AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING TITLE 2 OF THE
ANCHORAGE MUNICIPAL CODE [SECTION 2.30.010] TO CODIFY THE
ASSEMBLY’S PROCESS FOR SELECTION OF THE YOUTH REPRESENTATIVE
AND ALTERNATE TO THE ANCHORAGE ASSEMBLY AND TO AMEND SECTION
4.60.275 TO CONFORM TO THE ASSEMBLY’S PROCESS.

WHEREAS, the Municipality of Anchorage has a declared public policy for the
selection of a youth representative and alternate to the assembly; and

WHEREAS, this ordinance adds the declared policy in Title 2, Legislative Branch; and

WHEREAS, this ordinance seeks to open the opportunity to apply to this position to a
wide pool of potential participants; and

WHEREAS, this ordinance sets the term for the youth representative and alternate
based on the assembly schedule and workload; and

WHEREAS, this ordinance clarifies the time frame for when a vacancy in the youth
representative position automatically occurs, while still allowing flexibility for
extraordinary circumstances; and

WHEREAS, this ordinance makes the conforming amendments to Title 4; now
therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchor Municipal Code is amended by adding a new section
2.30.025 to read as follows [010 is hereby amended to add the following
subsection (the remainder of the section is not affected and therefore not set
out)]:

2.30.025 [2.30.010 – Organization; election of chair and vice-chair;]
Youth representative to the assembly.

A[E]. Youth Representative. There is established a youth representative to
the assembly seat for one person. The assembly may seek nominations
for the position and an alternate from the residents of the municipality
who will be at least 16 and not more than 19 years of age at the time of
appointment. The youth advisory commission may nominate individual
youths for appointment as the youth representative and an alternate.
[Applicants for the position may shadow a current assembly
member prior to nominations or appointment.]
[4.] The youth representative and an alternate are appointed by
the[ chosen from among all those nominated, may be
appointed for a certain term by the presiding officer or] chair
of the assembly for a term certain and confirmed by the assembly. The alternate for the youth representative may serve in the absence of the youth representative and have all the privileges of the position, but does not automatically assume the position if it becomes vacant.

B[a]. Role and responsibilities. The youth representative to the assembly.

1[i]. Shall be seated with the assembly during regular and special meetings, may join committees, participate in work sessions and informal meetings, but shall not attend or participate in executive sessions or quasi-judicial hearings;

2[ii]. May be recognized for comment by the chair or the presiding officer of the assembly and participate in asking questions, debate and deliberation, but may not make parliamentary motions or seconds except to raise a point of privilege [and discussing issues];

3[iii]. Shall be provided all materials presented to assembly members for regular and special meetings of the body except materials confidential or related to executive sessions or quasi-judicial hearings;

4[iv]. May indicate a "yes" or "no" preferential vote prior to the official vote on matters coming before the assembly except discussion related to executive sessions or quasi-judicial hearings; the youth representative vote shall not be counted in the vote totals by the municipal clerk but may be recorded; and

5[v]. Shall not be counted in determining a quorum of the assembly.

C[b]. Service, training, and term. Service as the youth representative is voluntary, without compensation. The chair of the assembly may assign an assembly member to mentor the youth representative, and the chair or municipal clerk may provide for training and orientation for the youth representative.

[g.] The term shall be a minimum term of six months and a maximum of one year and shall be determined by the chair at the time of appointment. However, a seated youth representative’s term is extended until a successor is confirmed or a maximum of 120 days, whichever occurs first. [assembly. No appointee may serve more than a total of one year.] The youth representative shall not hold or run for public elected office during the term of appointment. The code of ethics, chapter 1.15, shall apply to the youth representative.

D[d]. Vacancy. The youth representative seat becomes vacant in the same manner as the office of an elected official becomes vacant as provided in section 7.01(a) of the Charter.

1. Removal for breach of the public trust may be based on the same grounds as removal of an elected official set forth in section 2.70.030A, and the procedure is:

a. A request for review by the Ethics Board of the youth representative’s alleged breach of public
trust is initiated by the mayor or an assembly member. [by a motion for removal approved by a majority vote of the assembly.]

b. The Ethics Board shall review the matter, providing the respondent with the opportunity to appear and provide information. The board will make findings and either dismiss the review or make a recommendation to the assembly for removal. Confidentiality provided by subsection 1.15.160E. applies to the board's review and report.

c. When the assembly considers the Ethics Board’s recommendation, the respondent youth representative shall be provided a reasonable opportunity to respond to the recommendation.

d. After consideration of the board’s recommendation, the assembly may remove the youth representative by a two-thirds vote.

