

Introduced by: Davis, Hudson,
Fischer and Douglas
Date: January 20, 1976
Hearing: Failed setting for
hearing
Vote: 56.66 Yes; 48.34 NO
Action: Failed

KENAI PENINSULA BOROUGH

ORDINANCE 76-2

AN ORDINANCE PROVIDING FOR SELECTION BY THE ASSEMBLY OF AN ACTING ASSEMBLY MEMBER TO FILL A VACANCY IN A SEAT REPRESENTING AREAS OUTSIDE OF FIRST CLASS CITIES.

WHEREAS, vacancies in seats of representatives from first class cities to the assembly are filled by action of the appropriate first class city; and

WHEREAS, there has been a difference of opinion as to the interpretation of the intent of KPB 2.16.060 with respect to whether city members of the assembly could make nominations for vacancies in seats representing areas outside first class cities in addition to nominees selected by non-city assembly members; and

WHEREAS, this has led to difficulty in filling such vacancies and resulting in lengthy, unproductive, and unconclusive assembly sessions; and

WHEREAS, since assemblymen representing areas outside of cities have no control or authority over appointment to fill vacancies to seats representing cities, and many feel that more authority and control in filling vacancies in seats representing areas outside of first class cities should be reposed in incumbent members of such seats; Now Therefore,

BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

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Section 1: That KPB 2.16.060 is hereby repealed and re-enacted to read as follows:

"2.16.060 Selection--By assembly. Upon submission of the nominee or nominees recommended by the assembly members representing areas outside first class cities, the assembly as a whole shall designate a nominee selected by such non-city assembly members to fill the vacant seat or the assembly may reject the recommendations of the non-city assembly members. If the nominee or nominees are rejected by the assembly, the non-city assembly members may, if they choose, present different nominees, and if different nominees are presented the assembly will again consider the selection. When all of such nominees have been rejected, and the non-city assembly members have refused to submit different nominees, the matter shall be automatically continued until the next regular meeting of the assembly, and the same procedures will be followed. If no selection is made at the second regular meeting, a special election to fill the vacancy shall be held on the second Tuesday of the third calendar month thereafter, and the clerk shall proceed immediately to publish notice of availability of petitions for candidates and make arrangements for such special election pursuant to the provisions of KPB 4."

Section 2: This ordinance shall become effective on the day following its enactment.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA
BOROUGH THIS _____ DAY OF _____, 1976.

Clarence E. Johnson, Assembly President

ATTEST:

Borough Clerk

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