

0576

# ORDINANCE CERTIFICATION

I certify that upon final enactment of Ordinance No. 79-48 of the Kenai Peninsula borough, this certification of the actions taken by me conforms with the rules and regulations governing ordinances.

*Ordinance was not set for hearing, not published*

1. Publication: Publication has been made by causing a summary of this ordinance to be inserted one time in a newspaper of general circulation in the borough. One copy of this ordinance as set for hearing, together with Notice of Hearing has been mailed to the city clerks of each first class city in the borough and to each postoffice in the borough with a request for posting on the City Hall and Post Office bulletin boards for 10 days immediately following receipt.
2. After adoption of this ordinance, one copy will be mailed to the city clerk of each first class city in the borough.

This ordinance was DEFEATED by the assembly of the Kenai Peninsula Borough on the 21 day of August, 1979  
not  
and will become effective.

Francis Bryner  
Borough Clerk

Date: Sept. 6, 1979

Introduced by: Local Affairs  
Committee  
Date: July 17, 1979  
Hearing: August 21, 1979  
Vote: Failed setting for hearing with  
Action: immediate reconsideration/failed

KENAI PENINSULA BOROUGH

ORDINANCE 79-48

PROVIDING FOR REAPPORTIONMENT OF THE ASSEMBLY AND ESTABLISHING DISTRICTS FOR THE ELECTION OF ASSEMBLY MEMBERS AT LARGE WITHIN THE DISTRICTS: SUBJECT TO THE APPROVAL OF THE VOTERS AT THE BOROUGH ELECTION ON OCTOBER 2, 1979, AND REPEALING SECTIONS 2.12.020, 2.12.030, 2.12.040, AND SECTION 4.16.010 (B).

WHEREAS, results of an official census by the Census Bureau indicate that the population of the Borough has shifted since the last apportionment of assembly seats, altering the per capita representation on the assembly; and

WHEREAS, the Assembly is required by law to reapportion representation to comply with the one man, one vote requirements established by the courts in interpreting the U. S. Constitution; and

WHEREAS, the assembly finds the establishment of election districts by aggregation of existing election precincts can achieve a reapportionment plan for proper representation in accordance with the requirements of the U. S. Constitution and Alaska law;

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

Section 1. That the Borough Code of ordinances is amended by enacting a new Section, 2.12.020 to read:

Election Districts. A. For the purpose of electing assembly members, four election districts are established by aggregating existing voting precincts as follows:

1. The Central District, which shall be composed of the Soldotna Precinct, the Kalifonsky Precinct, the Ridgeway Precinct, the Sterling Precinct, and the Tustumena Precinct.

2. The Central North District, which shall be composed of the Kenai Precinct No. 1, the Kenai Precinct No. 2, the Kenai Precinct No. 3, the Nikiski Precinct No. 1, the Nikiski Precinct No. 2 and the Tyonek Precinct.

3. The Southern District, which shall be composed of the Homer Precinct, the Ninilchik Precinct, the Seldovia Precinct, the Anchor Point Precinct, the Diamond Ridge Precinct, the Fritz Creek Precinct, the Halibut Cove Precinct, the English Bay Precinct, and the Port Graham Precinct.

4. The Northeastern District which shall be composed of the Seward Precinct, No. 1, the Seward Precinct No. 2, the Bear Creek Precinct, the Cooper Landing Precinct, the Moose Pass Precinct and the Hope Precinct.

B. Assembly representatives for a particular district shall be elected at large from within the district, and shall be residents of that district.

Section 2. That Chapter 2.12 of the Borough Code of ordinances is amended by enacting a new Section 2.12.030 to read:

2.12.030 Apportionment of Members and Votes Designated.

A. The Assembly shall consist of 16 members, who shall each have one vote.

B. Representation in the Assembly shall be apportioned among districts as follows:

1. The Central District shall elect five (5) representatives to the Assembly.

2. The Central North District shall elect five (5) representatives to the Assembly.

3. The Southern District shall elect four (4) representatives to the Assembly.

4. The Northeastern District shall elect two (2) representatives to the Assembly.

Section 3. That Chapter 2.12 of the Borough Code of ordinances is amended by enacting a new Section 2.12.040 to read:

2.12.040 Effective Dates. A. These changes in Assembly composition and apportionment shall take effect beginning with the regular election of the Assembly to be held in October, 1980.

B. A new Assembly shall be elected to office in 1980, and all representatives to the Assembly shall stand for election at the regular Borough election in October, 1980.

C. Assembly members shall be elected for a term of three (3) years, unless the Assembly provides by ordinance for staggered terms.

Section 4. That this proposition shall be placed on the ballot at the regular Borough election, October 2, 1979:

Proposition:

"Shall Ordinance 79-48 be approved to provide for a Borough Assembly consisting of 16 members serving three year terms, who shall each have one vote, and who shall reside in and be elected at large within each district, the apportionment to be: Central District (Soldotna Precinct, Kalifonsky Precinct, Ridgeway Precinct, Sterling Precinct, and Tustumena Precinct) shall elect five (5) representatives to the Assembly.

Central North District (Kenai Precinct No. 1, Kenai Precinct No. 2, Kenai Precinct No. 3, Nikiski Precinct No. 1, Nikiski Precinct No. 2 and Tyonek Precinct) shall elect five (5) representatives to the Assembly.

Southern District (Homer Precinct, Ninilchik Precinct, Seldovia Precinct, Anchor Point Precinct, Diamond Ridge Precinct, Fritz Creek Precinct, Halibut Cove Precinct, English Bay Precinct, and Port Graham Precinct) shall elect four (4) representatives to the Assembly.

Northeastern District (Seward Precinct No. 1, Seward Precinct No. 2, Bear Creek Precinct, Cooper Landing Precinct, Moose Pass Precinct, and Hope Precinct) shall elect two (2) representatives to the Assembly."

Yes ☐

No ☐

Section 5. That present Sections 2.12.020, 2.12.030, 2.12.040, and 4.16.010 (B) of the Borough Code of ordinances are repealed.

Section 6. This ordinance takes effect on the day following enactment, subject to approval by a majority of those voting on the question at the Regular Election to be held in the Kenai Peninsula Borough on October 2, 1979.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1979.

\_\_\_\_\_  
JoAnn Elson, Assembly President

ATTEST:

\_\_\_\_\_  
Borough Clerk