2. The youth representative seat automatically becomes vacant without further action necessary if the person:
   a[i]. Is absent from three consecutive regular meetings without excuse,
   b[ii]. Is absent from six regular meetings,
   c[iii]. Fails to attend two-thirds of the regular meetings scheduled during the person’s appointed term, or
   d[iv]. Unless approved by the chair of the assembly, the youth representative is physically absent from [leaves] the municipality for more than 30 consecutive days [reasons temporary or permanent, this being defined as any term longer than four consecutive weeks].

[(AO No. 13-75; AO No. 77-330; AO No. 78-49; AO No. 2008-131, § 1, 1-6-09; AO No. 2017-53 , § 3, 4-11-17)]

Section 2. Anchorage Municipal Code section 4.60.275B.9 is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

4.60.275 - Youth advisory commission; youth representative to the assembly.
*** *** ***
B. The youth advisory commission shall have the following powers and duties:
*** *** ***
9. [THERE IS ESTABLISHED A ]Youth r[R]epresentative to the a[ANCHORAGE A]ssembly seat [FOR ONE PERSON]. The commission may [SHALL] nominate individual youths for appointment as the youth representative and an alternate to the a[ANCHORAGE A]ssembly, in accordance with [the criteria in] section 2.30.025[040E.] [CANDIDATES FOR THE POSITION
MAY SHADOW A CURRENT ASSEMBLY MEMBER PRIOR TO NOMINATIONS OR APPOINTMENT. THE YOUTH REPRESENTATIVE AND AN ALTERNATE SHALL BE APPOINTED FOR A CERTAIN TERM BY THE CHAIR OF THE ASSEMBLY AND CONFIRMED BY THE ASSEMBLY. THE ALTERNATE FOR THE YOUTH REPRESENTATIVE SHALL SERVE IN THE ABSENCE OF THE YOUTH REPRESENTATIVE AND HAVE ALL THE PRIVILEGES OF THE POSITION, BUT DOES NOT AUTOMATICALLY ASSUME THE POSITION IF IT BECOMES VACANT.

A. THE YOUTH REPRESENTATIVE TO THE ANCHORAGE ASSEMBLY.

I. SHALL BE SEATED WITH THE ANCHORAGE ASSEMBLY DURING REGULAR AND SPECIAL MEETINGS, MAY JOIN COMMITTEES, PARTICIPATE IN WORK SESSIONS AND INFORMAL MEETINGS, BUT SHALL NOT ATTEND OR PARTICIPATE IN EXECUTIVE SESSIONS OR QUASI-JUDICIAL HEARINGS;

II. MAY BE RECOGNIZED FOR COMMENT BY THE PRESIDING OFFICER OF THE ASSEMBLY AND PARTICIPATE IN ASKING QUESTIONS AND DISCUSSING ISSUES;

III. SHALL RECEIVE ALL MATERIALS PRESENTED TO ASSEMBLY MEMBERS FOR REGULAR AND SPECIAL MEETINGS OF THE BODY EXCEPT MATERIALS CONFIDENTIAL OR RELATED TO EXECUTIVE SESSIONS OR QUASI-JUDICIAL HEARINGS;

IV. MAY INDICATE A "YES" OR "NO" PREFERENTIAL VOTE PRIOR TO THE OFFICIAL VOTE ON MATTERS COMING BEFORE THE ANCHORAGE ASSEMBLY EXCEPT DISCUSSION RELATED TO EXECUTIVE SESSIONS OR QUASI-JUDICIAL HEARINGS; THE YOUTH REPRESENTATIVE VOTE SHALL NOT BE COUNTED IN THE VOTE TOTALS BY THE MUNICIPAL CLERK BUT MAY BE RECORDED; AND

V. SHALL NOT BE COUNTED IN DETERMINING A QUORUM OF THE ANCHORAGE ASSEMBLY.

B. AT THE TIME OF APPOINTMENT, THE YOUTH REPRESENTATIVE SHALL BE AT LEAST 16 AND NOT MORE THAN 19 YEARS OF AGE. SERVICE AS THE YOUTH REPRESENTATIVE IS VOLUNTARY, WITHOUT COMPENSATION. THE CHAIR OF THE ASSEMBLY MAY ASSIGN AN ASSEMBLY MEMBER TO MENTOR THE YOUTH REPRESENTATIVE, AND THE CHAIR OR MUNICIPAL CLERK MAY PROVIDE FOR TRAINING AND ORIENTATION FOR THE YOUTH REPRESENTATIVE.
C. THE YOUTH ADVISORY COMMISSION SHALL DETERMINE THE TERM OF APPOINTMENT AT THE TIME OF SENDING NOMINATIONS TO THE CHAIR, WITH] A MINIMUM TERM OF SIX MONTHS AND A MAXIMUM OF ONE YEAR. NO APPOINTEE MAY SERVE MORE THAN A TOTAL OF ONE YEAR. THE YOUTH REPRESENTATIVE SHALL NOT HOLD OR RUN FOR PUBLIC ELECTED OFFICE DURING THE TERM OF APPOINTMENT. THE CODE OF ETHICS, CHAPTER 1.15, SHALL APPLY TO THE YOUTH REPRESENTATIVE.

