

Introduced by: Merkes
Date: 05/18/99
Hearing: 06/15/99
Action: Failed
Vote: 3 Yes, 5 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 99-30**

**AN ORDINANCE AMENDING THE BOROUGH CODE TO PROHIBIT REFERRING
ANY PROPOSITION TO THE VOTERS WITHIN TWO YEARS
OF AN ELECTION ON SUBSTANTIALLY THE SAME PROPOSITION**

WHEREAS, a number of propositions have been presented to the voters for a second vote within one year of the matter being defeated by the voters; and

WHEREAS, many voters have expressed frustration and dissatisfaction with the political process because similar matters are often presented for a second vote so quickly after the first vote, causing voters to refrain from voting; and

WHEREAS, elections are costly, and prohibiting a second election on substantially the same proposition within two years would save taxpayer expense and also may increase taxpayer participation in each election; and

WHEREAS, this ordinance is intended to apply only to assembly matters referred to the voters by the assembly, and does not prohibit citizens from petitioning for or against legislation using the initiative or referendum process;

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

SECTION 1. That KPB 4.40.050 is hereby enacted to read as follows:

4.40.050. Propositions - no vote on substantially the same proposition within two years.

A ballot proposition, substantially the same as a ballot proposition previously included in a local election, may not be referred to the voters within two years of such election. If the proposition was included in a general election, it may be included in the second annual general election held thereafter. For purposes of this section, a proposition is substantially the same as a previous one if it concerns the same subject matter, regardless of whether the specific question differs in degree. This prohibition does not apply to initiatives or referendums processed in accordances with KPB Chapter 4.130, nor does it prohibit a second such election in a different geographical area of the

borough, whether or not the areas overlap.

SECTION 2. That this ordinance takes effect immediately upon enactment.

**ENACTED BY THE KENAI PENINSULA BOROUGH ASSEMBLY THIS * DAY OF *,
1999.**

Ronald Wm. Drathman, Assembly President

ATTEST:

Linda S. Murphy, Borough Clerk