however, raises far more questions with respect to the parameters of the relative socio-economic intergration standard than it provides answers. Several general comments are warranted. First, Carpenter clearly rejects the assertion that socio-economic homogeneity is itself sufficient to satisfy the constitutional prerequisite. 667 P.2d at \_\_\_\_\_. Second, the preferred interpretation of Carpenter is that at least a majority of the court apparently rejects the interpretation that section 6 demands that proposed districts are permissible only if socio-economic integration is maximized. The court noted that the state conceded that Cordova was more integrated with other Prince William Sound communities than with the communities in District 2. Notwithstanding the concession, the court recognized that the question was "extremely close," and concluded that "the record is simply devoid of evidence of

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5/ Justice Mathews concluded otherwise in a concurring opinion.

significant social and economic integration...." Id. at \_\_\_\_\_. Implicitly, then, evidence of "significant" socio-economic integration would be sufficient to meet the requirements of section 6. Unfortunately, the court did not articulate what quantum of social and economic integration is sufficient, nor did the court address the relationship between the socio-economic integration standard and other applicable constitutional standards.

Under the proposed configuration of District 2, the inclusion of Metlakatla within the district poses the most substantial integration question. Historically, Metlakatla has been united with Ketchikan for purposes of legislative apportionment, an area with which they share an obvious economic and social linkage. Again, though, we do not believe that the appropriate inquiry is whether Metlakatla is more integrated with the communities in District 1 than with the communities in District 2. Indeed, the inquiry is whether a significant degree of social and economic integration exists between Metlakatla and the other communities in the proposed district. While the question is quite close and depends to a large extent on the court's ultimate explication of the rule enunciated in Carpenter, we think it certainly arguable that the inclusion of Metlakatla in District 2 is consistent with the section 6 standard. Clearly, the degree of homogeneity is stronger in this instance than in the Cordova context. And, intervisitation between the rural communities in southeast is demonstrably more extensive than was the case between Cordova and the other communities within District 2.

We note, though, that the alternative southeast districting proposal does not, in our preliminary assessment, appear to pose as close a question under section 6. The significant aspect of the alternative configuration is the communities of Wrangell and Petersburg would not be included within the same district. That the two communities share an obvious and historic linkage does not necessarily preclude the existence of sufficient ties to communities in Districts 1 and 2 respectively to support a districting proposal which places the communities in different legislative districts.

JBR:cyb

State of Alaska because of its differing climates, topography, ethnic composition, socio-economic interests and distribution of its relatively sparse population. However, under the mandate of various decisions of the United States Supreme Court, we make the following determinations and order:

1. The reapportionment plan proposed by the Governor of Alaska in his Proclamation of Reapportionment and Redistricting of December 30, 1971, is unconstitutional in that its overall reapportionment of the Senate and House of Representatives results in proposed election districts that do not contain as nearly equal population proportions as is practicable. Reynolds v. Sims, 377 U.S. 533, 84 S.Ct. 1362, 12 L.Ed.2d 506 (1964); Wade v. Nolan, 414 P.2d 489 (Alaska 1966). Under the Equal Protection and Supremacy Clause of the Constitution of the United States of America, the constitutional right to vote of every citizen of Alaska is protected against impermissible dilutions and impairments flowing from malapportionment of either the House of Representatives or the Senate.

In order to effectuate this constitutionally protected right to vote, we are obliged to declare the reapportionment plan of December 30, 1971, invalid under the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

2. To insure compliance with the Equal Protection Clause in regard to the forthcoming 1972 primary and general elections for the State Legislature this court must formulate an interim reapportionment and redistricting plan. Scott v. Germano, 381 U.S. 407, 85 S.Ct. 1525, 14 L.Ed.2d 477 (1965); Maryland Comm. for Fair Representation v. Tawes, 377 U.S. 656, 675-676, 84 S.Ct. 1429, 12 L.Ed.2d 595, 607 (1964). The Lieutenant Governor is to conduct the 1972 primary and general elections for the State Legislature pursuant to the interim reapportionment and redistricting plan which this court will adopt.

3. In order to fashion an interim plan this court will appoint one or more masters to assist it.

4. Upon receipt of the report of the master or masters, this court will consider the manner in which the House and Senate districts shall be reapportioned. This court will then proceed to adopt an interim plan of reapportionment which, as nearly as practicable, considering the allotted time, reflects the standards which have been made binding upon the states by the United States Supreme Court. Ely v. Klahr, 403 U.S. 108, 91 S.Ct. 1803, 29 L.Ed.2d 352 (1971); Reynolds v. Sims, 377 U.S. 533, 586, 84 S.Ct. 1362, 12 L.Ed.2d 506, 541 (1964).

5. In the event this court determines that the exigencies of the situation preclude the fashioning of an interim constitutional reapportionment plan by June 15, 1972, this court will enter a further order specifying the plan under which the Lieutenant Governor shall conduct the 1972 primary and general elections for the State Legislature, together with the dates that such elections will be held. Connor v. Johnson, 402 U.S. 690, 91 S.Ct. 1760, 29 L.Ed.2d 268 (1971).

6. A full opinion discussing and determining the issues which were raised in the petition and cross-petition will be filed in due course.

Dated at Juneau, Alaska, this 26th day of May, 1972.

George F. Boney

Chief Justice

Jay A. Rabinowitz

Associate Justice

Roger G. Connor

Associate Justice

Robert C. Erwin

Associate Justice

Robert Boochever

Associate Justice

appropriate amendments prepared and

the court is affirmed in part in accordance with the opinion of the superior court regarding the reapportionment plan with the assistance of an attorney retained by him in the name of the Alaska

May 26, 1972.

May 26, 1972.

Interim Reap-

ports to Interim

ORDER

the court on review and the court rec- of the task and the Re- portioning the

interim plan of the popu- of the Sen- adequately- district. permitting terms under the bound- been chang- Supp. 458 U.S. 604, 55 (1965); Moss, 159 (W.D. Williams v. 1907, 12 L. Amos, 350 (Mo.1972); 5, 216 A.2d

1 1988).

ORDER ESTABLISHING AN INTERIM REAPPORTIONMENT PLAN FOR 1972 LEGISLATIVE ELECTIONS

This Court declared the Reapportionment and Redistricting Proclamation dated December 30, 1971, unconstitutional by its Decision and Order entered May 26, 1972. Pursuant to that Decision and Order, the Court appointed Dr. George W. Rogers and William H. Scott Masters to assist it in fashioning an interim reapportionment plan for the 1972 Alaska Legislative Elections.<sup>1</sup>

The Court, on May 26, 1972 gave the Masters the following written instructions:

1. By use of the official census of 1970, you should establish a population base for the State of Alaska. This population base should include military personnel who were enumerated in the 1970 Census.

2. You should make an inquiry to determine whether or not the number of nonresident military personnel included in the 1970 Census can be determined. If a determination can be made, then you should subtract the number from the total which you have arrived at in paragraph 1 above. You should also state the methods in detail by which you arrived at this determination.

3. Once you have determined the population base, you should divide the same by 40. This will give you the ideal number of persons to be included in a single member House district. You should then divide the population base by 20 which will represent the ideal population for a single member Senate district.

4. You should then establish House and Senate election districts containing a number of persons as close to the formula as feasible.

<sup>1</sup> We commend George W. Rogers, Professor of Economics at the University of Alaska, and Mr. William H. Scott, C.P.A., their legal assistant R. E. Hicks, and Mr.

5. In establishing House and Senate districts, an effort should be made to make the districts correspond, where feasible, with the approximate boundaries set out in the 1971 reapportionment plan. No designated seats will be established within a multi-member district if multi-member districts are established. In establishing House and Senate districts you should, wherever feasible, create a district of contiguous and compact territory containing as nearly as practicable a relatively integrated socio-economic area.

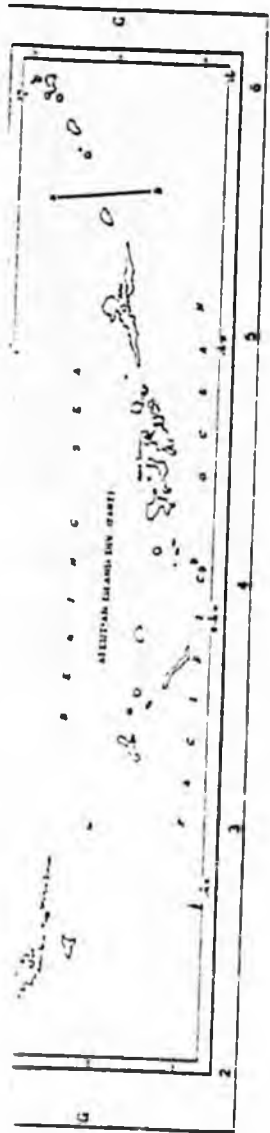
6. If there are any substantial deviations from the population norms, express, specific reasons should be set forth.

The Masters submitted a report on June 12, 1972. Thereafter, the Masters met with the Court on June 13, 1972, at which time the report was amended to reflect determinations made by the Court concerning the reapportionment plan.

The Court, now being fully advised in the premises, hereby makes and orders the following interim reapportionment plan for the 1972 legislative elections:

(1) By use of the Official Census of 1970, the Court determines that the total population base for the State of Alaska shall be 302,361. This figure includes the military population residing in the State of Alaska at the time of the Official Census of April, 1970. In the time available to the Court for the preparation of the interim plan, the Court could find no feasible method of excluding some or all of the military personnel from the total population base. Moreover, computations revealed that changes in representation under the interim plan due to the inclusion of military personnel were minimal.

Richard Listowski, cartographic and statistical assistant, for the excellence of their performance in executing the Court's instructions.



1970 Census of Population and Housing, Alaska, Alaska: USPO, 1970).

1 litigation of reapportionment plans in Alaska, would be an issue  
2 in the inevitable legal challenge to the amended Plan.

3 With the foregoing considerations in mind, the  
4 Proposed Order articulates three broad areas which may  
5 necessitate amendment to the Reapportionment Plan. First, the  
6 Carpenter decision specifically explicated the constitutional  
7 mandate that each district contain "as nearly as practicable a  
8 relatively integrated socio-economic area." Alaska  
9 Constitution, article VI, section 6. To implement the Carpenter  
10 decision, it is at least necessary to remove the Cordova area  
11 from District No. 2 and to include the area within another  
12 appropriate district. And, if the configurations of other  
13 districts must be modified to implement the Carpenter decision,  
14 all "new" districts must also conform to the recently  
15 articulated standards for social and economic integration. 3/

16 Second, relocation of the Cordova area will, in turn,  
17 harbor substantial implications with respect to the  
18 constitutional mandate to assure relatively equal population  
19 distribution among districts. See Groh v. Egan, 526 P.2d 863  
20 (1974); White v. Revester, 412 U.S. 758 (1973); cf. Kentopp v.  
21 Municipality of Anchorage, 652 P.2d 453 (Alaska 1982). The  
22 Cordova area contains approximately 2,250 residents, a number  
23 which constitutes more than 20% of the average district  
24 population. Removal of the Cordova area from District No. 2  
25 will thus result in a substantial relative underpopulation  
26 (overrepresentation) for House District No. 2. Conversely,  
27 relocation of the Cordova area into House District No. 6 will  
28 result in the substantial underrepresentation of that district.  
29 See Affidavit of Rehfeld. To place Cordova within a

DEPARTMENT OF LAW  
OFFICE OF THE ATTORNEY GENERAL  
ANCHORAGE BRANCH  
1811 UNIVERSITY AVENUE, SUITE 208  
ANCHORAGE, ALASKA 99501  
PHONE: (907) 278-2388

30  
31  
32 3/ Indeed, if the scope of the necessary amendment to the  
33 Reapportionment Plan is substantial, it is arguable that any  
34 qualified voter would have standing under article VI, section 11  
to challenge the relative degree of social and economic  
integration of any district.

this right. In urging the people to adopt the Constitution, Madison said in No. 57 of *The Federalist*:

"Who are to be the electors of the Federal Representatives? Not the rich more than the poor; not the learned more than the ignorant; not the haughty heirs of distinguished names, more than the humble sons of obscure and unpropitious fortune. The electors are to be the great body of the people of the United States. . . ." 47

Readers surely could have fairly taken this to mean, "one person, one vote." Cf. *Gray v. Sanders*, 372 U. S. 368, 381.

[While it may not be possible to draw congressional districts with mathematical precision, that is no excuse for ignoring our Constitution's plain objective of making equal representation for equal numbers of people the fundamental goal for the House of Representatives. That is the high standard of justice and common sense which the Founders set for us.

*Reversed and remanded.*

MR. JUSTICE CLARK, concurring in part and dissenting in part.

Unfortunately I can join neither the opinion of the Court nor the dissent of my Brother HARLAN. It is true that the opening sentence of Art. I, § 2, of the Constitution provides that Representatives are to be chosen "by the People of the several States . . ." However, in my view, Brother HARLAN has clearly demonstrated that both the historical background and language preclude a finding that Art. I, § 2, lays down the *ipse dixit* "one person, one vote" in congressional elections.

On the other hand, I agree with the majority that congressional districting is subject to judicial scrutiny. This

<sup>47</sup> *The Federalist*, No. 57 (Cooke ed. 1961), at 385.

Court has so held ever since *Smiley v. Holm*, 285 U. S. 355 (1932), which is buttressed by two companion cases, *Koenig v. Flynn*, 285 U. S. 375 (1932), and *Carroll v. Becker*, 285 U. S. 380 (1932). A majority of the Court in *Colegrove v. Green* felt, upon the authority of *Smiley*, that the complaint presented a justiciable controversy not reserved exclusively to Congress. *Colegrove v. Green*, 328 U. S. 549, 564, and 568, n. 3 (1946). Again, in *Baker v. Carr*, 369 U. S. 186, 232 (1962), the opinion of the Court recognized that *Smiley* "settled the issue in favor of justiciability of questions of congressional redistricting." I therefore cannot agree with Brother HARLAN that the supervisory power granted to Congress under Art. I, § 4, is the exclusive remedy.

