

Introduced by: Mayor
Date: September 19, 1989
Hearing: October 24, 1989
Action: ENACTED
Vote: UNANIMOUS

KENAI PENINSULA BOROUGH

ORDINANCE 89-50

Postponed 11-7-89

AMENDING THE BOROUGH ELECTION CODE FOR CLARIFICATION PURPOSES

WHEREAS, there has been some confusion, during past borough elections, about various terms in the borough election code; and

WHEREAS, it is desirable to clean up language in the election code to make the provisions more clear, and alleviate confusion;

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

Section 1. That KP³⁰B 4.10.040(D) is amended to read as follows:

D. Candidates for elective borough office and declared write-in candidates shall file a conflict of interest statement with the borough clerk as required by [IN ACCORDANCE WITH THE PROVISIONS OF] AS 39.50 at the time of filing a declaration of candidacy. Each candidate also shall file the name and address of the campaign treasurer with the Alaska Public Offices Commission no later than 7 days after the date of filing for office. The name of the candidate shall be placed on the ballot by the borough clerk only after the candidate has complied with these requirements.

Section 2. That KP³⁰B 4.18.040(C) is hereby amended to read as follows:

C. Upon receiving the application in substantially the required form, the clerk shall appoint a recount board of 3 or more qualified voters to conduct the recount of ballots of those precincts cited in the application for recount. The recount shall take place within 3 days following receipt of the application. The rules governing the counting of hand-marked ballots as set forth in KPB 4.14.040 [AS 15.15.360] shall be followed. Those requesting the recount, those whose elections are recounted and the public shall be allowed to attend the recount proceeding.

Section 3. That KP³⁰B 4.18.040(E) is hereby amended to read as follows:

E. The applicant or applicants requesting a recount shall pay all costs and expenses incurred in a recount of an election demanded by the applicant or applicants [IF THE RECOUNT FAILS TO REVERSE ANY RESULT OF THE ELECTION OR IF THE DIFFERENCE BETWEEN THE WINNING AND LOSING VOTES ON THE RESULT REQUESTED FOR RECOUNT IS MORE THAN 2%] unless the difference between the winning and losing vote sought to be recounted is less than 2% of the total votes cast for that race, or unless the recount changes the outcome of the election should the difference be greater than 2%. Under either of these circumstances the cost of the recount will not be charged to the applicant(s) for the recount.

Section 4. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 7 DAY OF November, 1989.

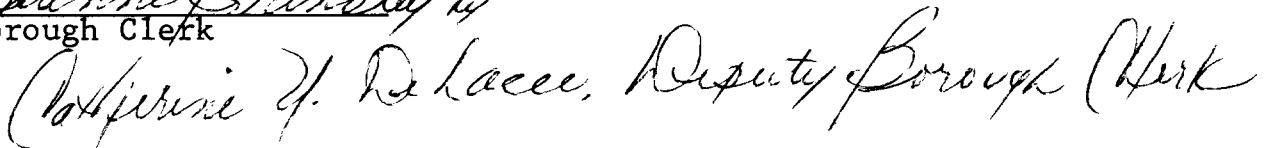


Assembly President

ATTEST:



Borough Clerk



Deputy Borough Clerk