

Postponed Indefinitely 6-25-02

Submitted by: Assemblymembers **TESCHE,**
TAYLOR, TRAINI, Tremaine, Van Etten,
Shamberg, Whittle

Prepared by: Department of Assembly

For reading: May 21, 2002

ANCHORAGE, ALASKA

AO NO. 2002-86

**AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY SUBMITTING TO
THE QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE AT THE
REGULAR MUNICIPAL ELECTION OF APRIL 1, 2003 A PROPOSED AMENDMENT TO
THE HOME RULE CHARTER CLARIFYING THE APPOINTMENT, DUTIES, AND
RESPONSIBILITIES OF THE ANCHORAGE EQUAL RIGHTS COMMISSION**

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: That a proposition in substantially the same form as appears in Section 2. below, shall be placed on the ballot at the next regular election of April 1, 2003. The vote on the proposition shall be limited to the qualified voters residing within the Municipality of Anchorage. An affirmative vote of fifty percent (50%) plus one of those voting on the proposition shall be required for approval.

Section 2: That the proposition shall be presented in substantially the following form:

PROPOSITION NO.

**AMENDING CHARTER SECTION 17.02 TO CLARIFY THE APPOINTMENT,
DUTIES, AND RESPONSIBILITIES OF THE ANCHORAGE
EQUAL RIGHTS COMMISSION**

Charter Section 17.02, is repealed and re-enacted to read as follows:

Section 17.02 Anchorage Equal Rights Commission.

A. There is established the Anchorage Equal Rights Commission. The Commission consists of nine members who serve for staggered terms of three years. Members of the Commission are nominated by the Mayor or any member of the Assembly and confirmed by the Assembly. Exercise of the power of the veto by the Mayor shall not extend to actions of the Assembly with respect to confirmation of commissioners. Any member may be removed at any time upon a vote of eight members of the Assembly or upon six votes of the Assembly with the concurrence of the Mayor given with seven days of the Assembly's action.

B. The Commission shall administer and enforce local laws enacted to secure the rights guaranteed to Anchorage residents under Art. II, Sec. 7 of this

Charter to equal opportunities in housing, public accommodations, employment and education without regard to race, religion, sex, color, national origin, marital status, or physical disability. Through its staff, standing committees, and its own membership, the Commission shall also provide programs of community outreach and education to eliminate invidious discrimination and to promote a better understanding and appreciation of the diversity of Anchorage's population.

C. The Commission shall hire an Executive Director and such administrative staff as required in the execution of its duties. The Executive Director shall serve at the pleasure of the Commission.

D. The Assembly by ordinance shall implement this section

Section 3: The proposition set out in Section 2 above shall be incorporated into the Home Rule Charter only if approved by the voters on April 1, 2002 under Section 1 above.

Section 4: That this ordinance shall become effective immediately upon passage and approval.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2002.

Chair

ATTEST:

Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2002-86

Title: Charter Amendment to the Qualified Voters Clarifying the Appointment,
Duties, and Responsibilities of the Equal Rights Commission.

Sponsor:

Preparing Agency:

Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:

(In Thousands of Dollars)

	<u>FY02</u>	<u>FY03</u>	<u>FY04</u>	<u>FY05</u>	<u>FY06</u>
Operating Expenditures					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
TOTAL DIRECT COSTS:	\$	\$	\$	\$	\$
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
FUNCTION COST:	\$	\$	\$	\$	\$
REVENUES:					
CAPITAL:					
POSITIONS: FT/PT and Temp					

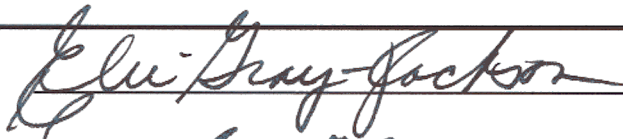
PUBLIC SECTOR ECONOMIC EFFECTS:

There will be no additional public sector economic effects associated with placing this Charter amendment on the ballot at the April 1, 2003 regular election.

PRIVATE SECTOR ECONOMIC EFFECTS:

There will be no additional private sector economic effects associated with placing this Charter amendment on the ballot at the April 1, 2003 regular election.