I would examine the Georgia congressional districts against the requirements of the Equal Protection Clause of the Fourteenth Amendment. As my Brother BLACK said in his dissent in *Colegrove v. Green*, *supra*, the "equal protection clause of the Fourteenth Amendment forbids . . . discrimination. It does not permit the States to pick out certain qualified citizens or groups of citizens and deny them the right to vote at all. . . . No one would deny that the equal protection clause would also prohibit a law that would expressly give certain citizens a half-vote and others a full vote. . . . Such discriminatory legislation seems to me exactly the kind that the equal protection clause was intended to prohibit." At 569.

The trial court, however, did not pass upon the merits of the case, although it does appear that it did make a finding that the Fifth District of Georgia was "grossly out of balance" with other congressional districts of the State. Instead of proceeding on the merits, the court dismissed the case for lack of equity. I believe that the court erred in so doing. In my view we should therefore vacate this judgment and remand the case for a hearing

376 U.S. v. (11-3)

Opinion of the Court. 377 U.S.  
 But neither history alone, nor economic or other sorts of  
 group interests, are permissible factors in attempting to justify disparities from population-based representation. Citizens, not history or economic interests, cast votes. Considerations of area alone provide an insufficient justification for deviations from the equal-population principle. Again, people, not land or trees or pastures, vote. Modern developments and improvements in transportation and communications make rather hollow, in the mid-1960's, most claims that deviations from population-based representation can validly be based solely on geographical considerations. Arguments for allowing such deviations in order to insure effective representation for sparsely settled areas and to prevent legislative districts from becoming so large that the availability of access of citizens to their representatives is impaired are today, for the most part, unconvincing.

A consideration that appears to be of more substance in justifying some deviations from population-based representation in state legislatures is that of insuring some voice to political subdivisions, as political subdivisions. Several factors make more than insubstantial claims that a State can rationally consider according political subdivisions some independent representation in at least one body of the state legislature, as long as the basic standard of equality of population among districts is maintained. Local governmental entities are frequently charged with various responsibilities incident to the operation of state government. In many States much of the legislature's activity involves the enactment of so-called local

Ordinance of 1787, in explicitly providing for population-based representation of those living in the Northwest Territory in their territorial legislatures, clearly implied that, as early as the year of the birth of our federal system, the proper basis of legislative representation was regarded as being population.

legislation, directed only to the concerns of particular political subdivisions. And a State may legitimately desire to construct districts along political subdivision lines to deter the possibilities of gerrymandering. However, permitting deviations from population-based representation does not mean that each local governmental unit or political subdivision can be given separate representation, regardless of population. Carried too far, a scheme of giving at least one seat in one house to each political subdivision (for example, to each county) could easily result, in many States, in a total subversion of the equal-population principle in that legislative body.<sup>62</sup> This would be especially true in a State where the number of counties is large and many of them are sparsely populated, and the number of seats in the legislative body being apportioned does not significantly exceed the number of counties.<sup>63</sup> Such a result, we conclude, would be constitutionally impermissible. And careful judicial scrutiny must of course be given, in evaluating state apportionment schemes, to the character as well as the degree of deviations from a strict population basis. | But if, even as a result of a clearly rational state policy of according some legislative representation to political subdivisions, population is submerged as the controlling consideration in the apportionment of seats in the particular legislative body, then the right of all of the State's citizens to cast an effective and adequately weighted vote would be unconstitutionally impaired.

<sup>62</sup> See McKay, Political Thickets and Crazy Quilts: Reapportionment and Equal Protection, 61 Mich. L. Rev. 645, 698-699 (1963).

<sup>63</sup> Determining the size of its legislative bodies is of course a matter within the discretion of each individual State. Nothing in this opinion should be read as indicating that there are any federal constitutional maximums or minimums on the size of state legislative bodies.

377 U.S. 533 (1964)

ter in a free and democratic society. Especially since the right to exercise the franchise in a free and unimpaired manner is preservative of other basic civil and political rights, any alleged infringement of the right of citizens to vote must be carefully and meticulously scrutinized. Almost a century ago, in *Yick Wo v. Hopkins*, 118 U. S. 356, the Court referred to "the political franchise of voting" as "a fundamental political right, because preservative of all rights." 118 U. S., at 370.

Legislators represent people, not trees or acres. Legislators are elected by voters, not farms or cities or economic interests. As long as ours is a representative form of government, and our legislatures are those instruments of government elected directly by and directly representative of the people, the right to elect legislators in a free and unimpaired fashion is a bedrock of our political system. It could hardly be gainsaid that a constitutional claim had been asserted by an allegation that certain otherwise qualified voters had been entirely prohibited from voting for members of their state legislature. And, if a State should provide that the votes of citizens in one part of the State should be given two times, or five times, or 10 times the weight of votes of citizens in another part of the State, it could hardly be contended that the right to vote of those residing in the disfavored areas had not been effectively diluted. It would appear extraordinary to suggest that a State could be constitutionally permitted to enact a law providing that certain of the State's voters could vote two, five, or 10 times for their legislative representatives, while voters living elsewhere could vote only once. And it is inconceivable that a state law to the effect that, in counting votes for legislators, the votes of citizens in one part of the State would be multiplied by two, five, or 10, while the votes of persons in another area would be counted only at face value, could be constitutionally sustainable. Of course, the effect of

state legislative districting schemes which give the same number of representatives to unequal numbers of constituents is identical.<sup>49</sup> Overweighting and overvaluation of the votes of those living here has the certain effect of dilution and undervaluation of the votes of those living there. The resulting discrimination against those individual voters living in disfavored areas is easily demonstrable mathematically. Their right to vote is simply not the same right to vote as that of those living in a favored part of the State. Two, five, or 10 of them must vote before the effect of their voting is equivalent to that of their favored neighbor. Weighting the votes of citizens differently, by any method or means, merely because of where they happen to reside, hardly seems justifiable. One must be ever aware that the Constitution forbids "sophisticated as well as simple-minded modes of discrimination." *Lane v. Wilson*, 307 U. S. 268, 275; *Gomillion v. Lightfoot*, 364 U. S. 339, 342. As we stated in *Wesberry v. Sanders*, *supra*:

"We do not believe that the Framers of the Constitution intended to permit the same vote-diluting discrimination to be accomplished through the device of districts containing widely varied numbers of inhabitants. To say that a vote is worth

<sup>49</sup> As stated by Mr. Justice Black, dissenting, in *Colegrove v. Green*, 328 U. S. 549, 569-571:

"No one would deny that the equal protection clause would . . . prohibit a law that would expressly give certain citizens a half-vote and others a full vote. . . . [T]he constitutionally guaranteed right to vote and the right to have one's vote counted clearly imply the policy that state election systems, no matter what their form, should be designed to give approximately equal weight to each vote cast. . . . [A] state legislature cannot deny eligible voters the right to vote for Congressmen and the right to have their vote counted. It can no more destroy the effectiveness of their vote in part and no more accomplish this in the name of 'apportionment' than under any other name."

more in one district than in another would . . . run counter to our fundamental ideas of democratic government . . . .”<sup>41</sup>

State legislatures are, historically, the fountainhead of representative government in this country. A number of them have their roots in colonial times, and substantially antedate the creation of our Nation and our Federal Government. In fact, the first formal stirrings of American political independence are to be found, in large part, in the views and actions of several of the colonial legislative bodies. With the birth of our National Government, and the adoption and ratification of the Federal

<sup>41</sup> 376 U. S., at 8. See also *id.*, at 17, quoting from James Wilson, a delegate to the Constitutional Convention and later an Associate Justice of this Court, who stated:

“[A]ll elections ought to be equal. Elections are equal, when a given number of citizens, in one part of the state, choose as many representatives, as are chosen by the same number of citizens, in any other part of the state. In this manner, the proportion of the representatives and of the constituents will remain invariably the same.” 2 The Works of James Wilson (Andrews ed. 1806) 15.

And, as stated by Mr. Justice Douglas, dissenting, in *MacDougall v. Green*, 335 U. S., at 288, 290:

“[A] regulation . . . [which] discriminates against the residents of the populous counties of the state in favor of rural sections . . . lacks the equality to which the exercise of political rights is entitled under the Fourteenth Amendment.

“Free and honest elections are the very foundation of our republican form of government. . . . Discrimination against any group or class of citizens in the exercise of these constitutionally protected rights of citizenship deprives the electoral process of integrity. . . .

“None would deny that a state law giving some citizens twice the vote of other citizens in either the primary or general election would lack that equality which the Fourteenth Amendment guarantees. . . . The theme of the Constitution is equality among citizens in the exercise of their political rights. The notion that one group can be granted greater voting strength than another is hostile to our standards for popular representative government.”

Constitution, state legislatures retained a most important place in our Nation's governmental structure. But representative government is in essence self-government through the medium of elected representatives of the people, and each and every citizen has an inalienable right to full and effective participation in the political processes of his State's legislative bodies. Most citizens can achieve this participation only as qualified voters through the election of legislators to represent them. Full and effective participation by all citizens in state government requires, therefore, that each citizen have an equally effective voice in the election of members of his state legislature. Modern and viable state government needs, and the Constitution demands, no less. /

Logically, in a society ostensibly grounded on representative government, it would seem reasonable that a majority of the people of a State could elect a majority of that State's legislators. To conclude differently, and to sanction minority control of state legislative bodies, would appear to deny majority rights in a way that far surpasses any possible denial of minority rights that might otherwise be thought to result. Since legislatures are responsible for enacting laws by which all citizens are to be governed, they should be bodies which are collectively responsive to the popular will. And the concept of equal protection has been traditionally viewed as requiring the uniform treatment of persons standing in the same relation to the governmental action questioned or challenged. With respect to the allocation of legislative representation, all voters, as citizens of a State, stand in the same relation regardless of where they live. Any suggested criteria for the differentiation of citizens are insufficient to justify any discrimination, as to the weight of their votes, unless relevant to the permissible purposes of legislative apportionment. Since the achieving of fair and effective representation for all citi-

Judge Moore

1 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
 2 THIRD JUDICIAL DISTRICT AT ANCHORAGE  
 3 MARILYN CARPENTER, )  
 4 Plaintiff, )  
 5 vs. )  
 6 JAY S. HAMMOND, Governor of )  
 7 Alaska, )  
 8 Defendant. ) No. JAN-81-5839 Civ.

RECEIVED  
 JUDICIAL DISTRICT  
 ANCHORAGE  
 ALASKA  
 MAR 27 1982

NOTICE OF COMPLIANCE WITH FINAL JUDGMENT

9  
 10 The Governor of the State of Alaska, Jay S. Hammond, by  
 11 and through his attorney, hereby gives notice of his compliance  
 12 with the court's directions in its final judgment in this action  
 13 dated March 26, 1982. [The court required adjustment of district  
 14 boundaries in Southwest Alaska to reduce the combined population  
 15 variation between Districts 25 and 26 (11.5%)]

16 The court suggested but did not require the transfer of  
 17 Platinum and Goodnews Bay from District 25 to District 26. Such  
 18 a transfer would be inadvisable since those two communities are  
 19 socially and economically tied to the Bethel region and are geo-  
 20 graphically isolated from the District 26 communities by coastal  
 21 mountains; the only transportation ties with Platinum and Good-  
 22 news Bay are via Bethel. These problems were expressly addressed  
 23 by the Reapportionment Board. See Plaintiff's Exhibit 2, p. 16.  
 24 In addition, the two communities are in the Calista Corporation  
 25 region whereas their placement in District 26 would situate them  
 26 in a district comprised of the Bristol Bay Native Corporation and  
 27 Aleut Corporation regions. See Plaintiff's Exhibit 13.

28 Instead, the Governor will accomplish the required  
 29 adjustment by means of the [movement of Tuluksak from District 25  
 30 to District 24 and the movement of the Lake Iliamna/Lake Clark  
 31 region (Igiugig, Iliamna, Kokhanok, Newhalen, Nondalton, Pedro  
 32 Bay) from District 24 into District 26.] The Lake Iliamna/Lake  
 33 Clark region was originally included in District 24 to avoid the  
 34 excessive overpopulation that would be caused in District 26.

ATTORNEY GENERAL, STATE OF ALASKA  
 STATE CAPITOL  
 JUDICIAL BUILDING  
 ANCHORAGE, ALASKA 99504  
 PHONE 465 3000

2 Socially and economically, however, the communities are tied to  
3 Bristol Bay, sharing the same fish stocks, communication links  
4 and transportation networks. The residents of the region were  
5 the most vociferous of all in their objection to their placement  
6 in District 24; there were numerous phone calls, letters,  
7 telegrams and petitions demanding their inclusion in District 26  
8 rather than District 24.

9 The adjustment will be accomplished as follows:

10 A. The population of District 25 will be reduced by plac-  
11 ing Tuluksak in District 24. The relevant enumeration districts  
12 (ED) and populations are ED 0292 (Tuluksak, pop. 236) and ED 0344  
13 (Tuluksak area, pop. 0). The population of District 25 will be-  
14 come 9,448 with a variance of +2.96%.

15 B. The population of District 24 will be changed by the  
16 inclusion of Tuluksak (236) and the movement of the Lake Iliamna/  
17 Lake Clark region into District 26. The relevant enumeration  
18 districts in the Lake Iliamna/Lake Clark region are EDs 0475,  
19 0476, 0478, 0479, 0480, 0481, 0482, 0515, 0516B, 0522A, 0522B,  
20 0522C and 0523; they have a total population of 530. The popula-  
21 tion of District 24 will become 8,920 with a variance of -2.79%.

22 C. The population of District 26 will be increased, by the  
23 inclusion of the Lake Iliamna/Lake Clark region, by 530. The  
24 population will become 9,157.61 with a variance of -.2%.

25 With this adjustment, the maximum combined variance for  
26 the state will be as follows:

26	District 4 (Juneau)	+ 5.34%
27	District 16 (Matanuska-Susitna)	<u>- 3.87%</u>
28		9.21%

29  
30 This notice has been reviewed by all the members of the  
31 Reapportionment Board. The board members expressed their unani-

32 ////

33 ////

34 ////

ATTORNEY GENERAL, STATE OF ALASKA  
STATE CAPITOL  
POUCH N. JUNEAU ALASKA 99801  
PHONE 485 3600

3. In addition, by use of address lists provided by the military branches, Dr. Kruse was able to determine, with precision, how many non-resident servicemembers and dependents live in each off-base enumeration district. The following numbers of non-resident servicemembers and dependents were deducted from off-base enumeration district populations in the listed areas:

Anchorage	4,678.5
Fairbanks	382.1
Matanuska-Susitna	41.4
Delta Junction	229.9

See Exhibit 2, Table II.

