

Introduced by: Knopp
Date: 05/03/11
Action: Adopted as Amended
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2011-045**

**A RESOLUTION DECLARING THE BOROUGH ASSEMBLY AND BOARD OF
EDUCATION TO BE MALAPPORTIONED AND AUTHORIZING THE ASSEMBLY
PRESIDENT TO APPOINT A REAPPORTIONMENT COMMITTEE**

WHEREAS, the Borough Assembly has received the 2010 population figures from the U. S. Census Bureau; and

WHEREAS, according to the 2010 Census, some of the areas of the Borough outside of the incorporated cities have grown at a much greater rate than the areas inside the incorporated cities; and

WHEREAS, AS 29.20.060 requires that assembly composition and apportionment be consistent with the equal representation standards of the Constitution of the United States; and

WHEREAS, it is apparent from the unequal rate of growth in the incorporated and unincorporated areas of the borough that the existing apportionment of the Borough Assembly no longer meets this requirement; and

WHEREAS, this malapportionment equally affects the Board of Education, as the Board of Education is apportioned into districts which mirror those of the Borough Assembly;

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

SECTION 1. That the existing apportionment of the Kenai Peninsula Borough Assembly and the Kenai Peninsula Borough Board of Education are not consistent with the equal representation standards of the Constitution of the United States and are, therefore, declared to be malapportioned.

SECTION 2. That the Assembly President is authorized to appoint a Reapportionment Committee to review assembly and board of education apportionment and the distribution of population within the Borough, to conduct hearings and solicit public comments with respect to assembly and board of education apportionment, and to develop one or more plans for assembly and board of education apportionment for consideration by the Borough Assembly.

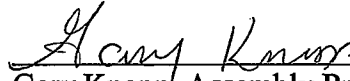
SECTION 3. That the Board of Education shall participate and have representation on the Reapportionment Committee.

SECTION 4. That the Reapportionment Committee shall file a report recommending one or more plans for assembly and board of education apportionment with the Borough Clerk no later than Thursday, June 23, 2011, for inclusion in the Assembly Packet of July 5, 2011.

SECTION 5. That the Borough Assembly shall submit one or more plans for assembly and board of education apportionment to the voters at the October 4, 2011 regular borough election.

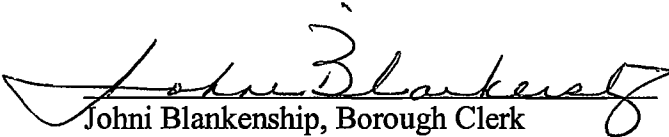
SECTION 6. That this resolution takes effect immediately upon its adoption.

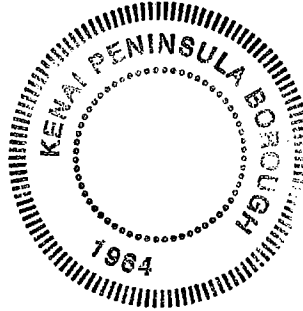
ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF MAY, 2011.



Gary Knopp, Assembly President

ATTEST:


Johni Blankenship, Borough Clerk



Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith, Tauriainen, Knopp
No: None
Absent: None