



KENAI PENINSULA BOROUGH

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

From: Mike Navarre, Borough Mayor *Mike Navarre*

Date: October 25, 2016

Re: Veto of Resolution 2016-056, Amending the Assembly Manual to Include a Policy Regarding Invocations Before Borough Assembly Meetings

For the reasons discussed below, I hereby veto resolution 2016-056, which amends the assembly manual to include a policy regarding invocations before assembly meetings.

I see no real problem with the practice in place before this policy was adopted. Being inclusive rather than limiting those who may give an invocation is better public policy and less likely to get the borough involved in expensive litigation. Local ministers who have given invocations in the past have indicated support for an inclusive policy.

This is part of a national debate we don't need to take the lead on, especially in this time of financial and economic uncertainty in Alaska and with the many other issues we are facing. It could have a large financial impact on the borough. Instead, we can wait to see how case law develops through other municipalities in a better position to take the lead. If the borough is sued over the current policy, even if we prevail we can continue to be subject to future challenges and legal expense as other new cases are brought and decided.

Additionally, this is a very sensitive and emotional issue. It may be that we can facilitate a solution among the various interested groups and individuals in our community that would reduce the current scrutiny, risk of litigation and financial exposure.

AS 29.20.270 provides that a veto may be overridden within 21 days following the exercise of the veto or the next regular meeting, whichever is later. The next regular meeting after tonight's meeting is November 22, 2016, which is in more than 21 days from today. If the assembly wishes to address overriding this veto it could choose to do so during tonight's meeting or call a special meeting by November 15, 2016.