#### E. Military Bases Treated by the Governor

1. The Governor deducted from the reapportionment population base those numbers of non-resident military personnel and dependents who resided at or near the seven largest military installations in Alaska: Elmendorf Air Force Base, Ft. Richardson, Eielson Air Force Base, Ft. Wainwright, Ft. Greasley, Kodiak Coast Guard Station and Adak Naval Station.

2. There were approximately 2,067 non-resident military personnel at smaller installations on the Aleutians, in Bristol Bay, in interior Alaska and in Southeast Alaska. The largest numbers of non-residents were at Shemya and King Salmon in District 26 (851), Galena in District 24 (259), Juneau (195), Sitka (137), Ketchikan (133) and Clear in District 17 (100).

3. Had all these numbers of non-resident military, and those at other locations not listed in the preceding paragraph, been deducted from the population base, that population base would have become 367,050 and the ideal district size would have become 9,176. See Appendix I, attached hereto.

4. Under this scheme, the most overpopulated district would be district 25 with 9,684 persons (+5.53%); the most underpopulated district would be district 26 with 8,628 persons

discretion cannot be disturbed unless it lacks any rational basis.

2. It was reasonable and not arbitrary to exclude identifiable non-resident military personnel and dependents from the reapportionment population base while including non-identifiable members of other groups. The rights of military personnel and dependents to due process and equal protection were not violated. Groh v. Egan at 870-871.

3. It was reasonable and not arbitrary for the Governor to forego study of military at smaller, remote installations in view of the demonstrably small impact their potential non-residency would have on the reapportionment populations of the individual districts.

4. It was reasonable and not arbitrary to exclude non-resident military dependents based upon answers to survey questions put to their parents or spouses. Such a procedure did not violate the dependents' rights to due process and equal protection.

5. The survey utilized by the Governor to determine the proportion of non-residents among military personnel and dependents was a reasonable and constitutional device which accurately identified that proportion of military personnel and dependents who neither intend to make Alaska their domicil nor register to vote in Alaska, the two key criteria identified by the Alaska Supreme Court. Groh v. Egan at 873, text and n. 36.

6. Since military personnel and dependents are in Alaska under legal compulsion, it was reasonable and constitutional to inquire in the survey about their intent to make a home in Alaska at a time when they had the freedom to choose where they would live, i.e. at the time of retirement or discharge. See RESTATEMENT (SECOND) OF CONFLICT OF LAWS, Section 12, Illustration 3 and Comment i; Section 17, Comment d and Illustrations 1, 2, 7 and 8; Section 18, Comment b (cont.); Section 19, Illustrations 1 and 2. See also Groh v. Egan at 871-872, n. 34.

7. Alaska Constitution article VI, section 6 requires that election districts be "compact". It does not require that the districts be the most compact that could possibly be devised; considerations of population equality, socio-economic integration, geographic barriers and municipal boundaries may militate against the most compact configuration. The goal to be achieved by the compactness requirement is effective legislative representation, which occurs when persons and communities with substantially like backgrounds and interests, usually but not always in a single region, are joined in a political unit to elect the person of their choice. Effective transportation and communication systems may make a far-flung district functionally compact, especially when the residents of the district have common interests and take advantage of the transportation and communications systems to develop their policy positions and make their views known to their legislator.

8. District 2 does not violate the requirement of compactness.

9. Alaska Constitution article VI, section 6 requires that a district "contain as nearly as practicable a relatively integrated socio-economic area." The concept embodies a number of interrelated components, including economic base, ethnic composition, governmental boundaries, community size, transportation and communication links, and lifestyle. The reapportionment process requires a balancing of these components; one may be deemed predominant while another may be subordinated. As well, the socio-economic factors may be subordinated to the consideration of population equality with another district. The balance is to be struck by the Governor and will be sustained unless it lacks any rational basis. Groh v. Egan at 866.

10. Socio-economic integration does not require that regular social and economic interactions or transactions occur between the communities of a district, although such occurrences

are indicia of socio-economic integration. Integration of social or economic interests, as distinguished from integration of social or economic systems, is all that is required. Integration of interests alone has been the basis of many districts formed at and since the Alaska Constitutional Convention. See e.g., the discussion of the placement of the community of Livengood in Minutes, Alaska Constitutional Convention at 1933-1939, 1941. See, also, the comments of Delegate Hellenenthal in Minutes, Alaska Constitutional Convention at 1872. Integration of interests was the basis of the North Slope - Kotzebue and Yukon River districts drawn by the Alaska Supreme Court in Egan v. Hammond, 502 P.2d 583 (Alaska 1972); there was, in those districts, no integration of social or economic systems across those vast areas.

11. The inclusion of Cordova in a district with small Inside Passage communities with identity or similarity of interests in fishing, forest management, ferry service, air service and other issues does not violate the constitutional requirement of socio-economic integration.

The Governor shall submit a form of judgment in conformity with these findings and conclusions.

DATED at Anchorage, Alaska this \_\_\_\_\_ day of March, 1982.

*not used  
except in part  
DM*

\_\_\_\_\_  
Daniel A. Moore, Jr.  
Superior Court Judge

APPENDIX I

ADDITIONAL EXCLUSIONS ASSUMING  
PLAINTIFF'S FIGURES FROM EXHIBIT 4

CENSUS DIVISION	DISTRICT	MILITARY POPULATION	NON-RESIDENT FACTOR	ADDITIONAL NUMBER TO EXCLUDE
Aleutians & Bristol Bay	26	See attached sheet*	.91	851.39
Angoon	2	3 (CG)	.71	2.13
Barrow	22	17 (NV)	.91	15.47
Bethel	25	15 (U.S.A.F.)	.91	13.65
Cordova	2	54 (CG)	.71	38.34
Juneau	4	275 (CG)	.71	195.25
Kenai-Cook Inlet	5	55 (CG)	.71	39.05
Ketchikan	1	188 (CG)	.71	133.48
Kobuk	22	17 (U.S.A.F.)	.91	15.47
Kuskokwim	24	55 (U.S.A.F.)	.91	50.05
Mat-Su	16	105.6 (Army) (See attached sheet**)	.78	82.37
Nome	23	41 (U.S.A.F.)	.91	37.31
Seward	6	15 (CG)	.71	10.65
Sitka	3	193 (CG)	.71	137.03
Skagway-Yakutat	2	12 (CG)	.71	8.52
Upper Yukon	24	28 (U.S.A.F.)	.91	25.48
Valdez-Chitina Whittier	6	42 (CG)	.71	29.82
Wade Hampton	23	13 (U.S.A.F.)	.91	11.83
Wrangell-Petersburg	1	14 (CG)	.71	9.94
Yukon-Koyukuk (Part)	17	127 (Clear-U.S.A.F.)	.79	100.33
Yukon-Koyukuk (Part)	24	285 (U.S.A.F.)	.91	259.35
Total Additional Exclusion				2,066.91

31,363.8 - military already excluded  
+ 2,066.91 - additional exclusion  
33,430.71

400,481 - 1980 statewide population  
- 33,430.71 - non-resident military and dependents  
367,050.29 ÷ 40 = 9,176.2 Ideal district size.

ATTACHMENT TO APPENDIX I

\*            **ADDITIONAL EXCLUSION FOR ALEUTIAN ISLANDS-  
BRISTOL BAY CENSUS DIVISIONS**  
Assuming Plaintiff's Figures (Exhibit 4)

2175	Aleutian Islands Census Division - Exhibit 4
<u>x.91</u>	non-resident factor - Exhibit 1, Table 9
1979.25	non-resident active duty
3315	total military & dependents at Adak - 1980 Census
<u>-1610</u>	military at Adak - Exhibit 1, Table 9
1705	dependents at Adak
1705	dependents at Adak
<u>x.87</u>	non-resident factor, dependents at Adak-Exhibit 1, Table 9
1483.35	non-resident dependents at Adak
1483.35	non-resident dependents on Aleutians & Bristol Bay
<u>+1979.25</u>	non-resident military on Aleutians
3462.6	
369	military - Bristol Bay Census Division - Exhibit 4
<u>x.91</u>	non-resident factor - Exhibit 1, Table 9
335.79	non-resident military Bristol Bay
3798.39	total non-resident military & dependents on Aleutians & Bristol Bay
3798.39	number that should have been excluded
<u>-2947.00</u>	number actually excluded - Exhibit 2, Table II
851.39	additional number required to be excluded

\*\* Of the 147 persons reported in Alaska Population Overview (Exhibit 4) to reside in the Matanuska-Susitna Census Division, 41.4 were previously deducted by the Governor. See Exhibit 2, Table II.

APPENDIX II

HOUSE DISTRICT VARIANCE  
Assuming Plaintiff's Figures (Exhibit 4)

(Ideal District Size 9,176.2)

District	Population	Additional Exclusion	New Population	Variance
1.	17,940	143.42	17,796.58 (8,898.29)	-3.03%
2.	9,301	48.99	9,252.01	+ .8%
3.	9,266	137.03	9,128.97	- .5%
4.	19,528	195.25	19,332.75 (9,666.375)	+5.34%
5.	19,068	39.05	19,028.95 (9,514.475)	+3.68%
6.	9,267	40.47	9,226.53	+ .5%
7.	8,853.2			-3.51%
8.	18,202.1 (9,101.05)			- .8%
9.	18,004.7 (9,002.35)			-1.9%
10.	17,685.7 (8,842.85)			-3.63%
11.	17,957.8 (8,978.9)			-2.15%
12.	18,170 (9,085)			-1.0%
13.	18,907.5 (9,453.75)			+3.02%
14.	19,031.5 (9,515.75)			+3.7%
15.	18,560.7 (9,280.35)			+1.13%
16.	17,724.6	82.37	17,642.23 (8,821.115)	-3.87%
17.	9,111.9	100.33	9,011.57	-1.79%
18.	9,300			+1.35%
19.	8,934.3			-2.63%
20.	18,319.7 (9,159.85)			- .18%
21.	9,247.1			+ .77%
22.	9,030	30.94	8,999.06	-1.93%
23.	9,388	49.14	9,338.86	+1.77%
24.	9,549	334.88	9,214.12	+ .4%
25.	9,698	13.65	9,684.35	+5.53%
26.	9,479	851.39	8,627.61	-5.97%
27.	9,592.4			+4.53%
Most overpopulated - Dist. 25 - Bethel 9,684.35				+5.53%
Most underpopulated - Dist 26 - Bristol Bay Aleutians 8,627.61				-5.97%
Total Combined Variance				11.50%

*Judge Sweeney*

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

MARILYN CARPENTER, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
JAY S. HAMMOND, )  
 )  
Defendant. )  
 )  
\_\_\_\_\_ )

FILED in the Trial Courts  
State of Alaska, Third District  
OCT 2 1983  
Clerk of Trial Courts  
By *[Signature]*  
Deputy Clerk

Case No. JAN-81-5839 CI

ORDER

Having reviewed the opinion of the Alaska Supreme Court in this case, together with the applicable constitutional provisions and the arguments presented by the parties:

IT IS HEREBY ORDERED that:

1. This case is remanded to the Governor of the State of Alaska, who, after being advised by the Reapportionment Board, shall issue, no later than February 3, 1984, a revised final Proclamation of Reapportionment in conformity with the opinion of the Alaska Supreme Court which was issued in this case on July 22, 1983.

2. The revised final Proclamation of Reapportionment shall, in a manner consistent with the federal and state constitutional requirements of equal representation, but with the fewest possible changes in the final Reapportionment Plan as approved by the Alaska Supreme Court in this case, cause Cordova to be placed in a contiguous, compact and relatively integrated socio-economic election district and cause House District 2 to be transformed into such an election district.

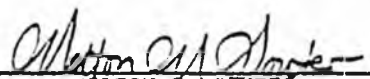
3. The revised final Proclamation of Reapportionment shall utilize the "indefinite intention" test in determining the residency of military members in any election

districts whose boundaries must be changed in order to accomplish the necessary changes regarding Cordova and District 2, and it shall not utilize any amendments to the most recent federal decennial census which were issued after the initial final decision which was entered by the Superior Court in this case on March 26, 1981

4. The Reapportionment Board shall meet as soon as practicable, hold such public hearings as it deems appropriate and present the Governor with a proposed amended final Proclamation of Reapportionment no later than January 3, 1984, unless otherwise ordered by the Governor. The Reapportionment Board which provided the recommendations which formed the basis for Governor Hammond's Proclamation of Reapportionment on July 24, 1981 remains in existence and may be used by Governor Sheffield. However, Governor Sheffield may, in his discretion, appoint a new Reapportionment Board to serve in the place and stead of the existing one.

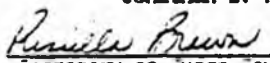
3. This court shall retain continuing jurisdiction in this case for the purpose of resolving such disputes as might hereafter be properly submitted to it regarding the reapportionment proceedings at issue, it being this court's intention not to entertain any but the most extraordinary of motions in this case until the revised final Proclamation of Reapportionment has been issued.

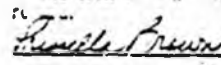
ENTERED this 12<sup>th</sup> day of October, 1983.

  
MILTON A. SCUTER  
SUPERIOR COURT JUDGE

I certify that on 10/12/83 at 4:00 p.m., I personally delivered a copy of said Order to the following:

Holli Ploog  
Jonathan B. Rubini

  
Secretary to Judge Scuter

I Certify that on 10-13-83  
I certify that on 10-13-83 I personally delivered a copy of said Order to the following:  
Timothy A. McKeene  


# Anchorage Daily News

359, 252 PAGES

ANCHORAGE, ALASKA, SUNDAY, DECEMBER 25, 1983

PRICE

## Booming economy makes Alaska the fastest-growing state

By RONNIE CHAPPELL  
Daily News correspondent

The largest influx of people in Alaska history pushed the state's population past 500,000 in 1983 and confirmed Alaska as the fastest growing state in the nation.

The Alaska Department of Labor last year estimated the state's population at 460,837. This year, the five largest cities and boroughs in the state have reported combined population increases of 40,700 — which alone would push Alaska over the 500,000 mark. The state will not

release an official estimate until February.

"If growth continues at the same rate (as in 1982) we're going to be over 500,000 in 1983," said Jo Van Patten, an economist in the state Department of Labor.

