

Introduced by: Arness  
Date: March 6, 1979  
Referred to Finance Committee 3/6/79  
Vote: 18 Yes to 103.84 No  
Action: Defeated

KENAI PENINSULA BOROUGH

ORDINANCE 79-11

AMENDING SECTION 2.08.040 OF THE BOROUGH CODE OF ORDINANCES  
RELATING TO ABSTENTION FROM VOTING BY ASSEMBLY MEMBERS IN  
CASES OF CONFLICT OF INTEREST

WHEREAS, in the Alaska Statutes, AS 29.23.060(d),  
provides that all assembly members shall vote on all matters  
before the assembly, except where there are special reasons  
or a conflict of interest; and

WHEREAS, the Borough Code of ordinances should be  
consistent with provisions stated in the State Statutes; and

WHEREAS, every assembly member is subject to the  
provisions of the State financial disclosure law, as  
directed by the voters of the Borough; and

WHEREAS, assembly members should not have a personal  
interest in Borough contracts:

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

Section 1. Sec. 2.08.040 of the Borough Code of  
ordinances is amended to read:

2.08.040. Voting--Abstention--Conflict of Interest.

A. All [EVERY] assembly members [ASSEMBLYMAN] present  
at a meeting shall vote unless the assembly for special  
reasons [ABSTAINING FOR SPECIFIC REASONS.] permits a member  
to abstain, except no assembly member may vote on a question  
in which the assembly member has a substantial direct or  
indirect interest. An assembly member [ASSEMBLYMAN]  
intending to abstain from voting shall state [MAKE A BRIEF  
[AL STATEMENT OF] the reason [REASONS] for [HIS] abstaining,  
before the roll call. [FOR THE YESES AND NOES IS COMMENCED.]

B. No assembly member shall have any direct or indirect interest in any contract entered into between the borough or the school district, and any contractor, consultant, or supplier.

Section 2. This Ordinance takes effect immediately upon its enactment.

DEFEATED  
~~ENACTED~~ BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH  
THIS 19 DAY OF June, 1979.

John C. Davis, Vice President

  
for ~~John~~ Elson, Assembly President

ATTEST:

  
Borough Clerk