D. THE YOUTH REPRESENTATIVE SEAT BECOMES VACANT IN THE SAME MANNER AS THE OFFICE OF AN ELECTED OFFICIAL BECOMES VACANT AS PROVIDED IN SECTION 7.01(A) OF THE CHARTER. REMOVAL MAY BE BASED ON THE SAME GROUNDS AS REMOVAL OF AN ELECTED OFFICIAL SET FORTH IN SECTION 2.70.030A. THE PROCEDURE IS BY A MOTION FOR REMOVAL APPROVED BY A MAJORITY VOTE OF THE ASSEMBLY. THE YOUTH REPRESENTATIVE SEAT AUTOMATICALLY BECOMES VACANT WITHOUT FURTHER ACTION NECESSARY IF THE PERSON:
I. IS ABSENT FROM THREE REGULAR MEETINGS WITHOUT EXCUSE,
II. IS ABSENT FROM SIX REGULAR MEETINGS,
III. FAILS TO ATTEND TWO-THIRDS OF THE REGULAR MEETINGS SCHEDULED DURING THE PERSON'S APPOINTED TERM.

*** *** ***

(AO No. 95-64, § 1, 3-7-95; AO No. 95-132, § 1, 6-6-95; AO No. 96-64, § 1, 4-23-96; AO No. 98-26, § 1, expires 3-7-2001; AO No. 2001-61, § 1, 3-27-01; AO No. 2004-69, § 1, 4-13-04; AO No. 2004-96, § 1, 6-8-04; AO No. 2005-80, § 2, 9-27-05; AO No. 2011-64(S-1), § 5, 6-28-11; AO No. 2015-119, § 1, 11-10-15; AO No. 2017-51(S), § 1, 9-12-17; Ord. No. 2018-47, § 10, 10-9-18)

Section 3. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _______ day of ______________, 2022.

________________________________________
Chair of the Assembly

ATTEST:
1

Municipal Clerk
From: Assembly Chair LaFrance

Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING TITLE 2 OF THE ANCHORAGE MUNICIPAL CODE [SECTION 2.30.010] TO CODIFY THE ASSEMBLY’S PROCESS FOR SELECTION OF THE YOUTH REPRESENTATIVE AND ALTERNATE TO THE ANCHORAGE ASSEMBLY AND TO AMEND SECTION 4.60.275 TO CONFORM TO THE ASSEMBLY’S PROCESS.

This memorandum summarizes the changes in the proposed S-version from the original submitted ordinance. Due to an absence on leave, Assembly Counsel did not have adequate opportunity to provide drafting review until after the original ordinance was submitted, and the S-version changes are Counsel’s recommendations to improve code language and integrity, and provide more efficient process. The substantive changes in the S-version are:

- A new Code section 2.30.025 dedicated to the Youth Representative is created, instead of adding it as a subsection to the existing AMC section 2.30.010. Subsection headings are added.
- Unnecessary language is deleted, such as applicants being able to shadow a current assembly member, and that appointments are from among all those nominated.
- Authorizes the Chair to set the specific term at the time of appointment, within the six-month minimum and one-year maximum. However, to avoid a vacancy occurring the term can be extended for up to 120 days past the expiration or until a successor is seated, similar to the term extension afforded members of boards and commissions.
- Specifically defines the Youth Representative’s participation in meetings, clarifying that they cannot make motions or second them. The Youth Representative may always, during debate and discussion, suggest that an Assembly Member should make a motion, but does not have the power to do so. The ability to raise points of privilege is preserved, whether personal or for the good of the body.
- Removes requirement that the Youth Representative’s preferential vote is “prior to the official vote,” and allows flexibility for the Chair or Clerk to announce the indicated preferential vote before or simultaneously with the Assembly Member’s votes.
- Revamps the vacancy and removal section, so it reflects the same grounds available for removal of an Assembly Member, but uses the efficient and streamlined procedure in AMC section 4.05.065 for removal of a member of a board or commission. This is appropriate because the Youth Representative is not elected by voters, and does not receive compensation for their public service, so the same level of due process for a removal as
that for Assembly Members is not constitutionally required. The procedure proposed here also has a shorter timeline which will fit within the relatively short term served by a Youth Representative.

I request your support for the S-version of the ordinance.

Prepared by:  Assembly Counsel’s Office
Respectfully submitted:  Assembly Chair Suzanne LaFrance
  District 6, South Anchorage