The population boom between the 1980-to-1983 period exceeds the leaps of the Gold Rush, World War II and the pipeline era.

"In sheer numbers this would be the greatest influx," said John Whitehead, associate professor of history at the University of Alaska, Fairbanks. "In the past, it has taken at least a

decade to add 100,000 people to the state's population.

Based on figures provided by the Alaska Department of Labor and local governments throughout the state, The Daily News estimates the state's population at 505,000, an increase of more than 100,000 since the 1980 U.S. Census.

The Department of Labor does not base its population estimates solely on figures supplied by Alaska communities. The figures are suspect because communities receive state revenue-sharing money on the basis of population. They have an incentive

to report the highest possible populations, Van Patten said.

For that reason, Van Patten checks the figures against a formula based on elementary school enrollments, housing starts, births and deaths.

In addition to its burgeoning population, the Alaska economy has expanded by more than 40,000 jobs since 1980.

Those new jobs are the byproduct of subsidized home loans, permanent fund dividends, an increasing state payroll and massive government con-

See Page A-8, GROWTH

# Growth

Continued from Page A-1

struction budgets, according to a new report by the labor department.

Experts agree that \$14 billion in state spending — about 1½ times the amount spent on the trans-Alaska pipeline — is the underlying cause of the boom.

Despite recent population gains, Alaska remains the smallest state, trailing Vermont, which had 518,000 people in July 1982.

But Alaska, with a population increase of more than 10 percent between 1980 and 1982, is the fastest growing. In the same period, Vermont's population grew 1.3 percent.

If the Alaska economy continues its present pace for one more year, Vermont could be the smallest state in the nation by the end of 1984.

In Alaska, the Matanuska-Susitna Borough is the fastest growing area in the nation's fastest-growing state. Its population is up 71 percent since 1980, from 17,816 to 30,568.

During the same period, Anchorage added 56,415 people, an increase of 32 percent, for a total of 230,846.

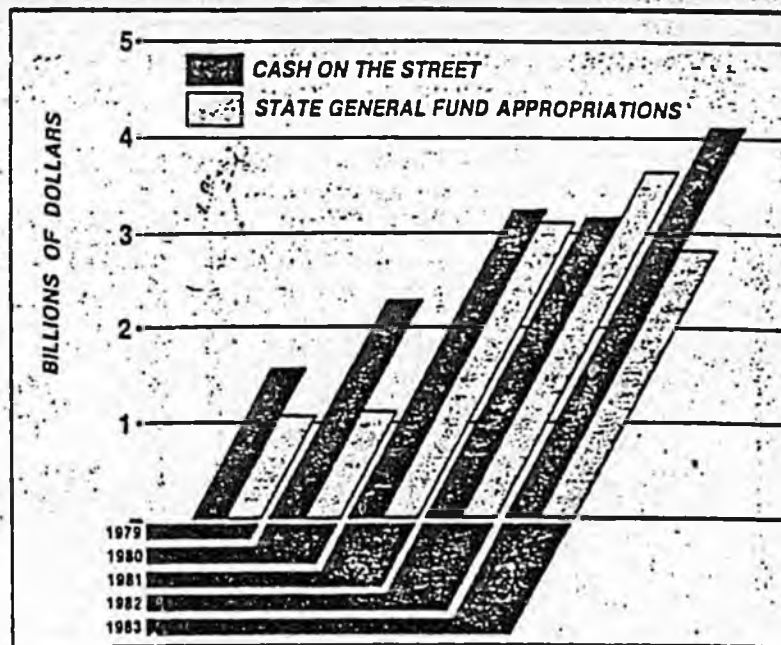
The population of the Kenai Peninsula is up 38 percent, Fairbanks is up 20 percent and Juneau is up 40 percent.

Rural Alaska is growing too, but at more moderate rates.

Rapid growth in the 1980s has not hit Alaska with the sudden, sledgehammer force of the pipeline years. Because it has come independent of a single mammoth project that focuses public attention, the growth has been felt area by area without being noted as a major statewide phenomenon.

In Anchorage, commuters are spending more time driving to and from work. School enrollment in Palmer is growing so fast that after the holidays some children will return to classes in a National Guard Armory. Vacancy signs are disappearing in Fairbanks and developers are building apartments again.

In Soldotna, the spruce trees behind Ellington's Hardware have been replaced by a McDonald's, a pizza restaurant, a Safeway and a 21-store



mall.

"It was kind of scary at first," said store owner Joan Ellington. But "after doing some reading about other places this has happened, we realized it could double our business."

Still, the changes amaze Ellington.

"It makes you wonder what's down here to bring all these people," she said.

The answer to her question is simple.

Work.

One clerk at Ellington's Hardware has been in the state 16 months. She came with her husband and four children. The other clerk arrived four years ago with five other family members.

Thousands of people are coming to Alaska to escape a bitter recession that has produced bread lines and soup kitchens in other parts of the country. They are leaving old jobs to find better ones.

"Economic opportunity is the No. 1 reason they're coming," said Neal Fried, an economist for the Alaska Department of Labor. "People have heard about wages. They've heard about the pipeline. Many have relatives here who tell them to come."

For many, the move has been a good one.

"There is a lot of opportunity for people here," Fried said. "But it is not a job market with a shortage of people. Unemployment hasn't come down."

In fact, despite the addition of 40,000 jobs to the economy, the unemployment rate actually increased from 9.3 percent to 10.1 percent during the last two years. Nearly 4,000 more people are looking for work in Alaska today than in 1981.

Still, it is better to be unemployed in Alaska than in the idle factory towns of Michigan or logging communities of northern Idaho. The chances of finding work in an expanding economy are better than in a stagnant one, Fried said.

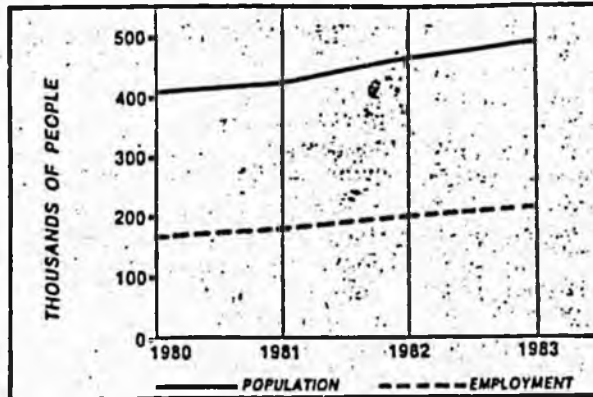
Huge numbers of new Alaskans are not finding jobs in the oil, fishing and timber industries. Instead, they are working as carpenters, roofers, electricians, store managers, clerks, waitresses, cooks, gas station attendants, lawyers, engineers, surveyors, real estate agents, reporters, teachers. Some have started new businesses.

Two thousand jobs have been created on the Kenai Peninsula despite the lack of significant growth in the oil and fishing industries.

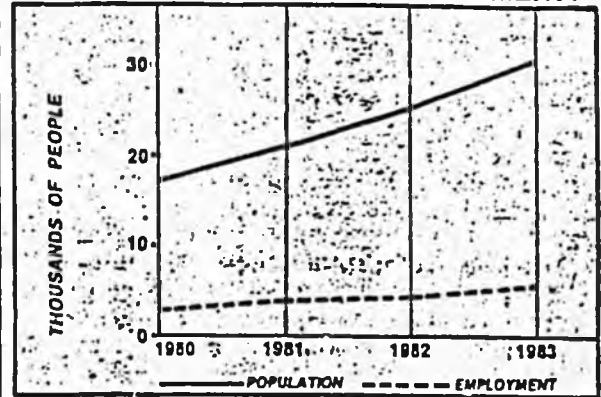
People are working in new shopping centers, in new restaurants, gift shops, nurseries, computer stores and sporting goods outlets. Oldtimers are starting to complain that downtown Soldotna looks like Northern Lights Boulevard in Anchorage.

Residential and commercial construction reached all-time highs in 1983. Homer Electric Association added 1,500 new

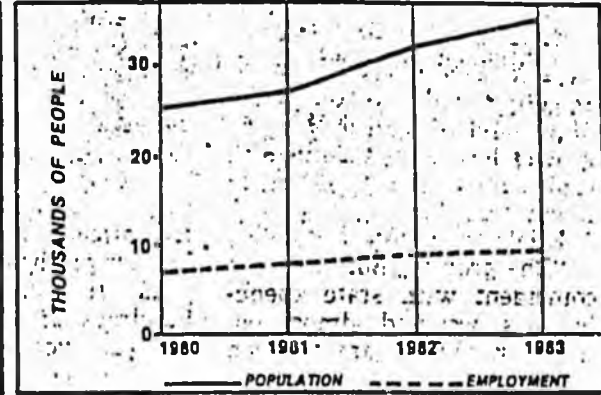
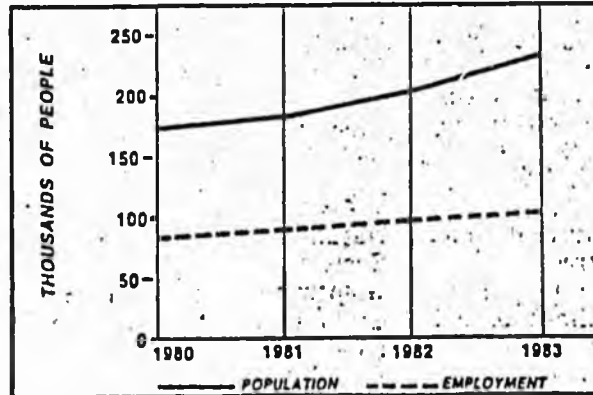
ALASKA POPULATION / EMPLOYMENT



MAT-SU POPULATION / EMPLOYMENT



ANCHORAGE POPULATION / EMPLOYMENT PENINSULA POPULATION / EMPLOYMENT



Charts: Daily News art department

customers.

Sales tax revenues generated on retail sales in Kenai and Soldotna are up 40 percent over 1982.

"What's happening here is being evidenced everywhere else in Alaska," said Frank McIlhargey of the borough resource development office. "We're in the midst of a government-dollar-generated boom."

Assessing the effect of massive government spending on the economy is difficult. It was made easier in 1982 when economists Gregg Erickson and Tom Singer developed a way to track the money pumped into the economy by state government.

The result is a series of multi-billion dollar totals — based on checks actually issued by the treasury — that Erickson and Singer call Cash-on-the-Street.

Cash-on-the-Street includes loans by the Alaska Housing Finance Corp. and other state agencies, permanent fund dividends, the salaries paid state employees, operation and maintenance costs, general fund and bond financed capital projects.

the permanent fund.

In four of the last five years, Cash-on-the-Street exceeded state general fund appropriations — the figure most often referred to as a measure of state spending.

In a September 1983 report, the state Department of Labor observed that "Alaska employment is closely correlated with Cash-on-the-Street. In a statistical sense, 95 percent of the growth in employment from 1978 through the first half of 1983 is explained by growth in Cash-on-the-Street."

According to Erickson and Singer, "statistical evidence suggests that state spending now accounts for 44 percent of Alaska personal income."

Cash-on-the-Street has increased steadily from \$1.5 billion in fiscal year 1979 to \$4 billion in 1983. It peaked during a three-month period in the summer of 1982 when the state paid \$1.3 billion to people and businesses in Alaska.

Cash-on-the-Street does not affect employment and population immediately, the economists said. There is a six-month to one-year lag, which means this year's boom is the

It is unlikely that Cash-on-the-Street will again reach the record levels of 1982, according to the Labor department report. Oil revenues have declined since 1980 and state spending is down. North Slope production will fall off sharply after 1990. One-third of the known reserves in Prudhoe Bay have already been pumped through the pipeline.

The looming question now is what happens to the state's economy when the state can no longer afford subsidized loans, permanent fund dividends and huge expenditures on capital projects.

"Nobody really knows what's going to happen," said Scott Goldsmith, an economist with the Institute of Economic and Social Research at the University of Alaska.

"I've got to believe some of the small new businesses are operating right at the margin now. When Cash-on-the-Street tails off, those marginal businesses are going to start hurting and go under."

But Goldsmith says he doesn't see a bust in the future.

The economic contraction that follows a decline in state

# Alaska becomes nation's fastest-growing state

Continued from Page A-8

spending won't be "as immediate and dramatic as the growth has been," Goldsmith said. "Businesses will try to tough it out."

Erickson agrees.

"The growth that has been coincident with state spending has occurred almost entirely in service areas" such as retail trade, communications and transportation, Erickson said.

"There is some reason to think that won't be lost. It depends on where and how fast declines in state spending occur and it depends on how much faith people have in Alaska."

The service sector of the economy is population sensitive. If people remain in Alaska despite a decrease in their standard of living, if they are willing to make do with less disposable income, then chances are good the economy can be weaned from state spending without too much social dislocation, Erickson said.

He also pointed out that:

- Much of the recent growth was needed. Compared to similar markets in other parts of the nation, the service economy in Alaska was underdeveloped.

- Alaska's basic industrial base will not be affected by contraction of state spending. Oil field employment may actually increase as production declines.

- Even today, construction is not a big part of the state economy. Construction employment is the same today — in terms of percentage of total labor force — as it was in 1963.

- There has been no five-year period since 1950 in which the service sector didn't add more jobs to the

state economy than the industrial sector.

If policy makers better understood the relationship between state spending and the economy, Erickson believes, they could mitigate the negative effects of future declines in Cash-on-the-Street.

Is it wise to spend hundreds of millions of dollars each year on new capital projects? On permanent fund dividends? On subsidized loans? Should the state spend money to keep down local property taxes? What is best for the economy? Which appropriations have the biggest effect, per dollar expended, on employment?

Without answers to questions like these, Erickson said, state leaders can't hope to soften the effects of future state spending cuts on the economy.

Right now, no one is serious trying to find the answers. "There's been no institutional support for this kind of research," Erickson said.

Big spending cuts are inevitable because oil income is rapidly declining. That fact becomes apparent when state revenue projections are adjusted for inflation.

According to Matt Berman of the Institute for Social and Economic Research, oil revenues will decline 50 percent —

in terms of 1982 dollars — by the early 1990s.

Nothing on the horizon is capable of replacing the revenue now provided by oil. Even royalty income generated by the proposed Alaska Natural Gas Transportation System will not be sufficient, Goldsmith said. Offshore oil exploration is taking place on federal leases.

