

Legislative History of LGBT Title 5 Efforts in Anchorage

AO 77-75: Introduced on December 16, 1975 (AM 279-75 Veto Message). The ordinance established the Anchorage Equal Rights Commission and its duties. The ordinance included “sexual preference” as a protected class under Anchorage Title 5 – Equal Rights.

- Public Hearing December 30, 1975.
- Approved December 30, 1975.
- Vetoed by Mayor George Sullivan on January 6, 1976.

AO 5-76. Introduced on January 20, 1976. The ordinance established the Anchorage Equal Rights Commission and its duties. The ordinance did not include “sexual preference” as a protected class under Anchorage Title 5 – Equal Rights.

- Public Hearing February 10, 1976
- Rejected February 24, 1976.

AO 6-76. Introduced on January 20, 1976. The ordinance established the Anchorage Equal Rights Commission and its duties. The ordinance did not include “sexual preference” as a protected class under Anchorage Title 5 – Equal Rights, as outlined in the unnumbered memorandum that accompanied the ordinance.

- Public Hearing February 10, 1976.
- Rejected February 24, 1976.

AO 7-76: Introduced on January 20, 1976. The ordinance established the Anchorage Equal Rights Commission and its duties. The ordinance included “private sexual preference” as a protected class under Anchorage Title 5 – Equal Rights.

- Public Hearing February 10, 1976
- Approved February 24, 1976.
- Vetoed by Mayor George Sullivan on March 2, 1976.
- Veto sustained on March 23, 1976.

AO 12-76. Laid on the table on February 10, 1976. The ordinance established the Anchorage Equal Rights Commission and its duties. The ordinance did not include “sexual preference” as a protected class under Anchorage Title 5 – Equal Rights.

- Public Hearing February 10, 1976.
- Rejected February 24, 1976.

AR 4-76: Would have submitted to “the qualified voters of the Municipality of Anchorage the question of implementing an ordinance prohibiting discrimination based on sexual preference”.

- Failed for lack of a second on January 20, 1976.

AO 203-76: Introduced on October 19, 1976 (AM 618-76). The ordinance established the Anchorage Equal Rights Commission and its duties, without including “sexual preference” as a protected class under Anchorage Title 5 – Equal Rights.

- Public Hearing November 9, 1976.
- Amended & Approved November 9, 1976.

AIM 156-92: Introduced on August 25, 1992. The memorandum discussed the Anchorage Equal Rights Commission’s study of the need to add “sexual orientation” as a protected class under Anchorage Title 5 – Equal Rights, and the Commission’s July 24, 1992 recommendation to not add “sexual orientation” as a protected class.

- Accepted by the Assembly on August 25, 1992.

AO 92-115: Introduced August 25, 1992. The ordinance amended AMC 7.50 to add “sexual orientation” to the list of protected classes in Municipal purchasing and contracts.

- Laid on the table August 25, 1992.
- Public Hearing December 1, 1992, continued to December 8, 1992, carried over to December 15, 1992, continued to January 5, 1993 and January 6, 1993.
- Postponed to January 12, 1993.
- Tabled on January 12, 1993.

AO 92-116: Laid on the table on August 25, 1992 (AIM 220-92, AM 1198-92). The ordinance added “sexual orientation” as a protected class under Anchorage Title 5 – Equal Rights.

- Public Hearing December 1, 1992, continued to December 8, 1992, carried over to December 15, 1992, continued to January 5, 1993 and January 6, 1993, postponed to January 12, 1993.
- **SEE AO 92-116(S).**

AIM 220-92: Introduced on December 8, 1992. The memorandum was drafted in response to a request for the number and nature of inquiries made to the Anchorage Equal Rights Commission regarding discrimination on the basis of sexual orientation.

- Accepted on December 8, 1992.

AO 92-116(S): Laid on the table on January 12, 1993 (AIM 156-92, AM 66-93). The ordinance added “sexual orientation” as a protected class under Anchorage Title 5 – Equal Rights for the purposes of public (Municipal) employment and contracting.

- Amended & Approved January 12, 1993.
- Vetoed by Mayor Fink on January 15, 1993.
- Veto overridden on January 19, 1993.
- AO 92-116(S) was repealed by AO 93-99 on May 18, 1993.

AO 92-139: Introduced on December 1, 1992 (AM 1015-92, 1174-92 & 1222-92). The ordinance amended AMC Title 5, Equal Rights regarding discrimination against persons with Acquired Immune Deficiency Syndrome (AIDS).

- Public hearing set for December 15, 1992. Hearing was continued to January 5, 1993, January 12th, January 19th, and January 26th.
- Public Hearing held on February 2, 1993.
- **See AO 92-139(S).**

AO 92-139(S): Introduced on December 1, 1992 (AM 1015-92, 1174-92 & 1222-92). The ordinance amended AMC Title 5, Equal Rights regarding discrimination against persons with Human Immunodeficiency Virus (HIV), Acquired Immune Deficiency Syndrome (AIDS).

- Public hearing set for December 15, 1992. Hearing was continued to January 5, 1993, January 12th, January 19th, and January 26th.
- Public Hearing held on February 2, 1993.
- Approved February 2, 1993.
- Vetoed February 5, 1993.

