

Introduced by:	Citizen Initiative Petition 2009-02
Election Date:	10/06/09
Certification Date:	10/13/09
Vote:	52.99 % Yes, 47.01 % No

**KENAI PENINSULA BOROUGH
INITIATIVE ORDINANCE 2009-02**

**AN ORDINANCE LIMITING TERMS OF OFFICE FOR THE ASSEMBLY
TO TWO CONSECUTIVE TERMS**

- WHEREAS,** the voters at the October 6, 1992 Borough election favored term limitations for Borough Mayor, Assembly members and School Board members, by a wide margin; and
- WHEREAS,** the voters at the October 5, 1993 Borough election approved two term limits for Borough Mayor, Assembly members and School Board members, by wide margins; and
- WHEREAS,** in 1999, through Ordinance 99-06 and Ordinance 99-08, the Borough Assembly repealed the voter-approved term limits for Assembly members and School Board members, before those term limits could go into effect, and without putting the question of repeal of term limits before Borough voters; and
- WHEREAS,** voters approved term limits for the Borough Assembly in 2007 which may be modified or repealed by the Borough Assembly two years after imposed; and
- WHEREAS,** the only way to guarantee the voters' wishes are complied with is to have a vote that will reaffirm continued public support for Borough Assembly term limits;

.NOW THEREFORE, BE IT ORDAINED BY THE VOTERS OF THE KENAI PENINSULA BOROUGH THAT:

SECTION 1. That KPB 22.30.030 subsection C is to read as follows:

C. No person who has completed two consecutive terms on the assembly may serve another term or portion of a term until a period of 3 years has passed since the end of that person's second consecutive term of office. For purposes of this subsection (C), a "term" includes a regular three-year term of office for an assembly member, or any portion of a regular term of office served by appointment or election to the remainder of an unexpired term vacated by another person, or any term served by election that is less than three years because of a change in assembly composition, membership structure, districting or apportionment.

SECTION 2. Transition and Severability Provisions.

- a. This ordinance is effective upon approval by Borough voters, and certification of the results of the election at which this ordinance was approved. This ordinance applies to any assembly member whose second consecutive term of office, as "term" is used in KPB 22.30.030(C), ends in 2010 or later.
- b. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

ENACTED BY THE VOTERS OF THE KENAI PENINSULA BOROUGH AT AN ELECTION HELD ON THE 6TH DAY OF OCTOBER, 2009 WITH CERTIFICATION ON OCTOBER 13, 2009.