

Introduced by: Mayor Combs  
 Date: June 13, 2006  
 Public Hearing: June 27, 2006  
 Action: Adopted  
 Vote: Unanimous

Yes:	No:
Erbey	
Vanover	
Hanson	
Pippel	

CITY OF PALMER, ALASKA

ORDINANCE NO. 06-013

AN ORDINANCE AMENDING PALMER MUNICIPAL CODE TITLE 18, ELECTIONS

THE CITY OF PALMER, ALASKA ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Subsection 18.25.041 E. (Special needs voting) is hereby amended to read as follows (new language is underlined and old language is stricken):

- E. The representative shall deliver the ballot envelope ~~and voter certificate~~ to an City of Palmer election official at a City of Palmer precinct not later than 8 p.m. Alaska time on Election Day.

Section 4. Subsection 18.35.080 B. (Counting absentee ballots) is hereby amended to read as follows (new language is underlined and old language is stricken):

- B. Absentee ballot envelopes shall be examined by the canvass board who shall determine whether the absentee voter is qualified to vote at the election and whether the ballot has been properly cast. An absentee ballot shall not be counted if the voter's certification on the return envelope is not signed and attested as required by law. An absentee ballot shall be counted despite failure of the absentee official to properly sign and date the voter's certificate as attesting official. If the voter is qualified and the ballot has been properly cast, the return envelope shall be opened and the ballot envelope shall be mixed with the other ballot envelopes. The ballot shall be counted according to the rules for determining properly marked ballots.

Section 5. Section 18.35.081 (Counting early ballots) is hereby amended to read as follows (new language is underlined and old language is stricken):

- A. ~~The early ballots shall be delivered to the city canvass board for counting as determined by the clerk. The city or borough canvass board shall print results tapes, sign the tapes, and return the tapes and memory card to the city or borough clerk as determined by the clerk. The results tapes shall serve as the early voting precinct certificates of election.~~
- B. If an early ballot is found to be sufficient after research by a canvass board; the canvass board by majority vote may accept the ballot for counting. An early ballot shall be counted despite failure of the early voting official to properly sign and date the voter's certificate as attesting official. If the ballot is accepted, the early ballot envelope shall be opened and the secrecy envelope shall be mixed with other secrecy envelopes for counting. The ballots shall be removed from the secrecy envelopes and shall be counted using a counting method determined by the clerk.
- C. At least two members of the city or borough canvass board and one member of the city or borough review board shall print results tapes, sign the tapes, and return the tapes and memory card to the city or borough clerk as determined by the clerk. The result tapes shall serve as the early voting certificate of election.
- ~~B.D.~~ If electronic tabulation is not used for counting early-voter ballots, the early-voter ballot envelopes shall be examined by the canvass board who shall determine whether the early-voter voter is qualified to vote at the election and whether the ballot has been properly cast. An early ballot shall be counted despite failure of the early voting official to properly sign and date the voter's certificate as attesting official. If the voter is qualified and the ballot has been properly east the ballot is accepted, the early ballot envelope shall be opened and the ballot secrecy envelope shall be mixed with the other ballots secrecy envelopes for counting. The ballots shall be counted according to the rules for determining properly marked ballots. removed from the secrecy envelopes and shall be counted using a counting method determined by the clerk.
- E. If the voter is not qualified or the ballot has not been properly cast, the clerk shall notify the early-voter voter, in writing, of the reason the ballot was not counted. The rejected ballot shall be placed in a container which shall be labeled "rejected ballots" and shall be preserved as set out in PMC 18.35.060.

Section 6. Section 18.35.090 (Counting questioned ballots) is hereby amended to read as follows (new language is underlined and old language is stricken):

**18.35.090 Counting questioned ballots.**

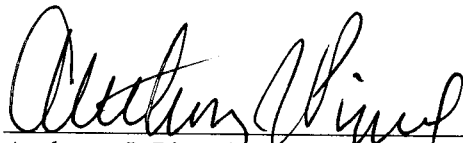
- A. Questioned ballots shall be delivered to the city or borough canvass board for counting as determined by the clerk.
- B. After research a A canvass board by majority vote may refuse to accept the question and count the ballot of a person properly questioned. B- If the question is refused and the ballot is accepted, the large envelope shall be opened and the ballot envelope shall be mixed with other ballot envelopes for counting. A questioned ballot shall be counted despite failure of the questioned voting official to properly sign and date the voter's certificate as attesting official. The mixed ballots shall be counted according to the rules for determining properly marked ballots. The ballots shall be removed from the ballot envelopes and shall be counted using a counting method determined by the clerk.
- C. If the question is accepted and the ballot is refused, the clerk shall notify the questioned voter, in writing, of the reason the ballot was not counted. C- The rejected ballots shall be

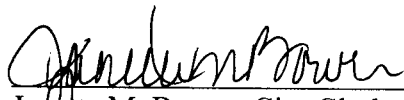
placed in a container which shall be labeled "rejected ballots" and shall be preserved as set out in PMC 18.35.060.

- D. At least two members of the city or borough canvass board and one member of the city or borough review board shall print results tapes, sign the tapes, and return the tapes and memory card to the city or borough clerk as determined by the clerk. The result tapes shall serve as the questioned voting certificate of election.

Section 7. Effective date. This ordinance shall take effect upon the earlier to occur of the following: (i) the date on which the United States Department of Justice issues its non-objection under the Voting Rights Act of 1965 to the changes effected by this ordinance; and (ii) the date immediately following the last date on which the United States Department of Justice could object to the changes effected by this ordinance under the Voting Rights Act of 1965, provided that no objection to any such change has been issued before that date. The clerk is authorized to determine the effective date of this ordinance, which shall be set forth in the permanent records of City ordinances and in the Palmer Municipal Code.

Passed and approved this 27<sup>th</sup> day of June, 2006.

  
 Anthony J. Pippel, Mayor Pro-Tempore

  
 Janette M. Bower, City Clerk