1993: A group (Citizen’s Against the Homosexual Ordinance) gathered signatures for a referendum on AO 92-116(S). The Municipal Clerk certified the petition on February 22, 1993. The question of sustaining the ordinance was Proposition 1 on the April 20, 1993 Municipal ballot. If approved Proposition 1 would have upheld

AO 92-116(s), which added “sexual orientation” to the list of protected classes for purposes of public employment (Municipal) and municipal contracting. A group of Anchorage residents who supported the ordinance sued in Anchorage Superior Court (*Faiveas v. Municipality of Anchorage*) requesting a stay of the election as it pertained to the referendum, pending final decision of their appeal. The Superior Court denied the stay and the plaintiffs appealed to the Supreme Court of Alaska, which granted the appeal request and remanded the case back to the Superior Court with instructions to stay the Municipal election with respect to the referendum. The Supreme Court noted that the appellants would most likely prevail at trial. Consequently, the votes related to Proposition 1 were not counted or published.

AR 93-52: Laid on the table on January 12, 1993 (AM 288-93). The resolution established a task force to review and recommend action to remedy discrimination based on sexual orientation.

- Failed on January 12, 1993.

AO 93-99: Laid on the table on April 27, 1993 (AM 546-93). The ordinance repealed AO 92-116(S), which added “sexual orientation” to the list of protected classes for public (Municipal) employment and contracting.

- Public Hearing May 18, 1993.
- Approved May 18, 1993

AO 2009-64: Laid on the table on May 12, 2009. The ordinance amended AMC 5.10 – Equal Rights Commission and AMC 5.20 – Unlawful Discriminatory Practices, to add sexual orientation and veteran’s status as protected classes.

- Public Hearing June 9, 2009, carried over to June 16, 2009 and June 17, 2009 continued meetings, carried over to June 23, 2009, continued to July 7, 2009, carried over to July 21, 2009.
- Action: **SEE AO 2009-64(S-2).**

AO 2009-64(S): Laid on the table on May 12, 2009 (AM 342-2009). The ordinance amended AMC 5.10 – Equal Rights Commission and AMC 5.20 – Unlawful Discriminatory Practices, adding sexual orientation as a protected class.

- Public Hearing June 9, 2009, carried over to June 16, 2009 and June 17, 2009 continued meetings, carried over to June 23, 2009, continued to July 7, 2009, carried over to July 21, 2009.

- Action: **SEE AO 2009-64(S-2).**

AO 2009-64(S-1): Laid on the table on June 16, 2009 (continued meeting of June 9, 2009). The ordinance amended AMC 5.10 – Equal Rights Commission and AMC 5.20 – Unlawful Discriminatory Practices, without adding sexual orientation or gender identity as protected classes.

- Public Hearing June 16, 2009 and June 17, 2009 (continued meetings of June 9, 2009), carried over to June 23, 2009, continued to July 7, 2009, carried over to July 21, 2009, public hearing closed, carried over to August 11, 2009.
- Action: **SEE AO 2009-64(S-2)**

AO 2009-64 (S-2): Introduced on August 11, 2009 (AM 342-2009). The ordinance amended AMC 5.10 – Equal Rights Commission and AMC 5.20 – Unlawful Discriminatory Practices, to add sexual orientation and gender identity as protected classes.

- Public Hearing August 11, 2009.
- Amended and Approved August 11, 2009.
- Immediate Reconsideration Failed on August 11, 2009.
- Vetoed by Mayor Dan Sullivan on August 17, 2009.

2012: Proposition 5 was a ballot initiative on the April 3, 2012 Municipal election ballot. Proposition 5 added “sexual orientation” and “transgender identity” to the list of protected classes in Anchorage Title 5 – Equal Rights.

- Proposition 5 was defeated with 40,223 “no” votes (57.11%) to 30,208 “yes” votes (42.89%).

AO 2015-95: Introduced on August 25, 2015. The ordinance amended the Municipality’s Personnel Rules (AMC 3.30) and Affirmative Action Plan (AMC 3.100.010) to add “sexual orientation” and “gender identity” to the list of nondiscrimination classifications for Municipal employees and requiring the fair treatment of Municipal applicants and employees.

- Public Hearing on September 15, 2015, continued to September 16, 2015.
- Public Hearing closed on September 16, 2015, and action postponed until October 13, 2015.
- Approved on October 13, 2015.

AO 2015-96: Introduced on August 25, 2015 (AM 518-2015 & AIM 133-2015). The ordinance added “sexual orientation” and “gender identity” as protected classes under Anchorage Title 5 – Equal Rights and expanded and clarified religious exemptions.

- Public Hearing on September 15, 2015, continued to September 16, 2015.
- Public Hearing closed on September 16, 2015, and action postponed until September 29, 2015.
- **SEE AO 2015-96(S-1).**

AO 2015-96(S): Introduced on September 15, 2015 (AM 527-15) The ordinance added “sexual orientation” and “gender identity” as protected classes under Anchorage Title 5 – Equal Rights and expanded and clarified religious exemptions.

- Public Hearing on September 15, 2015, continued to September 16, 2015.
- Public Hearing closed on September 16, 2015, and action postponed until September 29, 2015.
- **SEE AO 2015-96(S-1).**

AO 2015-96(S-1), As Amended: Introduced (agenda addendum) on September 15, 2015 (AM 543-2015). The ordinance added “sexual orientation” and “gender identity” as protected classes under Anchorage Title 5 – Equal Rights and expanded and clarified religious exemptions.

- Public Hearing on September 15, 2015, continued to September 16, 2015.
- Public Hearing closed on September 16, 2015, and action postponed until September 29, 2015.
- Amended & Approved September 29, 2015 (AM 543-2015).

2018: Proposition 1 – Regulating Access To Facilities Such As Locker Rooms And Bathrooms was a ballot initiative on the April 6, 2018 Municipal election ballot. Proposition 1 rolled back provisions of AO 2015-96(S-1), As Amended, related to gender identity.

- Proposition 1 was defeated with 41,115 “no” votes (52.64%) to 36,993 “yes” votes (47.36%).
- This was the first “bathroom bill” that was defeated at the ballot box in the United States.