By the mid-1990s, interest income generated by the permanent fund will be the state's second largest revenue source. How big a revenue source it becomes depends on how much money is set aside today.

Alaska has already enjoyed five years of Prudhoe Bay production. In six to eight years, production will decline significantly.

The choices facing lawmakers now are difficult. Should they maintain the state's thriving economy over the next few years by continuing to pump huge amounts of money into the marketplace? Or should they cut state spending today to keep the cost of basic government services affordable after 1990? Is there any way to accommodate these seemingly incompatible goals?

"There are no easy answers," Goldsmith said.

Kenai Clarion  
Jan 11, 1984

# Districting options unpopular

Governor's board hears  
views on reapportionment

By JOHN MARRS  
Editor

If the rest of Southcentral and Southeastern Alaska were as easy to please as English Bay and Port Graham, the governor's special reapportionment board would have few problems.

Testimony during a teleconference conducted over the state's conference network Wednesday evening indicated no consensus in English Bay or Port Graham for or against whether the two southern peninsula villages were put in one voting district or another.

The rest of the 30 people who spoke told

See BOARD, Page 14

## ...Board hearing

Continued from Page 1

the board they didn't like the pending reapportionment plans.

Half of those who spoke urged the board to revive a once-proposed but abandoned plan to create one large Senate district encircling Anchorage with Nikiski, Seward, Valdez, Cordova, Whittier and the Matanuska Valley. The area — not counting Nikiski — is roughly the same as the pre-1981 Senate district represented by Sen. Jay Kerttula, D-Palmer.

The possibility of switching English Bay and Port Graham from a House District for Prince William Sound to one for the Kenai Peninsula was the only change actually mentioned as a possibility by the board.

The change is contemplated in the board's last public report, and Chairman Willie Hensley and board member Mary Nordale mentioned it Tuesday in discussions with citizens who were testifying. The change, if made when the board meets today, would move the Chitna and McCarthy areas into House District 6 (Valdez-Seward-Cordova) and put English Bay and Port Graham back in House District 5, the peninsula's main voting district.

Walter Maganik Sr., president of the Port Graham Village Council, urged the board to "leave us alone," but he also said a village vote came out 21 in favor of moving to the new Prince William Sound District to 29 in favor of staying put.

Rep. Milo Fritz, R-Anchor Point, speaking from Juneau, said he spoke earlier Tuesday with Vince

Kvasnikoff, an English Bay village leader, and was told that the people there couldn't make up their minds whether they would be better off one way than the other. He also asked that a board representative visit the village to talk about it.

Assemblywoman Karen McGahan of Nikiski, Dorothy Westphal of Sterling and Lois Irvin of Homer all protested the board's plan to put Nikiski with South Anchorage in a new House District 7.

Westphal also read a letter by Sharon Overman of Soldotna, president of the Central Peninsula Republican Women's Club, objecting to a plan that would cut the peninsula's representation in the Senate.

Two peninsula residents, Jack Warner and Louis Bernacardino of Seward, joined people from Whittier, Valdez, Cordova and the Mat-Su Borough in recommending that proposed House Districts 6, 7 and 16 be combined to form a Senate district with two seats. Similar to Kerttula's former district, the plan has been called the "Doughnut District" because of its shape.

The reapportionment board dropped the plan, originally raised by Kerttula, without comment at its last meetings in December. Tuesday night, Hensley said the idea had not found any support on the board.

The board has until Feb. 3 to report to the governor, who this week got a court extension to Feb. 17 for his report to Superior Court Judge Milton Souter.

Mark Jacobs, Jr.  
P.O. Box 625  
Sitka, Alaska 99835

February 4, 1984

Honorable Ben Grussendorf  
Alaska State Legislature  
Pouch V (MS 3100)  
Juneau, Alaska 99811

Dear Mr. Grussendorf:

My testimony on the statewide teleconference yesterday on HJR# 53 is that I am very concerned about the future trends in reapportionment of the State of Alaska's legislature. Although the United States Constitution is designed for providing for one man, one vote philosophy in order to have a fair representation, I don't believe it is fair as it affects Alaska and it's vast areas of small populations.

The main problem as I see it, is the increasing population in the Anchorage area. Right now their voting strength in the legislature is nearly fifty per cent, this means that they are almost to the point of running the entire State of Alaska as they please and can get practically any population increasing facilities or programs.

What chance do we have as citizens of Alaska if all the voting power is concentrated in one small area of Alaska? If the present trend continues we will have only a limited voice in determining the future of our Alaskan life style, our cultures, resources and political participation. The Capital move proponents I am sure will again become active.

I would rather see a rigid constitutional provision to allow for geographical representation rather than by population. This would provide us with an adequate political voice in determining the future of our Alaskan way of life.

Candidates for the State Legislature from the out lying areas of Alaska must travel great distances at great expenses to campaign for the office while those in the population centers can do their campaigning in a few city blocks of their district.

If they should eventually succeed in getting all the government of the State of Alaska, then I think the only way to preserve our political life is to create <sup>an</sup> area to be known as the "District of the State of Alaska" very similar to what Washington D.C. is at the present time.

I know that the creation of a "District of the State of Alaska" is a wild idea not legally possible, it is simply a heart cry of what might be the answer to preserving our political life as Alaskan cultures.

I often wish the United States Supreme court would take into consideration the vastness and the diversity of Alaska in it's decisions.

Sincerely,

*Mark Jacobs Jr.*  
Mark Jacobs, Jr.

cc: U.S. Congressmen  
any newspaper publication  
Tlinglet & Haida Central Council



LEGISLATIVE INFORMATION OFFICE

Dec 14th  
Reapportionment  
Teleconference

Participant list from  
the Dec. 14 T/C.

We are pleased to send the enclosed material in  
response to your recent request.

Barbara.....

MSG 83-00022850 PRTY 1 12/16/83 07:59:56 ORIG: LH01 IN= 0001 OUT= 0003  
FROM: MARTIE/MATSU TO: JUNEAU T/C  
TARGET: LAH2 SUBJ: REAPPORTIONMENT T/C

LEGISLATIVE TELECONFERENCE NETWORK SIGN-IN SHEET

-DEC. 14, 1983 :DATE  
-MATSU LIO :SITE/LOCATION  
-SEN. STURGULEWSKI/REAPPORTIONMENT BOARD: SPONSOR/SUBJECT  
-8- TESTIFY/ED \*\*\*\*\*T/C STARTED 6:00 PM ADT  
-4- OBSERVE/ED \*\*\*\*\*T/C ENDED 7:15 PM ADT  
-2- TOTAL

NAME/REPRESENTING	ADDRESS/PHONE	TESTIFY	OBSERVE
1. CHUCK SMITH, SELF	BOX 871385, WASILLA 99687	376 2941	TEST.
2. CAROLYN COVINGTON, SELF	SR D BOX 9340, PALMER 99645	745 3365	TEST.
3. DOROTHY A. JONES, SELF	BOX 109, TALKEETNA 99676	733 2395	TEST.
4. ELSIE M. O'BRYAN, SELF	PO BOX 24, HOUSTON 99694	892 6638	TEST.
5. JOYCE KERTTULA, SELF	BOX Z, PALMER 99645	745 5247	TEST.
6. JUDITH ANDEREGG,	BOX Z, PALMER		TEST.
7. NOEL WOODS, PO BOX 827,	PALMER 99645	745 3027	TEST.
8. JOHN MUSGROVE, PO BOX 1284,	PALMER 99645	745 2191	TEST.
9. KAY BILLS, BOX 342, SUTTON,	99674	745 5125	OBS.
10. JEAN WOODS, PO BOX 827,	PALMER 99645	745 3627	OBS.
11. RON LARSON, PO BOX 53,	PALMER 99645	745 3826	OBS.
12. ED GRASSER, PO BOX 53,	PALMER 99645	376 8628	OBS.
13. MARSHA MELTON, PO BOX 891,	PALMER		SUBMITTED WRITTEN TESTIMONY
14. LEN MELTON, PO BOX 891,	PALMER 99645		OBS.

DON'T KNOW IF YOU EVER GOT THE FINAL LIST IN ANCHORAGE OR IF YOU STILL  
NEED ALL OF THIS. I THINK YOU COULD THROW IT AWAY IF YOU DON'T NEED IT.  
HAVE A GREAT FRIDAY!

WEDSDAY, 1/10/84 :DATE  
 DOTNA :SITE/LOCATION  
 M.M.MILLER (JNU), :SPONSOR/SUBJECT  
 GOV.'S REAPPORTIONMENT BD. FINAL PLAN

JAN. 10TH  
 Reapportionment  
 Conference

NAME/REPRESENTING	ADDRESS/PHONE	TESTIFY	OBSERVE
JOHN HARRS PEN. CLARION BOX 43330, KENAI, AK. 99611			X
ROBERT WESTPHAL RT.2 BX 295 STERLING, AK. 262-6061		X	
WARREN MCHAN RT.1 BOX 767 KENAI, AK. 99611		X	
RICHARD MCHAN			X

TESTIFY/ED  
 OBSERVE/ED  
 TOTAL

STATS  
 4:30 PM T/C STARTED  
 6:35 PM T/C ENDED

REGIONAL STATS \*\*

HOMER LTC SITE  
 TESTIFIED  
 OBSERVED  
 TOTAL

LOIS IRVIN 167 WEST BAY VIEW HOMER AK. 235-7172 TESTIFIED  
 99603

WARD LTC SITE  
 TESTIFIED  
 OBSERVED  
 TOTAL

LOUIS BENCARDINO 519 5TH. SEWARD TESTIFIED  
 JACK WERNER 423RD. SEWARD TESTIFIED  
 ALICE PICKETT LOWELL CANYON OBSERVED  
 EDGAR BLATCHFORD BOX 1344 SEWARD OBSERVED

DATE: 1/10/84  
 SITE: ANCHORAGE/ MICKI  
 SPONSOR/SUBJECT: REPRESENTATIVE MILLER/GOVERNOR'S REAPPORTIONMENT BOARD  
 PUBLIC HEARING

TESTIFIED  
 OBSERVED  
 TOTAL

\*\*\*\*\*T/C STARTED: 4:40PM  
 \*\*\*\*\*T/C ENDED:

TESTIFIED  
 \*\*\*\*\*

SERVED  
 \*\*\*\*\*

MARK RIEHLE, KENI RADIO  
 BONNIE STEWARD. ARCO

JAN 10th

WILLIE HENSLEY	REAPPORTIONMENT BRD	T
MARY NOBDALE		T
DICK BORER		T
JOE MCKINNON		T
FELIX TONER		O
JOHN RUBINI	REAPP. BRD. STAFF	O
KAREN REHFELD		O
DANA LATOUR		O
PERRY LOVETT	N/A	O
BILL HALL	N/A	O
1. REP HILO FRITZ	465-4833	O
2. DAVID SCHACH		O
3. WALLY KUBLEY	MENDENHALL APTS #709	O
4. REP RON WENDTE	465-4944	T
5. PAUL ARMOND	HOUSE DEMOC. 465-4843	O
6. DENISE ZACHARY	HOUSE DEMOC. 465-4843	O
7. ALAIRE STANTON	465-4821	O
8. MAFOUSE	POUCH V 465-3818	O
9. MARK HANLEY/MARTIN	465-3783	O

-----STATS-----  
 7 TESTIFY/ED T/C STARTED 4:30 AST  
 12 OBSERVE/ED T/C ENDED 6:30 AST  
 19 TOTAL

DATE: JANUARY 10, 1984  
 PLACE: SITKA  
 SPONSOR/SUBJECT: REP. M.M. MILLER/REAPPORTIONMENT PLAN

.....TESTIFIED \*\*\*\*\*T/C STARTED: 4:40  
 .....OBSERVED \*\*\*\*\*T/C ENDED: 6:25  
 .....TOTAL

SERVED  
 \*\*\*\*\*

SUSAN FROETHEL, SITKA SENTINEL, BOX 799, SITKA, AK 99835  
 WOLFRAM KUONI, BOX 155, SITKA, AK 99835

HAINES	HOONAH	YAKUTAT	CORDOVA
...TESTIFIED	2..TESTIFIED	1..TESTIFIED	7..TESTIFIED
...OBSERVED	4..OBSERVED	0..OBSERVED	3..OBSERVED
...TOTAL	6..TOTAL	1..TOTAL	10.TOTAL

RESIDENTS/TESTIFIED

DAVE OLERUD, HAINES CHAMBER OF COMMERCE, BOX 527, HAINES, AK 99827  
 DARRELL MAPLE, HAINES CITY ADMINISTRATOR, BOX 576, HAINES, AK 99827

SERVED

LEO LAND, BOX 122, HAINES, AK 99827

VALDEZ STATS:

TESTIFY: \_\_\_4\_\_\_ \*\*\*\*\*T/C STARTED: 4:35 PM  
 OBSERVE: \_\_\_0\_\_\_ \*\*\*\*\*T/C ENDED: 6:25 PM  
 TOTAL: \_\_\_4\_\_\_

NAME/REPRESENTING	ADDRESS/PHONE	TESTIFY	OBSERVE
JOHN DEVENS	BOX 307, VALDEZ 99686	X	
CITY OF VALDEZ	835-2421		
JIM WATSON	BOX 307, VALDEZ 99686	X	
CITY OF VALDEZ	835-4313		
SUSY COLLINS	BOX 307, VALDEZ 99686	X	Cordova Valdez Motel
MAYOR OF VALDEZ	835-4913 (EXT. 5241)		
BARNEY M. MEYRING	BOX 512, VALDEZ 99686	X	
CHAMBER OF COMMERCE	835-2330		

FEB 10 1984

FEB 10 1984

F I N A L R E P O R T

REAPPORTIONMENT AND REDISTRICTING PLAN  
FOR THE  
ALASKA STATE LEGISLATURE

Prepared by: The Reapportionment Board  
February 8, '1984

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## I. THE REAPPORTIONMENT BOARD

### A. Introduction

This Report presents the recommendations of the 1983 Reapportionment Board of the State of Alaska.