Prepared by:



Telephone: 4751

Approved by:


Director/Municipal Clerk

Date: 5-21-02



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

NO. 495-2002

Meeting Date: May 21, 2002

From: Assemblymember Tesche

Subject: AO 2002-86 - SUBMITTING TO THE QUALIFIED VOTERS A PROPOSED AMENDMENT TO THE HOME RULE CHARTER CLARIFYING THE APPOINTMENT, DUTIES, AND RESPONSIBILITIES OF THE ANCHORAGE EQUAL RIGHTS COMMISSION

The Bill of Rights of the Home Rule Charter (Art. II Sec. 7) guarantees Anchorage residents "equal opportunities in housing, public accommodations, employment and education without regard to race, religion, sex, color, national origin, marital status, or physical disability," and a commission to aid in those rights. Sec. 17.02 of the Charter requires the Assembly to "establish the Commission and to prescribe its duties." Public testimony on May 14, 2002 suggested that current laws establishing the Anchorage Equal Rights Commission and setting forth its duties should be strengthened and clarified in order to allow the Commission to become a practice force in eliminating discrimination and in promoting the unique diversity of Anchorage's population. Informal remarks of Commissioner Paul Steven Miller of the United States Equal Employment Opportunity Commission on May 16, 2002 support a practice commission which conducts programs of community outreach and education in addition to more traditional enforcement of anti discrimination laws.

AO 2002-86 would place before the voters a proposed amendment to the Home Rule Charter which would establish the Commission by Charter, prescribe and clarify duties of the Commission, set forth a new method for nominating commissioners, and clarify the reporting relationship of its Executive Director. If approved by the voters, the revised Sec. 17.02 of the Charter would require the Commission to "administer and enforce local laws enacted to secure the rights already guaranteed to Anchorage residents under Art. II, Sec. 7 of this Charter to equal opportunities in housing, public accommodations, employment and education without regard to race, religion, sex, color, national origin, marital status, or physical disability." The Commission would also have a clear mandate to "provide programs of community outreach and education to eliminate invidious discrimination and to promote a better understanding and appreciation of the diversity of Anchorage's population through its own membership, staff, and standing committees.

The proposed Charter amendment would also allow Assemblymembers, as well as the Mayor, to nominate persons to serve on the Commission while maintaining the Assembly's traditional role in confirming appointments. Similar to the method by which members of ATU's Board were selected after 1992, the new provision allows all elected officials, including the Mayor and Assemblymembers to identify and nominate prospective commissioners. Finally, the amendment would clarify the reporting relationship of the Commission's Executive Director by providing that the Executive Director shall serve at the pleasure of the Commission.

Enactment of AO 2002-86 is recommended.

Respectfully submitted,

Allan Tesche
Assemblymember
EGJ/2002AM/AM03

AD 2002-86

1	SUBJECT OF AGENDA DOCUMENT		DATE PREPARED
	AO 2002-88 - Anchorage Equal Rights Commission		21-May-02
2	DEPARTMENT NAME		DIRECTOR'S NAME
	Assembly		Greg Moyer
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY		HIS/HER PHONE NUMBER
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE
	Mayor		
	Heritage Land Bank		
	Merrill Field Airport		
	Municipal Light & Power		
	Port of Anchorage		
	Solid Waste Services		
	Water & Wastewater Utility		
	Municipal Manager		
	Cultural & Recreational Services		
	Employee Relations		
	Finance, Chief Fiscal Officer		
	Fire		
	Health & Human Services		
	Office of Management and Budget		
	Management Information Services		
	Police		
	Planning, Development & Public Works		
	Development Services		
	Facility Management		
	Planning		
	Project Management & Engineering		
	Street Maintenance		
	Traffic		
	Public Transportation Department		
	Purchasing		
	Municipal Attorney		
	Municipal Clerk		
	Other		
5	Special Instructions/Comments		
			<p><i>addendum</i></p> <p><i>P.F. Lantieri</i></p>
6	ASSEMBLY HEARING DATE REQUESTED	7	PUBLIC HEARING DATE REQUESTED
	5/21/02		June 11, 2002