



KENAI PENINSULA BOROUGH

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DAVID R. CAREY
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Linda Murphy, Assembly Member *L. M.*
Bill Smith, Assembly Member *Bill Smith*

DATE: October 20, 2011

SUBJECT: Ordinance 2011-35, amending KPB 22.30.030 to limit service on the assembly to eight consecutive years without a 180 day break

Section 1, paragraph B of the ordinance provides that a full term of office may include truncated terms for purposes of limiting service on the assembly to eight consecutive years. However, this could be construed to exclude other forms of shortened terms as are listed in paragraph A of KPB 22.30.030. The following amendment is offered to clarify that all shortened "terms" may be included in the definition of "term" for purposes of applying the eight year term limit.

The purpose of this new portion of section B is to ensure that all members who are elected to serve for eight years will be deemed to have served two terms within those eight years, including persons who have not served two full three-year terms. Otherwise, they could be limited to serving less than two terms, and voter approval is required to limit service to less than two terms.

- Amend section 1, KPB 22.30.030 (A) and (B), with the changes shown in bold below:

22.30.030. Terms of office.

A. The full term of office for assembly members is 3 years. No person who has completed two [CONSECUTIVE] full terms on the assembly in a continuous period of service may serve another term or portion of a term until a period of 180 days has passed since the end of his second [CONSECUTIVE] full term of office. A full term of office means the regular term of office for assembly and, **except as provided in paragraph B of this section**, does not include portions of a term served by appointment or election to the remainder of an unexpired term vacated by another person or to a **less than 3 year** [TRUNCATED] term resulting from assembly redistricting.

B. In no event shall an assembly member serve more than eight consecutive years without a break in service of at least 180 days. For purposes of this section only, [A FULL TERM OF OFFICE MAY INCLUDE] if an assembly member has served eight consecutive years or cannot serve another term without exceeding the eight year limit, then the following shall apply:

1. For persons who have served one three-year term during their continuous period of service, the longest term served of less than three years shall constitute a full term, and other periods of service of less than three years shall not be considered full terms.

2. For persons who have served no three-year terms during their continuous period of service, then the two longest terms served shall both constitute full terms, and other periods of service of less than three years shall not be considered full terms.

Your consideration is appreciated.