The 1983 Reapportionment Board was convened to propose amendments to the 1981 State Reapportionment Plan following the Alaska Supreme Court's determination that the 1981 State Reapportionment Plan improperly included Cordova in House District 2. Carpenter v. Hammond, 667 P.2d 1204 (Alaska 1983). The constitutional problem identified by the court was that the inclusion of Cordova in a district with communities in Southeast Alaska violated the mandate of article 6, section 6 of the Alaska Constitution which requires that legislative districts contain "as nearly as practicable a relatively integrated socio-economic area."

In an order entered on October 12, 1983, the Honorable Milton M. Souter of the Alaska Superior Court, Third Judicial District, directed the Governor, with the advice of the Reapportionment Board, to issue a Proclamation of Reapportionment on or before February 3, 1984 1/ which causes Cordova to be placed in a contiguous, compact and relatively integrated

---

1/ By subsequent order of the court, the deadline for the issuance of a Proclamation of Reapportionment was extended to February 17, 1984.

socio-economic election district. The court further directed the Governor to amend the 1981 Plan as is necessary to satisfy federal and state constitutional requirements, but to make only the fewest possible changes.

In accordance with the superior court order, the 1983 Reapportionment Board was appointed by Governor Bill Sheffield on October 20, 1983. The Reapportionment Plan recommended in this Report sets forth the Board's solution to the problems identified in the Carpenter decision. In formulating this Plan, the Board has sought to make the fewest possible changes to the 1981 Plan while giving primary importance to the principle of equal representation.

#### 1. Composition of the Board

In the superior court's October 12 order, the Governor was instructed to issue a revised Proclamation of Reapportionment with the assistance of an advisory board. The following individuals were appointed by Governor Sheffield in October of 1983 to serve on the Reapportionment Board: William L. Hensley, Kotzebue; Mary A. Nordale, Fairbanks; Joseph H. McKinnon, Anchorage; Richard R. Borer, Cordova; and Felix J. Toner, Juneau. William Hensley was elected chairman during an organizational meeting in Juneau on October 26, and Mary Nordale was selected to serve as vice-chairman.

## 2. Staff and Technical Requirements

Dana LaTour served as staff assistant to the Board. Her responsibilities included all administrative and fiscal details such as arranging meetings and hearings and maintaining accurate records of all Board activities. Cheryl Barsness and Cheryl Beaty provided clerical and administrative support to the Board for the duration of the project. Assistant Attorney General Jonathan Rubini served as the Board's legal counsel.

The Board retained the services of Karen Rehfeld to provide technical assistance on a contractual basis. Rehfeld served as Executive Director for the 1981 Reapportionment Board.

### B. Public Participation

The Board provided as much opportunity for public participation as was possible within the limited time available. All meetings of the Board were open to the public. In addition, the Board conducted six public hearings, most of which took place in communities directly affected by the proposals described in this report. And, through use of the Legislative Teleconference Network on three occasions, all citizens were accorded an opportunity to present their views to the Board. A schedule of the dates and locations of the meetings and hearings is included.

In almost every case, all Board members were present for the public hearings. Weather conditions prohibited Dick Borer and the reapportionment staff from attending the Fairbanks hearing. Chairman William Hensley was unable to attend the

teleconference with the communities in the Prince William Sound area, the Kenai Peninsula, and Matanuska-Susitna Borough.

Advertising for the hearings included newspaper display ads that were sent to the newspapers in the specific areas for each hearing. In most cases, public service announcements were prepared and read via telephone to the local radio stations prior to the public hearings. Additionally, the Legislative Teleconference Network in the Legislative Affairs Agency, Division of Public Services, provided assistance by advertising the teleconferences in each site location involved. Newspapers and radio stations conducted interviews which resulted in increased attention to the hearings.

Following each board meeting, the Board prepared a news release which explained the proposed plans for reapportionment. Copies were supplied to each Legislative Information Office, Regional Governor's Office, all 60 legislators, members of the press and interested persons. These news releases served as the basis for public comment and testimony.

Attendance at the public hearings varied in each location. In many locations the public comment received was in response to the plans already proposed by the Board. The Board also sought public comment on three proposals for redistricting Anchorage. Various options for apportioning the senate in Anchorage and Southcentral were discussed during the hearings. Additionally, the Board received numerous letters and telegrams.

As a result of testimony received, the Board made two revisions to their proposed plans. During a meeting on January 11, 1984, the Board formulated their recommendations and directed staff to prepare the text of this report and corresponding maps to submit to the Governor.

1983 REAPPORTIONMENT BOARD  
MEETING/PUBLIC HEARING SCHEDULE

<u>Community</u>	<u>Date and Time</u>	<u>Location</u>
Juneau	<u>Meeting</u> October 26-27, 1983	5th Floor Court Building
Juneau	<u>Meeting</u> November 7-8, 1983	7th Floor State Office Bldg.
Ketchikan	<u>Hearing</u> November 21, 1983 7:30 p.m.	School District Meeting Room
Juneau*	<u>Hearing</u> November 22, 1983 7:30 p.m.	Court Room A Alaska Court Bldg.
Fairbanks**	<u>Hearing</u> November 29, 1983 7:30 p.m.	Borough Assembly Chambers
Anchorage	<u>Hearing</u> November 30, 1983 1:30 - 5:00 p.m. 7:30 - 10:00 p.m.	Court Room G Room 401 Alaska Court Bldg. 303 K Street
Kenai***	<u>Hearing</u> December 1, 1983 7:30 p.m.	Borough Assembly Chambers, Soldotna
Anchorage	<u>Meeting</u> December 8, 1983	Suite 758 Frontier Bldg.
Anchorage	<u>Meeting</u> December 14-16, 1983	Leg. Information Office

<u>Community</u>	<u>Date and Time</u>	<u>Location</u>
	<u>Teleconference</u>	
Cordova, Valdez, Whittier, Seward, Homer, Soldotna, Wasilla	December 14, 1983 6:00 p.m.	Leg. Teleconference Office - Anchorage
	<u>Teleconference</u>	
Metlakatla, Hoonah	December 15, 1983 4:00 - 6:00 p.m.	Leg. Teleconference Office - Anchorage
	<u>Hearing</u>	
Anchorage	December 15, 1983 7:30 p.m.	APUC Hearing Room Mutual of New York Building
	<u>Meeting</u>	
Juneau	January 10-11, 1984	Room 123 Alaska Office Bldg.
	<u>Teleconference</u>	
Metlakatla, Ketchikan, Wrangell, Petersburg, Sitka, Hoonah, Juneau, Haines, Yakutat, Cordova, Valdez, Whittier, Seward, Homer, Soldotna, Wasilla, Anchorage	January 10, 1984 4:30 - 6:30 p.m.	Leg. Teleconference Office - Juneau
	<u>Meeting</u>	
Juneau	February 3, 1984	Room 711 State Office Bldg.

\* Due to a delay in the arrival of the plane from Ketchikan, the Board and staff did not arrive at the hearing until 8:15 p.m.

\*\* There was no public participation at the Fairbanks hearing. Therefore, there is no transcript of the hearing.

\*\*\* The Kenai hearing was originally advertised to be held in the City Council Chambers in Kenai from 1:30 - 4:00 p.m. The hearing was changed at the request of the community.

### C. Population Base and Ideal District Size

At the outset the Board considered which census data it should use in preparing its plan. The 1981 Reapportionment Board utilized census figures prepared by the U.S. Bureau of Census in 1980. However, as discussed in more detail below, substantial corrections were made by the Bureau of Census in 1981.

#### 1. The Original 1980 Census Population

The original 1980 Census population reported by the Bureau of Census showed a statewide total population of 400,481. Drawing upon this figure, the 1981 Reapportionment Board excluded 31,363.8 as estimated nonresident military personnel and dependents, leaving a statewide total for reapportionment purposes of 369,117.2. The ideal district size under the census data utilized by the 1981 Board was 9227.9.

Following issuance of the 1981 Proclamation of Reapportionment, the nonresident military exclusion was further adjusted by order of the superior court in March 1982. The superior court concluded that the original military exclusion should have been applied consistently across the state. This required the exclusion of an additional 2,066.91 nonresident military personnel and dependents. The total military population of 33,430.71 excluded from the 1980 Census statewide population of 400,481, left a reapportionment population base of 367,050.29. The ideal house district size was then 9,176.2. The court ordered adjustments were made prior to the 1982 elections.

## 2. The 1981 Census Data Corrections

In September 1981, the United States Bureau of the Census issued corrected 1980 census counts for three census areas in Alaska -- Anchorage, Matanuska-Susitna, and Southeast Fairbanks. A detailed listing of these revised counts by census tract, blocks, and enumeration districts was compiled in November, 1981. 2/ The 1981 corrections to the 1980 census counts for Alaska are as follows:

Anchorage Census Area	
Tract 0002 - Eagle River	+1,414
Matanuska-Susitna Census Area	
ED 1168 Wasilla Area	+50
Southeast Fairbanks Census Area	
ED 0833	-94

The adjusted 1980 population for the State of Alaska, incorporating the 1981 revisions, is 368,420.29.

367,050.29	-	1980 Adjusted Census Figure
+ 1,414	-	Eagle River
+ 50	-	Matanuska-Susitna
- 94	-	Southeast Fairbanks
<hr/>		
TOTAL 368,420.29	-	Adjusted 1981 Population

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2/ The November listing also included a correction in the Prince of Wales census sub-area that did not change the population for the sub-area, but reallocated the population previously reported to the correct enumeration district.

Additional corrections to the 1980 census data for Alaska were issued in June 1982 for Saxman, Selawik, and Barrow. These corrections also represented a reallocation of population within the specific census area and did not change the population in those census areas. None of the reallocation corrections affect the Reapportionment Plan, and none are therefore considered in this report.

In order to confirm the validity of these corrections and to ensure that these corrections included all official Census Bureau adjustments, the Board consulted with the State Department of Labor, Research and Analysis Section. The Research and Analysis Section is the contact for the Federal/State Cooperative Programs for population estimates and projections, and is the contact agency for the Alaska Census Data Network. In these capacities, it receives all publications and data generated by the Bureau of Census pertaining to Alaska. In its response to the Board's inquiry, dated November 17, 1983, the Research and Analysis Section confirmed that no additional corrections have been issued.

In addition, the Board requested that the Institute of Social and Economic Research, University of Alaska, review the matter to assure that use of corrected data would not interject a new statistical bias. The Institute of Social and Economic Research reviewed the corrected data, and concluded that the use of corrected data yielded the best possible data base for the present reapportionment. 3/

3. The Board's Decision to Use Corrected Census Data

The October 12, 1983 order directed the Governor to:

[N]ot utilize any amendments to the most recent federal decennial census which were issued after

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3/ The Institute's conclusions are set forth in a letter to the Board dated November 21, 1983.

the initial final decision which was entered by the Superior Court in this case on March 26, 1982.

The controlling date in the order is March 26, 1982. The official corrections to the original 1980 census data were made in September 1981, well in advance of this date. Thus, use of this data by the Board complies with the superior court's order.

Despite the literal language of the superior court's order, the Governor and the Board recognized that the correct intent of the court's order may actually have been to require that any new plan utilize the same figures as employed by the 1981 Reapportionment Board, that is, the uncorrected 1980 census data. Pending resolution of how to proceed, Governor Sheffield sent a letter to the members of the Reapportionment Board, requesting that the Board prepare alternative plans amending the 1981 Plan, one utilizing corrected census data and the other using the uncorrected original data. At the same time, the Governor requested that the Department of Law review the issue.

In a Memorandum of Advice to the Governor dated February 1, 1984, the Department of Law concluded that the Board should utilize the 1981 corrections to the 1980 census in the preparation of its amended Reapportionment Plan. By letter dated February 2, 1984, Governor Sheffield expressed his recommendation that the Board submit its Plan utilizing only the corrected data. After consideration of the conclusions reached by the Department

of Law, the Board has decided to submit a single Plan utilizing only the corrected census data. 4/

The Department of Law concluded in its February 1, 1984, memorandum that utilization of the uncorrected data would expose the plan to legal challenge. The Equal Protection Clause of the United States Constitution requires a state to construct its districts with as nearly equal population as is practicable, a goal intended to ensure the ideal of one-man, one-vote. Reynolds v. Sims, 377 U.S. 533, 577 (1964). Adoption of a plan using data which is admittedly erroneous serves only to distort the fundamental tenet of equal representation. As the Alaska Supreme Court stated in Groh v. Egan, "There can be little question but that the general principle of equalizing votes per person can best be achieved by use of the most current accurate data reasonably available." 526 P.2d at 868. (Emphasis added.) To ignore the 1981 corrections would be tantamount to ignoring -- and thereby disenfranchising -- 1,414 voters in Eagle River, a solution the Board considers to be absolutely unacceptable.

In order to comply with the U.S. and Alaska constitutional mandates and the directions of the Alaska Supreme Court, the Board has concluded that it is mandatory that this Report and the Board's Plan utilize only the most accurate data

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4/ Prior to this decision, the Board had prepared a Plan using the erroneous uncorrected data (pursuant to Governor Sheffield's request of November 8, 1983). This alternative Plan remains a part of the record of the Board's proceedings.

presently available. The 1980 census data, as corrected in 1981, is the most accurate census data available to the Board.

#### 4. Ideal District Populations

The adjusted statewide population utilized in this plan, incorporating corrections made to 1980 census data, is 368,420.29. The ideal house district population is determined by dividing the total population by the 40 house seats to be apportioned. The ideal house district population is 9,210.5.

The ideal senate district population is determined by dividing the total population by the 20 senate seats to be apportioned. The ideal senate district population is 18,421.

## II. REVISED ELECTION DISTRICTS

### A. House Districts

The revisions made in the Board's proposal affect the Southeast and Southcentral areas of the state.

In Southeast, the Board shifted the community of Metlakatla and vicinity, previously in House District 1, and the community of Hoonan, previously in House District 3, into House District 2 to replace the Cordova population which was moved into House District 6. As a result, Districts 1, 2, and 3 are slightly affected under this proposal. House District 4 remains unchanged.

The Southcentral districts are affected two ways: first by the inclusion of the Cordova area (approximately 2,200 persons) with the Prince William Sound area; and second, by the technical correction made by the U.S. Census Bureau which added an additional 1,414 persons to the Eagle River area.

