

Introduced by:	Brown
Date:	8/03/93
Hearing:	9/07/93
Action:	Enacted
Vote:	Unanimous

**KENAI PENINSULA BOROUGH
ORDINANCE 93-41**

AN ORDINANCE AMENDING PROCEDURES FOR BY-MAIL ELECTIONS

WHEREAS, the Kenai Peninsula Borough successfully completed its first election by-mail on May 11, 1993; and

WHEREAS, by-mail election procedures require ballots to be mailed to all registered voters 22 days prior to the election date; and

WHEREAS, the majority of the voted ballots will be returned within the first seven to ten days; and

WHEREAS, less than 10% of the voted ballots are received after the election day, and the majority of those are invalid as they are dated or postmarked after the date of the election; and

WHEREAS, a three week period is sufficient time for voters to vote their ballot and return it to the borough;

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

SECTION 1. That Section 4.28.030 is amended to read:

4.28.030. Notice of election - Election date - Public notice.

A. The notice of election calling for the election must state that the election is to be conducted by mail and that there will no polling place open for regular in-person voting on election day. In a by-mail election, election day is the deadline by which a voter's ballot must be received by the borough clerk [VOTED, WITNESSED, MAILED, AND, IF POSTMARKED, DATE STAMPED BY THE POST OFFICE].

B. For each election conducted by mail, the public notice posted in each precinct and the notice published in newspapers of general circulation in the area of the election jurisdiction will include the information specified in KPB §4.28.040.

SECTION 2. That Section 4.28.040 is amended to read:

4.28.040. Absentee voting officials - Duties.

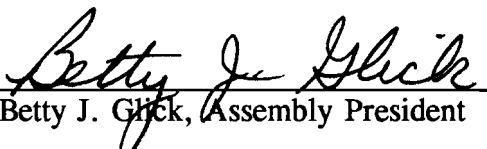
A. The borough clerk may, with the approval of the city clerks in the borough, appoint city clerks or others in the area to act as absentee voting officials. The clerk shall supply adequate voting supplies and ballot to the city clerks serving as absentee voting officials. The clerk shall provide moderate compensation to the city clerks to cover added expenses of the administration of this service, which shall be agreed to by the city clerks.

B. The duties of the absentee voting officials shall be as follows:

1. provide absentee voting in person on any date including the day of the election following the procedures in KPB §4.28.030 and absentee voting through a personal representative on any date including the day of the election following the procedures in KPB §4.28.040 and have until the day of the election to return the ballots;
2. sign a voter's by-mail oath and affidavit envelope as an authorized attesting official, except that the city clerk may not attest his or her own ballot;
3. accept receipt of a by-mail voter's hand-delivered voted ballot, which has been sworn to, attested and sealed in the by-mail return envelope; and
4. provide general voter assistance, including but not limited to, assistance to a qualified voter who cannot read, mark the ballot, or sign his name, and providing replacement ballots to voters who have improperly marked or damaged their ballots.
5. Date-stamp all ballots received.
6. Provide for the security and safekeeping of all ballots received and present those ballots to the clerk for canvassing.

SECTION 3. That this ordinance takes effect immediately.

ENACTED BY THE KENAI PENINSULA BOROUGH ASSEMBLY THIS 7th DAY OF SEPTEMBER, 1993.


Betty J. Glick, Assembly President

ATTEST:


Gaye J. Vaughan, Borough Clerk