

Introduced by: Glick
Date: 02/04/03
Action: Postponed until 02/18/03
Action: Amended and Tabled
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2003-017**

**A RESOLUTION CLARIFYING POLICY GOVERNING CORRESPONDENCE BY
BOARDS, COMMISSIONS, AND THEIR MEMBERS**

- WHEREAS,** both the federal and state constitutions protect the right to free speech; and
- WHEREAS,** individual members of borough boards and commissions are entitled to express their personal opinions on borough matters; and
- WHEREAS,** borough boards and commissions act as a body; and
- WHEREAS,** boards and commissions of the borough serve in an advisory capacity to the mayor and assembly; and
- WHEREAS,** it is important to clarify when a board or commission member speaks on a borough issue as an individual rather than on behalf of the board or commission of which they are a member; and
- WHEREAS,** it is important that the borough as a local municipality speak with a unified voice and resolve differences of opinion internally prior to official external communications;

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

SECTION 1. That to the extent allowed by law, correspondence from individual members of any borough boards or commissions to non-borough public officials with policy-setting authority or non-borough public agencies taking a position on matters that the assembly, board, or commission upon which the individual serves has taken no official action must clearly indicate that the correspondence is from the person in his or her individual capacity, and does not represent the opinion or position of the Kenai Peninsula Borough or any of its boards or commissions. In addition, individual board or commission members must refrain from using their official title in the heading or signature line of such correspondence. Nothing in this policy preclude the individual from stating in the correspondence that he or she is or was a member of a borough board or commission.

SECTION 2. To the extent allowed by law, correspondence from borough boards or commissions to non-borough public officials with policy-setting authority, or non-borough public agencies, taking a position on matters pending before the assembly or upon which the assembly is likely to take a position or action must first be approved by the assembly before such correspondence may occur. Such approval may be obtained from the mayor instead of the assembly if the correspondence is consistent with assembly policies. All correspondence approved by the mayor shall be copied to the assembly.

SECTION 3. The provisions of this resolution do not apply to the Kenai Peninsula Board of Education.

SECTION 4. That this resolution shall take effect immediately upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS *
DAY OF * 2003.**

Pete Sprague, Assembly President

ATTEST:

Linda S. Murphy, Borough Clerk