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Vote: 1 Yes, 7 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2004-078**

**A RESOLUTION ESTABLISHING A POLICY REGARDING USE OF THE INTERNET
BY ASSEMBLY MEMBERS DURING REGULAR ASSEMBLY MEETINGS AND
ASSEMBLY COMMITTEE MEETINGS**

- WHEREAS,** use of the Internet has become a widespread tool for research and other purposes in today's society; and
- WHEREAS,** providing assembly members with access to the Internet at the assembly dais and in committee meeting rooms would enable them to attempt to obtain information relevant to matters before the assembly, assisting in more knowledgeable decision-making; and
- WHEREAS,** it is desirable to provide rules governing the use of Internet access during meetings in order to ensure compliance with the Open Meetings Act, rules governing public opportunities to speak during meetings, to minimize disruptions to meetings in progress, and to ensure assembly members comply with applicable provisions of the borough's Computer Usage Policy; and
- WHEREAS,** providing access to assembly members' personal web pages through the borough web page can improve public access to information about assembly members and provide another forum for public communication with assembly members; and
- WHEREAS,** providing the borough web page address on assembly business cards would provide another method for improving public access to borough information; and
- WHEREAS,** consistent with the constitutional requirement that public funds be spent for a public purpose, personal web pages accessed through the borough web site must primarily benefit the public and may not be used to promote personal pecuniary gain of individuals; and
- WHEREAS,** adopting a policy providing for access to assembly members' personal web pages through the borough web page will help to ensure compliance with applicable laws;

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

SECTION 1. That subject to the provisions of this resolution, assembly members may be provided with access to and use the Internet during meetings of assembly committees and assembly meetings:

- A. No assembly member may use the Internet to communicate with another person during assembly meetings or assembly committee meetings.
- B. During assembly meetings and assembly committee meetings, assembly members may only use the Internet for purposes of researching a matter scheduled or reasonably expected to come before the assembly or committee during the immediate meeting.
- C. Whenever using borough provided Internet access, Assembly members shall comply with provisions of the borough's Computer Usage Policy governing usage of borough-provided Internet access in the same manner as is required of borough employees.
- D. Assembly members shall take reasonable steps to ensure that use of the Internet during meetings is not disruptive to the meeting, and does not significantly distract any assembly member, borough officer or employee involved in the meeting, or members of the public from the matters being addressed during any such meeting.
- E. Upon motion of any assembly member, passed by a majority of the assembly, an assembly member may be required to discontinue use of the Internet access during that meeting for the reason that the assembly member's use of the Internet is in violation of this policy.

SECTION 2. Assembly members may include a borough website uniform resource locator (URL) on their assembly business cards with their address, email address, and telephone number, cell phone number, and/or fax number, as requested. At the request of an assembly member, the administration may provide a link on the borough web page to an assembly member's personal web site provided that a disclaimer, approved by the borough attorney, shall appear prior to a transfer from the borough web page to the personal web site. A personal web site to which a link is provided on the borough web page may not contain information that violates applicable laws, regulations or policies, and shall not be designed to promote the assembly member's pecuniary benefit.

SECTION 3. That this resolution shall take effect immediately upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS *
DAY OF *, 2004.**

Pete Sprague, Assembly President

ATTEST:

Linda S. Murphy, Borough Clerk