House District 6 has been revised to include the Cordova, Chitina, and McCarthy areas. Because of the need to distribute the excess population in Southcentral over a larger area, the Nikiski area of the North Kenai is combined with South Anchorage in House District 7. With the exception of the inclusion of a small enumeration district along the Sterling Highway, House District 5 is unchanged. The Anchorage house districts were revised to reflect the adjusted population in the southern and northern areas of the municipality. In making these

changes, particular attention was given to following community council boundaries and neighborhoods in drawing the district lines.

Following is a brief outline of the area within each election district, the major communities in the district, the population of the district, and the population variance. The complete technical boundary description for each district is included as an appendix to this report.

#### 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 west of Cape Fanshaw, then northeasterly to the Canadian border and southerly along the Canadian border to the point of beginning at Dixon Entrance, excluding the area on Annette Island. The district includes the Ketchikan Gateway Borough, Wrangell, Petersburg, Hyder, Saxman, Meyers Chuck, and Kupreanof. It has a population of 16,601.58 and a variance of -9.9 percent. It will elect two house members to designated seats and one senator.

#### 2. Inside Passage

District 2 is composed of that portion of Southeast Alaska between Dixon Entrance and Boundary Point 187 on the U.S./Canadian International Boundary that is not contained in

Districts 1, 3, and 4. Included within its boundaries are the communities of Yakutat, Haines, Skagway, Klukwan, Gustavus, Hoonah, Angoon, Kake, Metlakatla, Thorne Bay, Klawock, Craig, and Hydaburg. The district has a population of 8,924.35 and a variance of -3.1 percent. It will elect one house member and, with District 3, one senator.

### 3. Baranof-Chichagof

District 3 consists of Baranof Island, Yakobi Island, Chichagof Island, and all of the smaller adjacent islands offshore, excluding the area within the City of Hoonah. The communities on the islands include Sitka, Pelican, Elfin Cove, Tenakee Springs, and Port Alexander. The district has a population of 8,448.97 and a variance of -8.3 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 19,332.75 and a variance of +4.9 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 inside the Kenai Peninsula Borough, that lie south and west of Nikiski. Communities within

the district include Kenai, Soldotna, Sterling, Ninilchik, Anchor Point, Homer, Seldovia, Port Graham, and English Bay. The district has a population of 19,189.95 and a variance of +4.2 percent. It will elect two house members to designated seats and one senator.

#### 6. Prince William Sound

District 6 includes the area along Prince William Sound from Boundary Point 187 on the U.S./Canadian International boundary on the east to the Kenai National Moose Range boundary on the west. Included in the district are the communities of Hope, Cooper Landing, Moose Pass, Seward, Whittier, Valdez, Chitina, McCarthy, Tatitlek, and Cordova. It has a population of 8,753.19 and a variance of -4.9 percent. It will elect one house member and, with Districts 7 and 16, two senators to designated seats.

#### 7. North Kenai-South Anchorage

District 7 contains the Nikiski area on the northern Kenai Peninsula, and the southeastern reaches of the Municipality of Anchorage, including the community council areas of Old Seward/Oceanview, Rabbit Creek, Turnagain Arm, and Girdwood Valley. Its northern boundary proceeds east from Turnagain Arm along Klatt Road to the New Seward Highway, southerly on the New Seward Highway to Huffman Road, westerly along Huffman Road to the Old Seward Highway, southerly on the Old Seward Highway to DeArmoun Road, east on DeArmoun Road to Rabbit Creek, and

easterly and southerly along Rabbit Creek. The district has a population of 9,580.1 and a variance of +4.0 percent. It will elect one house member and, with Districts 6 and 16, two senators to designated seats.

#### 8. Campbell-Hillside

District 8 is bounded on the south by Rabbit Creek, DeArmoun Road, the Seward Highway, and Klatt Road, and on the west by Turnagain Arm. Dimond Boulevard and Abbott Road form the northern boundary, and the Chugach Mountains are the eastern boundary. This district includes the neighborhood council areas of Bayshore/Klatt, Huffman/O'Malley, Mid-Hillside, Hillside East and Glen Alps. The district has a population of 19,230.7 and a variance of +4.4 percent. It will elect two house members to designated seats and, with District 10, two senators to designated seats.

#### 9. Turnagain-Sand Lake

District 9 is bounded by a line beginning at Turnagain Arm and proceeding east on Dimond Boulevard to Arctic Boulevard, then north to International Airport Road, then west to Spenard Road, then northerly to Fish Creek and continuing north to W. 36th Avenue, then west to Wisconsin Street and north on Wisconsin to Northern Lights Boulevard, then east on Northern Lights to Minnesota Drive and north on Minnesota Drive to Chester Creek, then west on Chester Creek to Knik Arm. The district includes the community council areas of Turnagain and Sand Lake. It has a

population of 19,155.9 and a variance of +4.0 percent. It will elect two house members to designated seats and, with District 11, two senators to designated seats.

#### 10. Mid-Town

District 10 is bounded by a line beginning at the intersection of Arctic Boulevard and Dimond Boulevard, then north to International Airport Road, east to the Old Seward Highway, north to Chester Creek, easterly to Bragaw Street and E. 20th Avenue, east to Pine Street, south to Tudor Road, then westerly and southerly along the Bureau of Land Management boundary to Birch Road, south to Abbott Road, and west along Abbott Road to the New Seward Highway, north to Dimond Boulevard, and west to the point of beginning. The district includes the community council areas of Rogers Park, Tudor, Taku-Campbell, Lake Otis, and University. It has a population of 18,183.5 and a variance of -1.3 percent. It will elect two house members to designated seats and, with District 8, two senators to designated seats.

#### 11. Spenard

District 11 is bounded by District 10 on the east, International Airport Road on the south, Wisconsin Street, Fish Creek, and Spenard Road on the west, and Chester Creek and W. 23rd Avenue on the north. It includes the community council areas of Spenard and North Star. It has a population of 18,804.1 and a variance of +2.1 percent. It will elect two house members

to designated seats and, with District 9, 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, South Addition, Fairview, and parts of the areas of North Mountain View and Airport Heights. The district has a population of 18,678.4 and a variance of +1.4 percent. It will elect two house members to designated seats and, with District 13, two senators to designated seats.

#### 13. Elmendorf Air Force Base-Mountain View

District 13 is bounded by a line beginning at the intersection of Bragaw Street and E. 20th Avenue proceeding east to Baxter Road, north to DeBarr Avenue, east to Muldoon Road, north to E. 4th Avenue, west to Patterson Street, north to the Glenn Highway, east on the Glenn Highway to the common boundary between Elmendorf Air Force Base and Fort Richardson, then following the Elmendorf military reservation boundary to Commercial Drive, then east to Mountain View Drive, then southwesterly to the Glenn Highway, then east to Bragaw Road and south to the point of beginning. The district includes the community council areas of Russian Jack Park, North and South Mountain View, Airport Heights, and North Muldoon. It has a

population of 19,173.1 and a variance of +4.1 percent. It will elect two house members to designated seats and, with District 12, two senators to designated seats.

14. South Muldoon

District 14 includes Stuckagain Heights and the community council areas of Northeast, South Muldoon, and Scenic Park. The District is bounded by District 13 on the north, District 15 on the north and east, District 8 on the east and south, and District 10 on the south and west. District 14 has a population of 18,265.4 and a variance of -.8 percent. It will elect two house members to designated seats and, with District 15, two senators to designated seats.

15. Chugiak-Eagle River-Fort Richardson

District 15 includes the northern portion of the Municipality of Anchorage from Fort Richardson on the west to the municipality's border on the north and east, and by District 14 on the south. It includes the community council areas of Eklutna Valley, Chugiak, Birchwood, and Eagle River Valley. Also included are Fort Richardson, and the area of the North Muldoon community council area bounded by Chester Creek, Muldoon Road, E. 4th Avenue, Patterson Street, and the Glenn Highway. The district has a population of 18,395 and a variance of -.1 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 17,692.23 and a variance of -3.9 percent. It will elect two house members to designated seats and with Districts 6 and 7, two senators to designated seats.

#### 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, Eagle, Delta, Fort Greely, Tanacross, Tok, Tetlin, Northway, Nenana, Anderson, Healy, and Cantwell. The district has a population of 8,753.57 and a variance of -4.9 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 +.9 percent. It will elect one house member and, with District 17, one senator.

### 19. 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 -3.0 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 -.5 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 +.4 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 8,999.06 and a variance of -2.3 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, Diomede, 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 9,338.86 and a variance of +1.4 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 Tuluksak on the Kuskokwim. The district has a population of 8,936.12 and a variance of -3.0 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 Akiak and Akiachak, and the coastal communities from Newtok to Platinum. It has a population of 9,432.35 and a variance of +2.4 percent. It will elect one house member 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, and Chignik Lagoon. 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 9,157.61 and a variance of -.6 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 +4.1 percent. It will elect one house member and, with District 26, one senator.

## B. Senate Districts

The Board recommends only slight revision to the configuration of senate districts. House Districts 5, 6, and 7 were formerly included in a two-member senate district. Under the proposal, House District 5 becomes a single-member senate district and House Districts 6, 7, and 16 become a two-member senate district. The Board retained the concept utilized by the 1981 Board of two-member senate districts in Anchorage. The following table sets forth the house districts and their corresponding senate district:

### 1984 HOUSE/SENATE DISTRICTS

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

(A-B)\* = two-member house/senate district

The Board's proposal does not significantly affect the composition of senate districts requiring truncation of an incumbent senator's term. However, the Board adopted several guidelines for truncation, those being: 1) if 35 percent or more

of an incumbent senator's constituency had changed, either by addition of 35 percent or more new constituents to the district or by subtraction of 35 percent or more of constituents previously included in the district; and 2) if the method of electing senators had changed, i.e., from a two-member district to a single-member district. In only one case is truncation of a four-year incumbent required, in Senate District D (House District 5). Senate District D was formerly a two-member senate district and is now a single-member district. More than 35 percent of the constituents previously in the district were removed and the method of selecting the senator changed.

In order to preserve staggering of senate terms, the length of term for Senate District D will be four years and in Senate District E (House Districts 6, 7, and 16) Seat A will be a four-year term and Seat B a two-year term. The incumbents in two-member senate districts serving the remainder of their four-year terms will hold Seat B in each of their respective districts. The remaining four-year senate seats up for election in 1984 in two-member senate districts will be designated as Seat A in each of the respective districts.

TABLE I

REAPPORTIONMENT OF ELECTION DISTRICTS  
 STATISTICAL SUMMARY  
 HOUSE DISTRICTS  
 February 8, 1984

	<u>House District</u>	<u>Name</u>	<u>Population</u>	<u>Population Variance</u>
* 1.	Seat A (2) Seat B	Ketchikan-Wrangell- Petersburg	16,601.58 (8,300.79/seat)	-9.9%
* 2.	(1)	Inside Passage	8,924.35	-3.1%
* 3.	(1)	Baranof-Chichagof	8,448.97	-8.3%
4.	Seat A (2) Seat B	Juneau	19,332.75 (9,666.375/seat)	+4.9%
* 5.	Seat A (2) Seat B	Kenai-Cook Inlet	19,189.95 (9,594.975/seat)	+4.2%
* 6.	(1)	Prince William Sound	8,753.19	-4.9%
* 7.	(1)	North Kenai-South Anchorage	9,580.1	+4.0%
* 8.	Seat A (2) Seat B	Campbell-Hillside	19,230.7 (9,615.35/seat)	+4.4%
* 9.	Seat A (2) Seat B	Turnagain-Sand Lake	19,155.9 (9,577.95/seat)	+4.0%
*10.	Seat A (2) Seat B	Mid-town	18,183.5 (9,091.75/seat)	-1.3%
*11.	Seat A (2) Seat B	Spenard	18,804.1 (9,402.05/seat)	+2.1%
*12.	Seat A (2) Seat B	Downtown	18,678.4 (9,339.2/seat)	+1.4%
*13.	Seat A (2) Seat B	Elmendorf AFB- Mountain View	19,173.1 (9,586.55/seat)	+4.1%
*14.	Seat A (2) Seat B	South Muldoon	18,265.4 (9,132.7/seat)	- .8%
*15.	Seat A (2) Seat B	Chugiak-Eagle River- Ft. Richardson	18,395 (9,197.5/seat)	- .1%

<u>House District</u>	<u>Name</u>	<u>Population</u>	<u>Population Variance</u>
16. Seat A (2) Seat B	Matanuska-Susitna	17,692.23 (8,846.115/seat)	-3.9%
*17. (1)	Interior Highways	8,753.57	-4.9%
18. (1)	Southeast North Star Borough	9,300.0	+ .9%
19. (1)	Outer Fairbanks	8,934.3	-3.0%
20. Seat A (2) Seat B	Fairbanks City	18,319.7 (9,159.8/seat)	- .5%
21. (1)	West Fairbanks	9,247.1	+ .4%
22. (1)	North Slope-Kotzebue	8,999.06	-2.3%
23. (1)	Norton Sound	9,338.86	+1.4%
24. (1)	Interior Rivers	8,936.12	-3.0%
25. (1)	Lower Kuskokwim	9,432.35	+2.4%
26. (1)	Bristol Bay-Aleutian Islands	9,157.61	- .6%
27. (1)	Kodiak-East Alaska Peninsula	9,592.40	+4.1%
TOTAL ADJUSTED POPULATION		<u>368,420.29</u>	
(Less Non-Resident Military and Dependents)			
Southeast Alaska	Maximum Overpopulation	+4.9%	District 4
	Maximum Underpopulation	<u>-9.9%</u>	District 1
	Total Combined Variance	14.8%	
Other Districts	Maximum Overpopulation	+4.4%	District 8
	Maximum Underpopulation	<u>-4.9%</u>	District 6, 17
	Total Combined Variance	9.3%	

\*Revisions were made in these districts in order to make corrections to the 1981 Reapportionment Plan in accordance with Superior Court Judge Milton Souter's order dated October 12, 1983, and includes technical corrections made to the 1980 census data.

