

Introduced by: Fischer
Date: June 2, 1981
Vote: 13 Yes; 1 No
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 81-90

DETERMINING AND DECLARING THAT THE EXISTING ASSEMBLY APPORTIONMENT OF 1981 MEETS THE STANDARDS OF THE UNITED STATES CONSTITUTION BASED ON THE FEDERAL CENSUS OF 1980.

WHEREAS, the Assembly received a reapportionment petition on or about November 14, 1977, alleging that the Borough Assembly was not properly apportioned in terms of the existing population; and

WHEREAS, the Assembly acknowledged the petition and determined that a special census be taken in order to determine the population of the Borough; and

WHEREAS, the results of this special census were declared on February 5, 1978, and the official count of 25,335 was the Borough population as of July 13, 1978; and

WHEREAS, the Assembly did not enact an ordinance proposing a plan of reapportionment within the six months time prescribed by law; and

WHEREAS, the Department of Community and Regional Affairs issued an order for reapportionment of the Borough Assembly on June 20, 1980; and

WHEREAS, the Assembly members have been elected under the new reapportionment plan by virtue of the regular election held in October of 1980; and

WHEREAS, the 1980 Federal Decennial Census was made formal on or about April 6, 1981, setting out a Borough population of 25,282; and

WHEREAS, the Assembly finds that the 1980 Federal Decennial Census does not constitute a basis for another reapportionment based on the population figures for 1980; and

WHEREAS, the Assembly finds that the Borough Reapportionment Plan ordered by the Department of Community and Regional Affairs, implemented in the regular Borough election in October, 1980, is consistent with the special census of 1978 and the Federal Decennial Census of 1980; and

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WHEREAS, the Assembly finds that there is no useful purpose in proposing another reapportionment plan in view of the 1980 compliance with constitutional requirements; and

WHEREAS, the Assembly finds that its reapportionment plan is in accordance with the equal representation requirements of the United States Constitution;

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

Section 1. That the Assembly determines and declares that the existing apportionment of the Assembly meets the equal representation standards required by the United States Constitution.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
ON THIS 2 DAY OF June, 1981.

Paul A. Fischer
Paul Fischer, Assembly President

ATTEST:

Francis Brymer
Borough Clerk