

KENAI PENINSULA BOROUGH

Kenai Peninsula Borough Assembly

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Blaine Gilman, Assembly President
Brent Johnson, Vice President

MEMORANDUM

TO: Blaine Gilman, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Blaine Gilman, Assembly Member (M) for B.G.

DATE: March 24, 2016

RE: Ordinance 2016-10, An Ordinance Placing a Question on the Ballot of Whether the Kenai Peninsula Borough Shall Adopt a Local Option to Prohibit the Operation of Any Commercial Marijuana Establishment in the Area of the Kenai Peninsula Borough Outside of the Cities (Gilman)

This ordinance is proposed because I have been approached by numerous members of the public requesting that the assembly pass an ordinance banning all commercial marijuana establishments in the borough. Although the assembly is authorized to do this by law, in my opinion the better approach is to put this question out to the vote of the residents of the borough in the area outside the cities. As can be seen in the attached map and table showing the results of the election held in November 2014 on proposition 2, the vote was very close in the areas outside of the cities. Although we cannot be certain due to the absentee, question, and early voting ballots, it appears likely that most areas outside of the cities voted against that proposition. Due to the closeness of the vote, it is appropriate for these voters to make a determination as to whether to prohibit commercial marijuana operations outside of the cities.

The initiative that was approved by the state does give local municipalities the option to adopt a local option that would prohibit the commercial sale and testing of marijuana in their boundaries. The regulations adopted by the state also require that if a local option is approved then all existing issued licenses shall become void 90 days after the date the results of the election are certified.

Your favorable consideration of this ordinance would be appreciated.