

Postponed indefinitely 2/28/06

Submitted by: Assemblymembers STOUT
and Sullivan

Prepared by: Assembly Counsel

For reading: January 31, 2006

ANCHORAGE, ALASKA
AO NO. 2006-33

1 **AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE**
2 **MUNICIPALITY OF ANCHORAGE AT THE REGULAR MUNICIPAL ELECTION ON**
3 **APRIL 4, 2006, A BALLOT PROPOSITION AMENDING HOME RULE CHARTER**
4 **ARTICLE XXI, SECTION 11.02, ELECTION PROCEDURES, TO REQUIRE RUN-OFF**
5 **ELECTION IF NO CANDIDATE FOR THE OFFICE OF MAYOR RECEIVES MORE**
6 **THAN FIFTY PERCENT (50%) OF THE VOTES CAST FOR THE OFFICE, TO**
7 **BECOME EFFECTIVE FOR THE APRIL 7, 2009 MAYORAL ELECTION.**

8
9
10 WHEREAS, in 1977 the Anchorage Municipal Charter was amended to provide for run-
11 off elections in the event that no candidate for the office of mayor received more than 40% of the
12 votes cast; and

13
14 WHEREAS, by initiative petition and ballot proposition in 1999, the voters of Anchorage
15 changed the threshold for determining mayoral run-off elections from 40% to 50% in Charter
16 Section 11.02(b); and

17
18 WHEREAS, by Assembly ordinance and ballot proposition in 2003, the threshold for
19 determining mayoral run-off elections was changed from 50% to 45% in Charter Section
20 11.02(b); and

21
22 WHEREAS, Charter Section 18.01 provides that the Charter may only be amended upon
23 the concurrence of a majority of the qualified voters of Anchorage;

24
25 NOW THEREFORE THE ANCHORAGE ASSEMBLY ORDAINS:

26
27 **Section 1.** That a ballot proposition in substantially the same form as appears in
28 Section 2 below shall be placed on the ballot and submitted to the qualified voters of the
29 Municipality at the regular municipal election of April 4, 2006.

30
31
32 **Section 2.** That the proposition shall be presented in substantially the following form:
33
34
35
36
37
38

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

PROPOSITION NO. __

CHARTER AMENDMENT

TO REQUIRE RUN-OFF ELECTION IF NO CANDIDATE FOR THE OFFICE OF MAYOR RECEIVES MORE THAN FIFTY PERCENT (50%) OF THE VOTES CAST FOR THE OFFICE.

Shall Anchorage Municipal Charter Article XI, Section 11.02(b), Election Procedures, be amended as follows to require run-off election if no candidate for the office of Mayor receives more than 50% of the votes cast? (Underlined language is new and [BRACKETED] language is to be deleted).

(b) If no candidate for the office of Mayor receives more than 50 [45] percent of the votes cast for the office of Mayor, the Assembly within three weeks from the date of certification of the election, shall hold a run-off election between the two candidates receiving the highest number of votes for the office. Run-off election under this section is [ARE] not required [PURPOSED, HOWEVER,] in races where the names [,] of no more than two candidates appeared on the initial ballot, unless a write-in candidate received more votes than a candidate whose name is on the ballot.

(AO No. 252-76, prop. 1, 10-4-77; prop. 10, 5-4-99; AO No. 2001-42(S), prop. 4, 4-2-01; AO No. 2002-79, 4-1-03)

Yes [] No []

If approved by a majority of the voters on April 4, 2006, this proposition shall apply to the results of the April 7, 2009 election. (AO 2006- , § 4)

Section 3. That Section 1 of this ordinance shall become effective immediately upon passage and approval by a two-thirds vote of the Assembly as set forth in Charter Section 18.02.

Section 4. The proposition contained in Section 2 of this ordinance shall take effect upon certification of the regular election of April 4, 2006, or the date the United States Department of Justice issues its nonobjection, or the date by which the United States Department of Justice must object if no objection is issued within the objection period, but only if the proposition is passed by a majority of the qualified voters voting on the question contained therein. at the regular municipal election of April 4, 2006. If approved by the voters on April 4,

1 2006, the proposition shall apply to the results of the April 7, 2009 election and all mayoral
2 elections thereafter.

3
4 PASSED AND APPROVED by the Anchorage Assembly this _____ day of
5 _____, 2006.

6
7
8
9 _____
10 Chair

11
12
13
14
15 ATTEST:
16
17
18 _____
19 Municipal Clerk