

Introduced by:	Mayor
Date:	08/15/17
Hearing:	09/19/17
Action:	Introduced and Set for Public Hearing
Vote:	9 Yes, 0 No, 0 Absent
Date:	09/19/17
Action:	Enacted
Vote:	7 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2017-25**

**AN ORDINANCE ELIMINATING THE REQUIREMENT OF OFFERING
AUTHORSHIP ADVOCATING APPROVAL AND REJECTION OF BALLOT
PROPOSITIONS FOR ORDINANCES 2017-16, 2017-17 AND 2017-23 AND
ELIMINATING THE STATEMENT OF BOROUGH COSTS AND REVENUES FOR
PROPOSITION 1 PRESENTING A LOCAL OPTION ELECTION REGARDING
COMMERCIAL MARIJUANA**

WHEREAS, KPB 4.10.110(B) requires the clerk to offer authorship of statements by an individual or organization with a stated interest in advocating approval or rejection of propositions to be included in the borough election pamphlet; and

WHEREAS, Ordinance 2017-16 placing a bond proposition on the ballot for payment to replace the borough administration's buildings heating, ventilation, and air conditioning systems was enacted on August 1, 2017; and

WHEREAS, it is unknown which individual or group would have a "stated interest" in the passage or failure of this bond proposition as required for authorship of a pro or con statement; and

WHEREAS, the clerk has advertised via the borough webpage seeking individuals or groups with a stated interest in Ordinance 2017-16; and

WHEREAS, Ordinance 2017-17 regarding a proposition on sales tax on temporary lodging and Ordinance 2017-23 regarding a proposition increasing the limit of the sales tax cap are set for hearing on August 15, 2017; and

WHEREAS, there is inadequate time to offer authorship of pro and con statements assuming these propositions are approved for the ballot on August 15, 2017 as the clerk must prepare the ballot propositions and summaries for publication in the voters' pamphlet and has established a deadline of August 15, 2017 in order to meet the publication deadline established by the printer; and

WHEREAS, Proposition 1 regarding a local option election on commercial marijuana establishments will appear on the October ballot; and

WHEREAS, because there are only two marijuana retailers with sales on record revealing their sales tax remittance would reveal confidential proprietary information; and,

WHEREAS, the costs to the borough of administering marijuana regulations is impractical to capture as the costs have been incurred from creating a computer tracking system, commenting on licenses at a staff, planning commission and assembly level, and enforcing license issues;

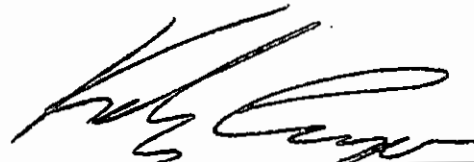
NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. Notwithstanding KPB 4.10.110(B) the clerk is not required to offer authorship of pro and con statements for propositions established by Ordinances 2017-16, 2017-17, and 2017-23.

SECTION 2. Notwithstanding KPB 4.10.110(B) the revenue and cost statement will not be required for the Proposition 1 summary.

SECTION 3. That this Ordinance shall become effective immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 19TH DAY OF SEPTEMBER, 2017.

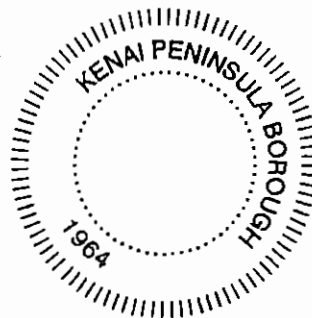


Kelly Cooper, Assembly President

ATTEST:



John Blankenship, MMC, Borough Clerk



Yes: Bagley, Carpenter, Dunne, Fischer, Hibbert, Ogle, Cooper
No: None
Absent: Schaefer