

Introduced by:	Mayor
Date:	01/19/10
Hearing:	02/16/10
Action:	Enacted
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2009-19-27**

**AN ORDINANCE APPROPRIATING CRUISE SHIP PASSENGER TAX PROCEEDS
RECEIVED FROM THE STATE OF ALASKA FOR FY2009 TO THE CITY OF
SEWARD IN THE AMOUNT OF \$345,747.50 AND TO THE CITY OF HOMER FOR
\$2,897.50**

- WHEREAS,** in the August 22, 2006, State election, the voters approved the initiative in Ballot Measure 2 enacting AS 43.52.010-.060 (subsequently renumbered AS 43.52.200-.295), which imposed a tax on travel aboard cruise ships; and
- WHEREAS,** the Alaska legislature enacted SB 256 and HB 310, which authorized sharing calendar 2007 and 2008 Commercial Passenger Vessel (CPV) excise tax collections with the first five ports of call in the State of each vessel; and
- WHEREAS,** CPV excise tax collections are primarily derived from taxes imposed on cruise ship passengers; and
- WHEREAS,** the total amount received in FY2009 by the Borough from the State of Alaska for the 2008 calendar CPV program was \$348,645.00; and
- WHEREAS,** the City of Seward has requested that funds derived from cruise ship passengers in Seward and received by the Borough, be appropriated to it for improvement of port security and fire protection for cruise ships docking in Seward; and
- WHEREAS,** the City of Homer has requested that funds received by the Borough that are derived from cruise ship passengers in Homer be appropriated to it for port improvement projects; and
- WHEREAS,** the intended use of these funds by the cities of Seward and Homer will comply with federal legislation and court rulings that permit the use of these funds for piloting services, wharfage services, and general harbor service such as police and fire protection; and
- WHEREAS,** AS 43.52.230(b) requires the borough to use the funds for purposes that are consistent with the proposed uses by Seward and Homer;

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

SECTION 1. That \$345,747.50 received from the State of Alaska in FY2009 for the commercial passenger vessel excise tax collection program be appropriated from the miscellaneous grant fund 271 to account 271.94910.09CPV.43011, contract services, for payment to the City of Seward to be used to improve port security and fire protection for cruise ships docking in Seward.

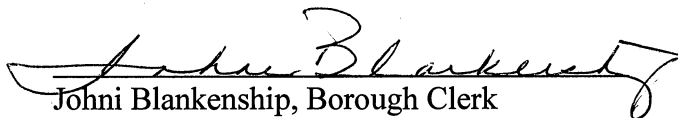
SECTION 2. That \$2,897.50 received from the State of Alaska in FY2009 for the commercial passenger vessel excise tax collection program be appropriated from the miscellaneous grant fund 271 to account 271.94910.09CPV.43011, contract services, for payment to the City of Homer to be used for port improvement projects in Homer.

SECTION 3. That this ordinance shall become effective immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 16TH DAY OF FEBRUARY, 2010.


Pete Sprague, Assembly President

ATTEST:


John Blankenship, Borough Clerk



Yes: Fischer, Haggerty, McClure, Pierce, Smalley, Smith, Superman, Sprague
No: None
Absent: Knopp