

KENAI PENINSULA BOROUGH

ORDINANCE NO. 19

AN ORDINANCE RELATING TO CHANGES IN ELECTION PROCEDURES

BE IT ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Declaration of Emergency:

WHEREAS, there is insufficient time to reform election procedures prior to the date of election by a regular ordinance, and

WHEREAS, the voting rights of many persons will be impaired if the said reforms are not adopted.

The assembly of the Kenai Peninsula Borough hereby declares that an emergency exists affecting the welfare of the people of the borough.

Section 1. Paragraphs 2 and 5, Section 11.10.015 of the Kenai Peninsula Borough Code of Ordinances are hereby amended to read as follows:

2. Qualified voters residing outside the Cities of Homer, Kenai, Seldovia and Seward may vote for borough chairman, assemblymen and school board members and on propositions. Qualified voters residing in the Cities of Homer, Kenai, Seldovia and Seward may vote for borough chairman, school board members and on the propositions.
5. A candidate for any office specified in this notice must be a qualified voter in the borough. The residence of a candidate for assemblyman must be outside the cities of Homer, Kenai, Seldovia and Seward, Nomination by petition signed by 50 qualified voters is required to qualify a person as a candidate whose name will be listed on the ballot. The residence of the signers of the nomination petition for assemblymen must be outside the cities of Homer, Kenai, Seldovia and Seward. Nomination petitions may be filed with the assembly clerk at the borough office, Soldotna, Alaska, from the 60th day prior to the election until 5 p.m. on the 30th day prior to the election. Petitions must be received in the borough office within the time specified in

order to be valid. A person named in a nomination petition must sign a statement stating: " I hereby accept the above nomination and agree to serve if elected." This statement is a part of the nomination petition. Nomination petition forms may be obtained from the borough office by request in person or by mail. A person for whom a nominating petition has been submitted shall be notified within 10 days of the date of submission of the sufficiency of the petition or of rejection as insufficient in which case the insufficiency shall be stated in the statement of rejection.

Section 2. Paragraphs 7 a, 7 b, 7 c of Section 11.10.015 of the Kenai Peninsula Borough Code of Ordinances are hereby amended to read as follows:

- 7a. A qualified voter may vote absentee (1) if he believes he will be unavoidably absent from the borough or his precinct of residence on election day or (2) if he will be unable to be present at the polls because of physical disability or (3) if he believes he will be unable to be present at the polls because of physical inaccessibility of the polls causing undue travel expense, hardship or hazard to the voter.
- 7b. A qualified voter may apply for an absentee ballot in person, by personal representative presenting a request signed by the voter, or by mail to the assembly clerk at the borough office or to any deputy magistrate in the borough. For his request, whether made in person or in writing, an applicant must state he is a qualified voter of the borough, give the physical location of his residence and his mailing address and the reason he qualifies for an absentee ballot. Requests for absentee ballots will be received until 5 o'clock p.m. on the day prior to the election.
- 7c. Absentee ballots voted in accordance with instructions issued to absentee ballot applicants will be received by any deputy magistrate in the borough by hand delivery until 5 p.m. on the day of the election and will be received by mail until 5 p.m. on the third day following the election, provided that the absentee ballot outer envelope is postmarked not later than the day of the election.

Section 3. Section 11.25.135 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

Absentee ballots shall be received until 5 o'clock p.m. on the day of the election by hand delivery and by mail

until 5 p.m. on the third day after the election provided that mailed ballots must be postmarked not later than the day of the election.

Section 4. Section 11.25.150 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

The borough clerk shall deliver to the chairman of the election board of the precinct in which the borough office is located the sealed envelopes of election returns and materials from all precincts and secure a receipt therefor.

Section 5. Section 11.25.155 of the Kenai Peninsula Borough Code of Ordinances is hereby amended to read as follows:

Promptly after receipt of the sealed envelopes of election returns from all precincts the election board of the precinct in which the borough office is located shall open the envelopes one by one, inspect the contents and the certificates of election results and return the other material to the envelopes. When all certificates have been separated from the other material the election board shall total the results for candidates for all offices and for propositions and shall prepare and sign a certificate of the results. The certificate shall include a finding as to the sufficiency and accuracy of the voting materials inspected and a statement of findings, if any, having a bearing on the validity of the results from any of the precincts. This certificate supported by the certificates of results of all precincts shall be submitted to the assembly, which shall meet on or before Monday following the election for the principal purpose of receiving the results.

This ordinance shall become effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
THIS 29 DAY OF July, 1966.

Robert E. Williams

/s/ Robert E. Williams
Assembly President

ATTEST:

Frances Brymer
/s/ Frances Brymer
Borough Clerk

