

KENAI PENINSULA BOROUGH


Kenai Peninsula Borough Assembly

144 North Binkley Street
Soldotna, AK 99669
Phone 907-714-2160
Fax 907-714-2388

Blaine Gilman, Assembly President
Brent Johnson, Vice President

MEMORANDUM

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

FROM: Kelly Cooper, Assembly President 

DATE: November 22, 2016

RE: Amendment to Resolution 2016-072

The Kenai Peninsula Borough is home to many people with strong conviction who serve the community but do not belong to organizations. In my opinion, to be fully inclusive of the wide variety of beliefs held by borough residents it is important to allow individuals to provide invocations. Following are amendments to clarify that invocations may be offered by individuals. The additional language in paragraph 6 is from the Alaska State Senate's guidelines for its opening prayer.

- Amend the following paragraphs in Section 1 by deleting the language in ~~bolded-strikeout~~ and inserting the **bold and underlined** language below.

4. The invocation shall be voluntarily delivered by [AN APPOINTED] a representative from the Associations List developed as described below, **or a chaplain or an individual as described below.** To ensure that such person (the "invocation speaker") is selected from among a wide pool of representatives the invocation speaker shall be selected according to the following procedure:

- a. The Clerk shall post a notice on the borough internet home page that all [RELIGIOUS] associations with a[N ESTABLISHED] presence in the Kenai Peninsula Borough that regularly meet for the primary purpose of sharing a religious perspective[,] **or other interest or belief that is very important to the attendees and reasonably appears to meet the Internal Revenue Service's tax exemption criteria referenced in paragraph 4(c) below, individual residents of the Kenai Peninsula Borough who have a religious perspective or other interest or belief that is very important to**

them, or chaplains who may serve one o[F]r more of the fire departments, law enforcement agencies, hospitals, or other similar organizations in the borough, are eligible to provide invocations to the assembly, and that the authorized leader of any such association or [a] chaplain can submit a written request to provide an invocation to the borough clerk. The Associations List shall also include an association as described above except that it regularly meets for the above purposes outside the Kenai Peninsula Borough if such association is regularly attended by at least one resident of the Kenai Peninsula Borough and such resident submits a written request to provide an invocation to the borough clerk. An additional printed notice containing this information shall be made available to the public during assembly meetings and at the clerk's office. Written requests shall be filed using the online form prepared by the clerk's office.

- b. The borough clerk shall compile and maintain a database (the "Associations List") of the qualifying associations, individuals and chaplains who have submitted such a written request (hereinafter referred to as an "[RELIGIOUS] association").
- c. The policy is intended to be and shall be applied in a way that is all-inclusive of every diverse [RELIGIOUS] such association, individual and chaplain serving the residents of the Kenai Peninsula Borough. The Association List is compiled and used for purposes of logistics, efficiency, and equal opportunity for all of the community's [RELIGIOUS LEADERS] associations, individuals and chaplains, who may themselves choose whether to respond to the assembly's invitation and participate. Should a question arise as to the [AUTHENTICITY] qualification of an [RELIGIOUS] association, the assembly president shall make the decision by referring to the criteria used by the Internal Revenue Service in its determination of those organizations that would legitimately qualify for I.R.C. §501(c)(3) tax- exempt status.
- d. The respondents to the notice shall be scheduled on a first-come, first-serve basis to deliver the invocation, provided each respondent may only ask to provide one invocation at a time, with subsequent requests only made after the date of their previously scheduled invocation has passed. In any event, no respondent shall be scheduled to offer an invocation at consecutive assembly meetings or at more than three assembly meetings in any calendar year.

[THIS IS] These limitations are intended to help ensure that a variety of [ELIGIBLE REPRESENTATIVES ARE SCHEDULED FOR THE INVOCATIONS] speakers are given an opportunity to provide an invocation and that there is no appearance that the assembly favors or promotes any one association, chaplain or individual over another.

- e. In the event an eligible representative of an [RELIGIOUS] association, a chaplain or an individual serving the local community believes that the Clerk or President has not complied with the terms of this policy, the representative, chaplain or individual has the right to have the matter reviewed by the [A]assembly.
 - f. If no scheduled representative, chaplain or individual is in attendance at an assembly meeting the assembly President may authorize an assembly member to provide the invocation or may proceed without an invocation being offered.
5. No invocation speaker shall receive compensation for his or her service.
6. No guidelines or limitations shall be issued regarding an invocation's content, except that the [A]assembly shall request by the language of this policy that no invocation should proselytize or advance any faith, or disparage the religious faith or non-religious views of others. Additionally, it is recommended that the invocation be not more than three minutes long. It is further requested that invocations be free from personal political views, sectarian controversies, and absent any apologies for others.