



KENAI PENINSULA BOROUGH

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Kelly Cooper, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Mike Navarre, Mayor *MN*

DATE: August 9, 2017

SUBJECT: Ordinance 2017-25, 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 Facilities (Mayor)

The borough code requires the clerk to offer to an individual or organization with a stated interest in approval or rejection of a ballot proposition the opportunity to provide statements advocating their position. Ordinance 2017-16 placing a bond proposition on the ballot for payment to replace the borough administration building's heating, ventilation, and air conditioning systems was enacted on August 1, 2017. 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. The clerk has advertised via the borough webpage seeking individuals or groups with a stated interest in ordinance 2017-16 but it is unknown at this time whether anyone will respond. If there is no response it is requested that the requirement in KPB 4.10.110(B) offering authorship of pro and con statements be waived.

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. 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. Therefore, it is requested that the requirement for offering authorship of pro and con statements be waived for these propositions as well.

KPB 4.10.110(B)(10) requires a statement of revenues and costs associated with ballot propositions. There are only two retailers of marijuana with sales on record at this time and releasing the revenues derived from marijuana would expose the retailers' proprietary sales information. KPB 5.18.540 provides that data obtained from timely filed and fully paid sales tax returns is confidential and shall be kept from inspection by all private persons. Therefore, it is requested that compliance with KPB 4.10.110(B)(10) be waived.

Your consideration of this ordinance is appreciated.