Chapter 4.20 Operation at the Polls

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4.20.010 Election board.
a. The City Clerk, subject to approval by the City Council, shall appoint at least three judges for each City precinct. The Clerk shall designate one judge as chairperson who shall be primarily responsible for administering the election in that precinct. When a City election corresponds with an election conducted by the Kenai Peninsula Borough and/or state election the City Clerk may appoint the same judges.
b. The City Clerk shall be the election supervisor. The City Clerk may appoint judges and other election officials as needed to conduct an orderly election and to relieve the election judges of undue hardship. If any appointed election board member is unable or refuses to serve on election day, the Clerk shall appoint a replacement for that member.
c. Each election board member serving at a precinct polling place must be a qualified resident voter in the precinct for which the board member is appointed; provided, however, that if no qualified resident voter is available and willing to serve, a voter from another precinct may be appointed.
d. Each election board member, before assuming the duties of the office, must subscribe to the oath required of all public officers by the Constitution of the State of Alaska in the manner prescribed by the City Clerk.
e. Any election board judge may administer to a voter any oath that is necessary in the administration of an election.
f. A candidate, a member of a candidate's immediate family, or a resident of a candidate's household shall not serve as an election board member for the election in which the candidate is running. (Ord. 95-1(S)(part), 1995).

4.20.020 Voting procedure at the polls.
a. Before issuing any ballots, the Election Board must, in the presence of any persons assembled at the polling place, open and exhibit the ballot box to be used at the polling place. The ballot box then shall be closed and locked and shall not be opened again or removed from the polling place until the polls have closed.
b. 1. Before being allowed to vote, each voter shall exhibit to an Election Judge one form of identification; including but not limited to an official voter registration card, driver's license, birth certificate, passport, or hunting or fishing license;
2. An Election Judge may waive the identification requirement if he knows the identity of the voter;
3. A voter who cannot exhibit a required form of identification shall be allowed to vote a questioned ballot.
c. The Judges shall keep a register or registers in which each voter, before receiving his ballot, shall sign his name and give both his residence and mailing address. A record shall be kept in the registration book in the space provided of the name of the person who offered to vote but who actually did not vote, and a brief statement of explanation. The signing of the register constitutes a declaration by the voter that he is qualified to vote. If any election official present believes that the voter is not qualified, he shall immediately question the voter according to the procedure outlined in subsection (b)(1) of this section. If the voter's polling place is in question, a voter shall be allowed to vote, and any Election Official shall consider the ballot as a questioned ballot.
d. When the voter is qualified to vote, the Election Judge shall give him an official ballot.
e. Each voter shall retire alone to a booth or private area to mark his ballot. If a voter is blind or otherwise physically unable to mark his ballot alone, he may request assistance and it may be permitted pursuant to AS 15.15.240. Immediately after marking the ballot, the voter shall place the ballot in the secrecy sleeve to conceal the manner in which the ballot is marked. . In all cases the ballot shall be deposited in the ballot box by the voter himself, in the presence of the Election Judge unless the voter requests the Judge to deposit the ballot on his behalf.
f. If a voter improperly marks or otherwise damages a ballot, he shall return it to the Election Officials, concealing the manner in which it is marked, and shall request a new ballot. The election officials shall record and retain the ballot number and destroy the spoiled ballot. A new ballot shall be issued to the voter. A voter may request replacement of a spoiled ballot no more than three times.

g. Prohibiting the Count of Exhibited Ballots. No Election Official may allow a ballot to be placed in the ballot box which he knows to have been unlawfully exhibited by the voter. A ballot unlawfully exhibited shall be recorded and treated as a spoiled ballot.
h. Fifteen minutes before closing the polls, the time remaining before such closure shall be proclaimed. When the polls are closed for the purposes of voting, that fact shall likewise be proclaimed and thereafter no ballot shall be issued except to those voters who were present and waiting their turn to go through the voting procedure at the time prescribed for closing the polls.
i. Questioned Ballot Procedure.
1. Every Election Official shall question, and every watcher and other person qualified to vote in the precinct may question a person attempting to vote if the questioner has good reason to suspect that the questioned person is not qualified to vote. All questions regarding the person's qualifications to vote shall be made in writing, setting forth the reason for the challenge. A questioned person before voting shall provide information required to vote a questioned ballot and shall subscribe to an oath and affidavit provided by the Clerk on the Questioned Voter Oath and Affidavit Envelop attesting to the fact that in each particular case the person meets all the qualifications of a voter, that he is not disqualified, and that he has not voted previously at the same election. After the questioned person had taken the oath and signed the affidavit, the person may vote. If the questioned person refuses to provide the information required to vote a questioned ballot or refuses to take the oath or sign the affidavit, the person may not vote.
2. A questioned voter shall vote his ballot in the same manner as prescribed for other voters. Except that the questioned voter shall insert his ballot into the secrecy sleeve and then into the Oath and Affidavit Envelop for Questioned Voters provided by the Clerk. This envelop shall be sealed and deposited in the ballot box. When the ballot box is opened these envelopes shall be segregated for delivery to the Counting Center/Election Central along with the registration books, or logs, etc. (Ord. 03-66, Section 1 and 2, 2003; Ord. 99-13 4, 1999; Ord. 95-1(S) (part), 1995; Ord. 82-6 14, 1982).

4.20.030 Unused ballots.
Prior to the opening of the ballot box, the numbers of all ballots not issued shall be recorded and then all such ballots shall be destroyed. (Ord. 95-1(S) (part), 1995; Ord. 82-6 16, 1982).

4.20.040 Polls closing and ballot accounting.
a. Fifteen minutes before the closing of the polls, and at the time of closing the polls, an election official shall announce both the designated closing time and the actual time at which the announcement is made. Failure to make the announcement at 15 minutes before closing time shall not in any way invalidate the election or extend the time for closing of the polls. After closing, no person will be allowed to enter the polling place for purposes of voting. Every qualified voter present and in line at the time prescribed for closing the polls may vote.
b. When the polls are closed and the last vote has been cast, the election board shall account for all ballots by completing a ballot statement containing, in a manner prescribed by the clerk, the number of official ballots supplied.
c. The Election Board shall count the number of questioned ballots and shall compare that number to the number of questioned voters in the register. Discrepancies shall be noted on the ballot statement.
d. Ballots and paper work shall be transported to the Counting Center by the polling place delivery team in the manner prescribed by H.C.C. 4.25.070. (Ord. 95-1(S) (part), 1995; Ord. 82-6 17, 1982).

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