

LAYDOWN

Introduced by: Holmdahl
Date: 08/23/16
Hearing: 09/20/16
Action: Failed to be added to the Agenda
Vote: 4 Yes, 4 No, 1 Absent

KENAI PENINSULA BOROUGH ORDINANCE 2016-33

AN ORDINANCE AMENDING KPB 22.40.080 AND REPEALING KPB 22.40.090 WHICH PROVIDES FOR AN INVOCATION DURING ASSEMBLY MEETINGS

WHEREAS, residents of the Kenai Peninsula Borough hold a wide range of personal beliefs concerning religion; and

WHEREAS, the Kenai Peninsula borough code currently provides for an invocation during assembly meetings and states the assembly president shall designate a person to offer an invocation; and

WHEREAS, the practice of giving invocations at the beginning of town council meetings is allowable when the practice fits within the traditions long allowed in Congress and state legislatures, and if very limited constraints are placed upon the selection of those offering invocations; and

WHEREAS, some residents of the borough have expressed significant discomfort with the assembly's invocations; and

WHEREAS, all borough residents are free to exercise their first amendment religious rights outside of assembly meetings; and

WHEREAS, no city councils in the borough have an invocation during their meetings and one is not necessary for the assembly meetings;

WHEREAS, continuing with invocations in assembly meetings is likely to unnecessarily create division in our community;

WHEREAS, the best interests of the borough would be served by removing the invocation from the assembly agenda;

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

SECTION 1. That KPB 22.40.080 is hereby amended as follows:

22.40.080. Agenda—Order of business.

The order of business shall be:

- A. Call to order;
- B. Pledge of allegiance;
- [C. INVOCATION;]
- D. Roll call;
- E. Committee reports;
- F. Vacancy, designation or seating members (only when needed);
- G. Approval of agenda and consent agenda;
- H. Approval of minutes;
- I. Commending resolutions and proclamations;
- J. Presentations with prior notice (20 minutes total);
- K. Public comments on items not appearing on the agenda (three minutes per speaker; 20 minutes aggregate);
- L. Mayor's report;
- M. Items not completed from prior agenda;
- N. Public hearings on ordinances (Testimony limited to 3 minutes per speaker);
- O. Unfinished business
 - 1. Postponed items
 - 2. Notices to reconsider/rescind;
- P. New business;
 - 1. Bid awards
 - 2. Resolutions
 - 3. Ordinances for introduction
 - 4. Other (including addition of late items);
- Q. Public comments and public presentations (Limited to 3 minutes per speaker);
- R. Assembly meeting and hearing announcements;
- S. Assembly comments;
- T. Pending legislation;
- U. Informational materials and reports;
- V. Notice of the next meeting and adjournment.

SECTION 2. That KPB 22.40.090 is hereby repealed.

SECTION 3. That this ordinance takes effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS *
DAY OF * 2016.**

Blaine Gilman, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

FAILED

Yes: Cooper, Dunne, Holmdahl, Johnson

No: Bagley, Knopp, Ogle, Gilman

Absent:

Welles

FAILED