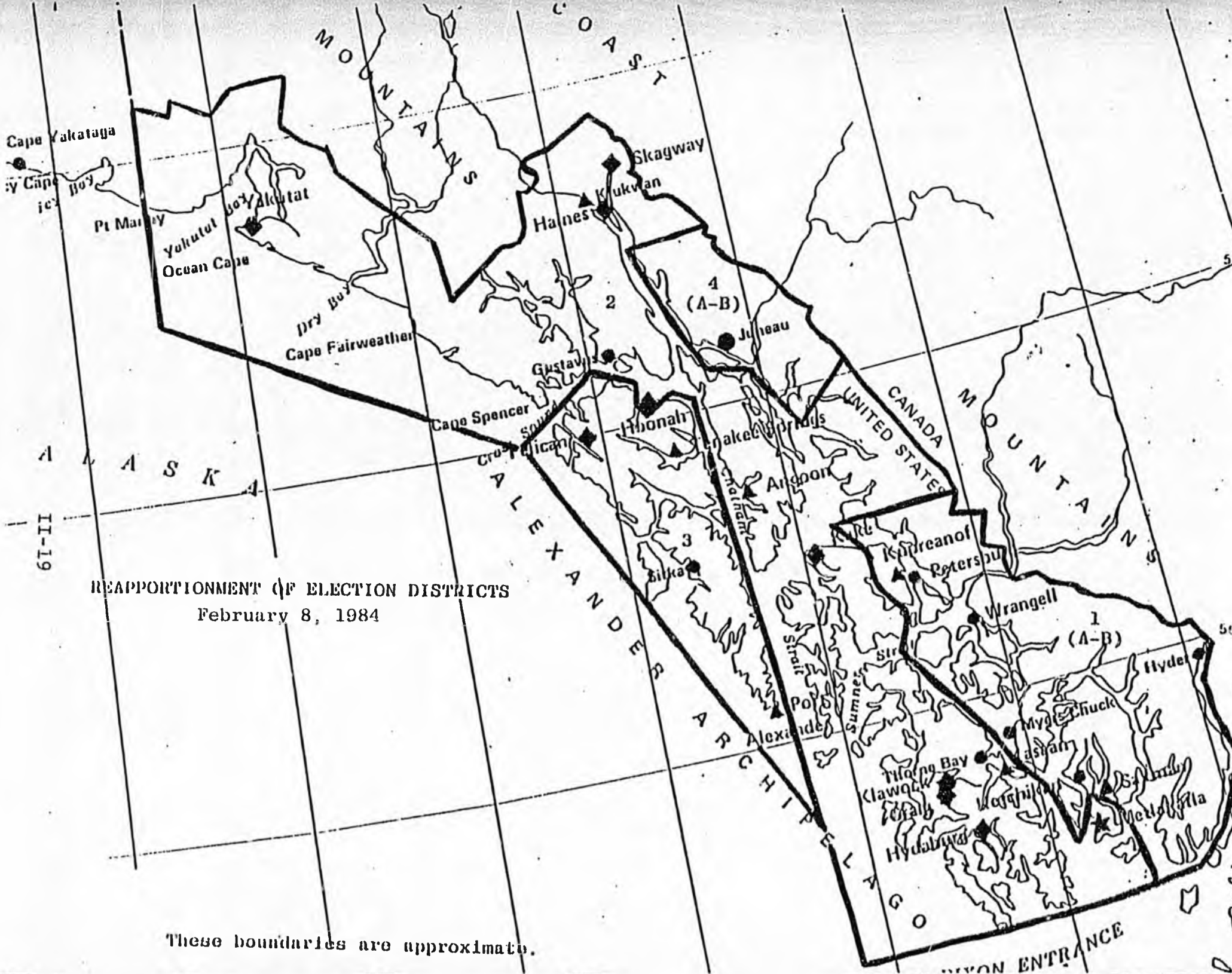
TABLE II

REAPPORTIONMENT OF ELECTION DISTRICTS  
 STATISTICAL SUMMARY  
 SENATE DISTRICTS  
 February 8, 1984

<u>Senate District</u>	<u>Name</u>	<u>Population</u>	<u>Population Variance</u>
*A. (1)	Ketchikan-Wrangell-Petersburg	16,601.58	-9.9%
*B. (1)	Inside Passage-Baranof-Chichagof	17,373.32	-5.7%
C. (1)	Juneau	19,332.75	+4.9%
*D. (1)	Kenai-Cook Inlet	19,189.95	+4.2%
*E. (1)	Prince William Sound-North Kenai-South Anchorage-Matanuska-Susitna	36,025.52 (18,012.76/seat)	-2.2%
*F. Seat A (2) Seat B	Campbell-Hillside-Mid-town	37,414.2 (18,707.1/seat)	+1.5%
*G. Seat A (2) Seat B	Turnagain-Sand Lake-Spenard	37,960 (18,980/seat)	+3.03%
*H. Seat A (2) Seat B	Downtown-Elmendorf AFB-Mountain View	37,851.5 (18,925.75/seat)	+2.7%
*I. Seat A (2) Seat B	Muldoon-Chugachak-Eagle River-Fort Richardson	36,660.4 (18,330.2/seat)	- .5%
*J. (1)	Interior Highways-Southeast North Star Borough	18,053.57	-2.0%
K. Seat A (2) Seat B	Outer Fairbanks-Fairbanks City-West Fairbanks	36,501.1 (18,250.55/seat)	- .9%
L. (1)	North Slope-Kotzebue-Norton Sound	18,337.92	- .4%

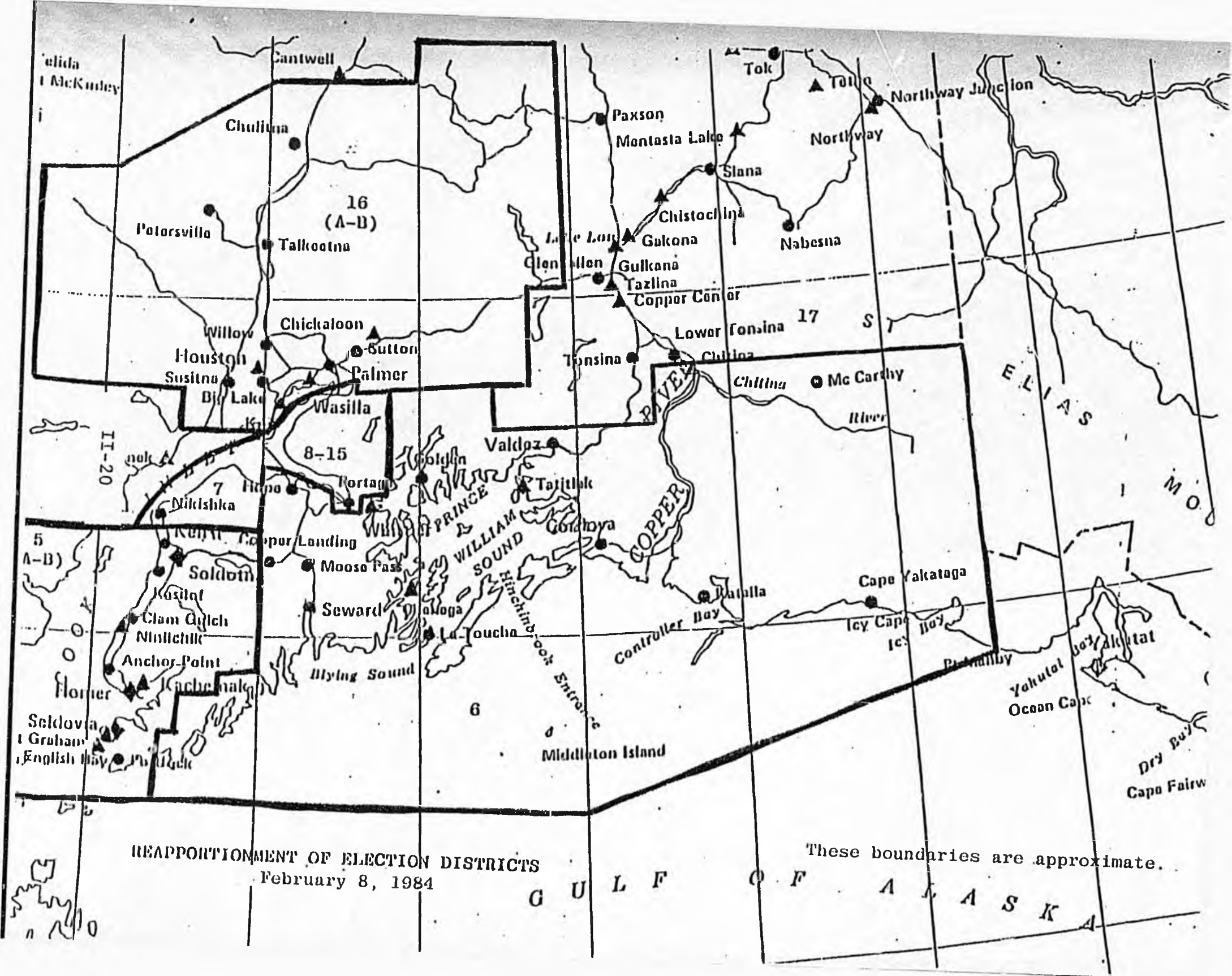
<u>Senate District</u>	<u>Name</u>	<u>Population</u>	<u>Population Variance</u>
M. (1)	Interior Rivers-Lower Kuskokwim	18,368.47	- .3%
N. (1)	Bristol Bay-Aleutian Islands-Kodiak-East Alaska Peninsula	<u>18,750.01</u>	+1.8%
TOTAL ADJUSTED POPULATION		368,420.29	
(Less Non-Resident Military and Dependents)			
Southeast Alaska	Maximum Overpopulation	+4.9%	District C
	Maximum Underpopulation	<u>-9.9%</u>	District A
	Total Combined Variance	14.8%	
Other Districts	Maximum Overpopulation	+4.2%	District D
	Maximum Underpopulation	<u>2.2%</u>	District E
	Total Combined Variance	6.4%	

\*These districts were revised in order to make corrections to the 1981 Reapportionment Plan in accordance with Superior Court Judge Milton Souter's order dated October 12, 1983, and includes technical corrections made to the 1980 census data.



REAPPORTIONMENT OF ELECTION DISTRICTS  
February 8, 1984

These boundaries are approximate.

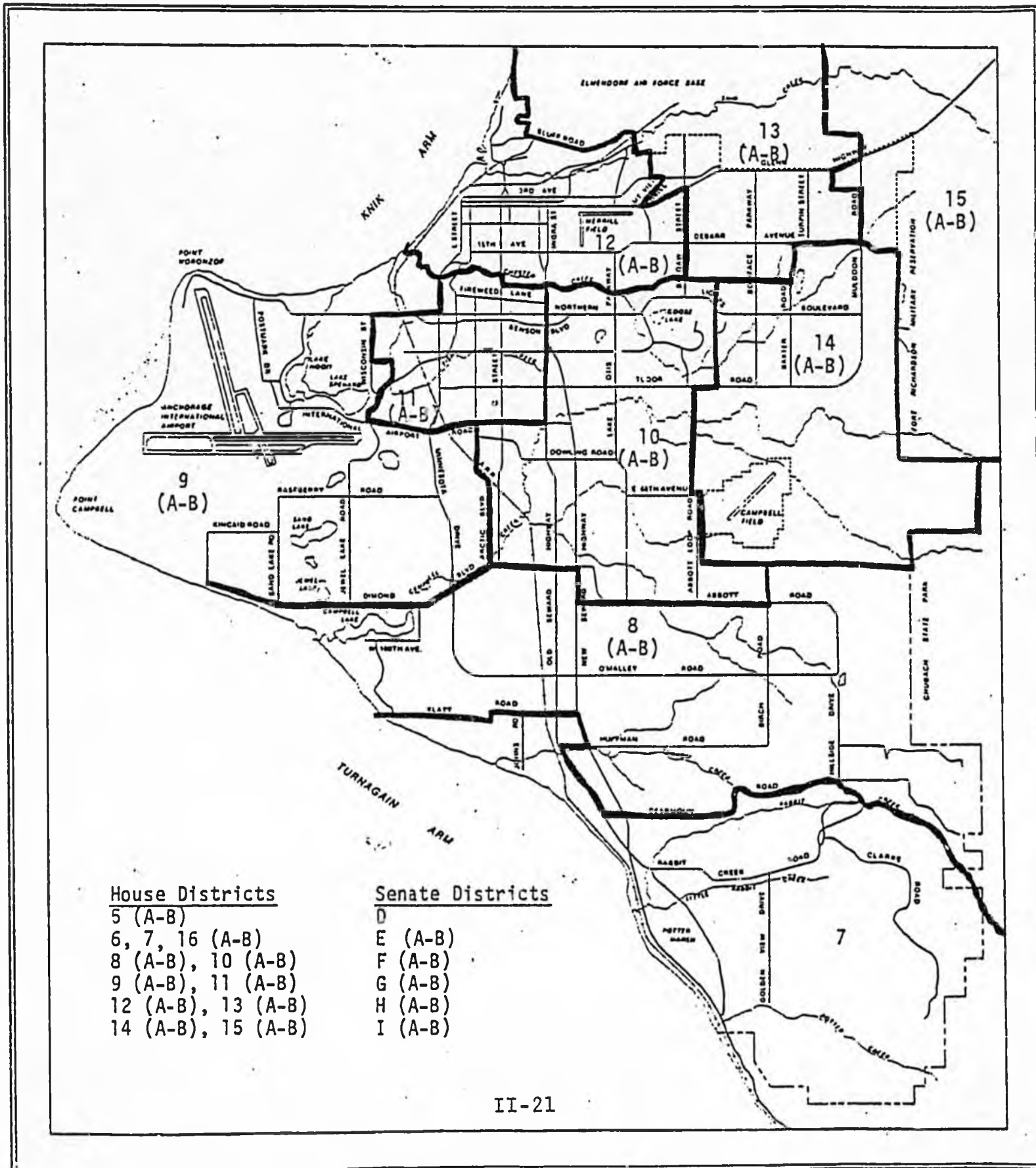


REAPPORTIONMENT OF ELECTION DISTRICTS  
February 8, 1984

These boundaries are approximate.

G U L F O F A L A S K A

ANCHORAGE ELECTION DISTRICTS  
February 8, 1984



House Districts

- 5 (A-B)
- 6, 7, 16 (A-B)
- 8 (A-B), 10 (A-B)
- 9 (A-B), 11 (A-B)
- 12 (A-B), 13 (A-B)
- 14 (A-B), 15 (A-B)

Senate Districts

- D
- E (A-B)
- F (A-B)
- G (A-B)
- H (A-B)
- I (A-B)

These boundaries are approximate.