

Introduced by: Johnson, Elam
Date: 04/05/22
Hearing: 04/19/22
Action: Postponed to 05/03/33
Vote: 8 Yes, 0 No, 1 Absent
Date: 05/03/22
Action: Enacted as Amended
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2022-07**

**AN ORDINANCE ADOPTING THE 2022 KENAI PENINSULA BOROUGH ASSEMBLY
AND BOARD OF EDUCATION APPORTIONMENT PLANS AND SUBMITTING THE
APPORTIOMENT PLANS TO THE VOTERS**

WHEREAS, Kenai Peninsula Borough (Borough) code and Alaska Statute (AS), require that not later than two months after adoption of a final state redistricting plan under art.VI, sec. 10, Constitution of the State of Alaska, the assembly determine and declare by resolution whether the existing apportionment of the assembly meets the standards of AS 29.20.060; and

WHEREAS, Resolution 2022-003, adopted within two months of the final state redistricting plan, determined and declared that the Borough Assembly is currently malapportioned based upon the 2020 population figures from the U. S. Census Bureau; and

WHEREAS, pursuant to that resolution, the assembly president appointed a reapportionment committee to consider and propose plans to correct the malapportionment; and

WHEREAS, the committee has referred two alternative Borough Assembly and Board of Education representation plans: (1) single member districts containing nine districts and (2) single member districts containing eleven districts; and

WHEREAS, the committee recommends that the assembly submit both plans to the voters; and

WHEREAS, per the final report the committee unanimously preferred the nine-member district option; and

WHEREAS, Alaska Statute 29.20.070(c) requires the assembly to submit to the voters proposed forms of representation, and Alaska Statute 29.20.080(e) requires that the assembly by ordinance adopt an ordinance providing for reapportionment and submit the ordinance to the voters;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the assembly adopts two Borough Assembly and Board of Education representation plans to be selected by borough voters: Plan 1 includes 9 single member districts, and Plan 2 includes 11 single member districts, both of which are described in the 2022 Kenai Peninsula Borough Assembly Reapportionment Plan, attached to and incorporated by reference into this ordinance as Attachment A. In both plans, assembly members and school board members would be elected by voters residing in the district the member represents.

SECTION 2. That the following proposition be placed on the ballot of the October 4, 2022 regular borough election:

PROPOSITION: CHOOSE ONE OF THE FOLLOWING PLANS FOR KENAI PENINSULA BOROUGH ASSEMBLY AND BOARD OF EDUCATION REPRESENTATION:

_____ Plan 1: 9 single member districts

_____ Plan 2: 11 single member districts

DESCRIPTION OF APPORTIONMENT PLAN: State law requires that the Kenai Peninsula Borough Assembly adopt an apportionment plan for borough assembly representation, following the 2020 federal census.

Kenai Peninsula Borough Ordinance 2022-07 meets this requirement by adopting and presenting to the voters for selection two representation and apportionment options, one of which is different from the current plan. The plan receiving the most votes will be put into place after the election.

The first option, Plan 1, would consist of 9 districts in the borough. Each district would have one assembly member and one board of education member, elected by the voters of that district.

The second option, Plan 2, would consist of 11 districts in the borough. Each district would have one assembly member and one board of education member, elected by the voters of that district.

Plan 2 would add two elected members to borough assembly and two elected members to the board of education. The cost to add two elected members to the borough assembly will add an approximate range of \$13,000 to \$72,000, depending on whether health care and all other benefits are exercised, in total costs to the Borough's annual budget. The cost to add two elected members to the board of education will add an approximate range of \$7,750 to \$59,960,

depending on whether health care benefits are exercised, in total costs to the School District's annual budget.

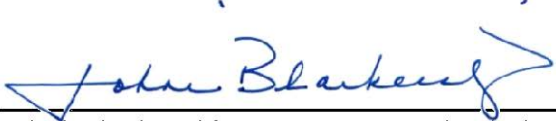
SECTION 3. That the assembly shall, after certification of the October 4, 2022 election, adopt or enact such ordinances or other actions that are necessary to provide for the composition of the assembly and board of education in accordance with the plan of representation and apportionment that receives the most votes.

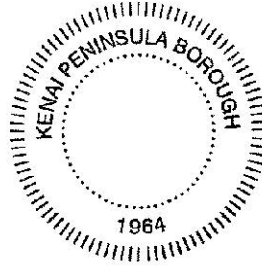
SECTION 4. That Section 2 of this ordinance shall be effective immediately upon its enactment. Sections 1 and 3 of this ordinance shall become effective upon the date the October 4, 2022 election is certified by the borough assembly.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF MAY, 2022.


Brent Johnson, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Chesley, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Tupper, Johnson
No: None
Absent: None