

Introduced by: Mayor at
request of Clerk
Date: Aug. 16, 1983
Hearing: Sept. 20, 1983
Vote: Unanimous
Action: Enacted

KENAI PENINSULA BOROUGH

ORDINANCE 83-67

AMENDING THE ELECTION CODE TO CLARIFY PROCEDURES FOR QUESTIONED
BALLOTS.

WHEREAS, the current election code of the Kenai Peninsula
Borough does not adequately address procedures for handling
questioned ballots; and

WHEREAS, such procedures need to be specified especially
with regard to questioned ballots regarding service area
elections that may involve less than an entire precinct;

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

Section 1. That Title 4 of the Kenai Peninsula Borough Code
is amended to add the following section:

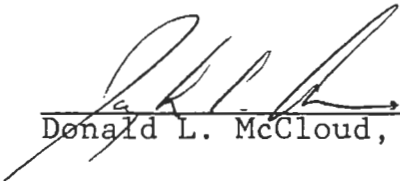
4.16.025 Questioned ballots. A. Every election
official and election judge shall question, and every
watcher and any other person qualified to vote in the
precinct, or qualified to vote in the particular
election involving less than an entire precinct in the
case of service areas, may question a person attempting
to vote if the questioner has good reason to suspect
that the questioned person is not qualified to vote in
the election. All questions regarding a persons
qualifications to vote shall be made in writing setting
out the reason that the person has been questioned.

B. The questioned person, before voting, shall
subscribe to an oath or affirmation in a form provided
by the election official attesting to the fact that in
each particular the person meets all the qualifications
of a voter, is not disqualified, and has not voted at
the same election. If the question is to residence
within the precinct or voting area the person shall
also state the place from which that person came
immediately before living in the precinct where offer-
ing to vote and the length of time of residence in the
former place. After the questioned person has executed
the oath or affirmation the person may vote. If the
questioned person refuses to execute the oath or
affirmation, the person may not vote.

C. A voter who casts a questioned ballot shall vote his ballot in the same manner as prescribed for other voters. After the election official or judge removes the numbered stub from the ballot, the voter shall insert the ballot into a small envelope and put the small envelope into a larger envelope on which the statement he previously signed is located. These larger envelopes shall be sealed and deposited in the ballot box. When the ballot box is opened, these envelopes shall be segregated, counted, compared to the voting list, and delivered to the election canvassing board. The election canvassing board shall review and judge the applicability of questioned ballots in accordance with KPB 4.16.010 (B).

Section 2. That this ordinance shall take effect immediately.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON
THIS 20th DAY OF September, 1983.

 Joseph Arness, Vice Pres.
Donald L. McCloud, Assembly President

ATTEST:


Borough Clerk