

Introduced by: Mayor
Date: 09/15/09
Hearing: 10/13/09
Action: Enacted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2009-47**

**AN ORDINANCE AMENDING KPB 1.20.100 TO ELIMINATE LIMITATIONS ON
TERMS OF OFFICE FOR SCHOOL BOARD MEMBERS**

WHEREAS, in 2007 an initiative was approved by the voters amending KPB 1.20.100 by placing a limitation on terms of office for school board members; and

WHEREAS, in 2008 the Kenai Peninsula Borough prevailed in obtaining a final court decision declaring the initiative invalid pursuant to state law; and

WHEREAS, KPB 1.20.100 must be amended to eliminate the limitations on terms of office for school board members to comply with the court decision and state law;

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

SECTION 1. That KPB 1.20.100 is hereby amended by deleting subsection (c) as follows:

School board—Number of seats—Term of office—Designation of seats.

A. There is established a school board for the Kenai Peninsula Borough School District, composed of nine members, who shall be nominated and elected by the qualified voters of the borough as provided in the borough code of ordinances. The board members shall be elected from nine election districts as described in KPB 22.30.010.

B. School board members are elected at the regular borough election, for three-year terms, and serve until their successors take office.

[C. *LIMITATION OF TERM OF OFFICE.* NO PERSON WHO HAS COMPLETED TWO CONSECUTIVE TERMS AS A MEMBER OF THE SCHOOL BOARD 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 A SCHOOL BOARD 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 SCHOOL BOARD COMPOSITION, MEMBERSHIP
STRUCTURE, DISTRICTING OR APPORTIONMENT.]

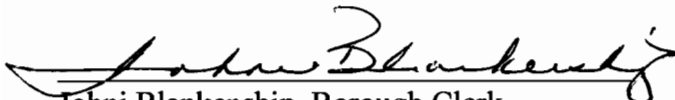
SECTION 2. That this ordinance takes effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS
13TH DAY OF OCTOBER, 2009.**



Milli Martin, Assembly President

ATTEST:



Johni Blankenship, Borough Clerk



Yes: Fischer, Knopp, Long, Pierce, Smalley, Smith, Sprague, Superman, Martin
No: None
Absent: None