

**CITY OF WASILLA
ORDINANCE SERIAL NO. 06-21**

AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WASILLA MUNICIPAL CODE TITLE 4, ELECTIONS IN REGARD TO SPECIAL NEEDS VOTING AND THE COUNTING OF EARLY AND QUESTIONED BALLOTS.

* **Section 1. Classification.** This ordinance is of a general and permanent nature and shall become part of the city code.

* **Section 2. Amendment of section.** WMC 4.20.050.F Special needs voting is amended to read as follows:

F. The representative shall deliver the ballot envelope to **a city** [AN] election official **at a city** precinct not later than eight p.m. on election day. An election official shall deliver the voted special needs ballot to the clerk. The clerk shall deliver the voted special needs ballot to the canvass board for canvassing.

* **Section 3. Amendment of section.** WMC 4.28.081 Counting early voting is amended to read as follows:

4.28.081 Counting early ballots.

A. The early ballots shall be delivered to the city or borough canvass board for counting as determined by the clerk.

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,

Bold and underline added. [CAPS AND BRACKETS, DELETED.]

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 t[T]he 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 [PRECINCT] certificate[S] of election.

* **Section 4. Amendment of section.** WMC 4.28.090.B Counting questioned ballots-Uncounted ballots is amended to read as follows:

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 who properly cast a questioned ballot. 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.[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. The ballots shall be removed from the ballot envelopes and shall be counted using a counting method determined by the clerk. [THE MIXED BALLOT ENVELOPES SHALL BE COUNTED ACCORDING TO THE RULES FOR DETERMINING PROPERLY MARKED BALLOTS].

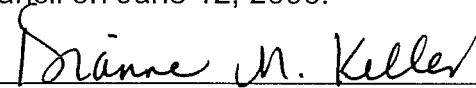
Bold and underline added. [CAPS AND BRACKETS, DELETED.]

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. The rejected ballots shall be placed in a container which shall be labeled "rejected ballots" and shall be preserved as set out in Section 4.28.060.

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 5. 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 Wasilla Municipal Code.

ADOPTED by the Wasilla City Council on June 12, 2006.


DIANNE M. KELLER, Mayor

ATTEST:


KRISTIE SMITHERS, MMC
City Clerk

[SEAL]

Bold and underline added. [CAPS AND BRACKETS, DELETED.]





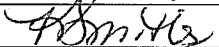
**CITY OF WASILLA
LEGISLATION STAFF REPORT**

RE: ORDINANCE SERIAL NO. 06-21: AMENDING WMC TITLE 4, ELECTIONS.

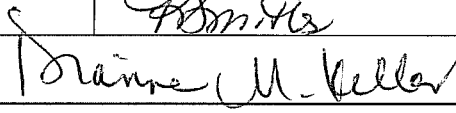
Agenda of: May 22, 2006

Date: May 9, 2006

Originator: Kristie Smithers, MMC, City Clerk

Route to:	Department	Signature/Date
X	Finance, Risk Management & MIS Director Purchasing	
X	Deputy Administrator Planning, Economic Development, Human Resources	
X	City Clerk	

REVIEWED BY MAYOR DIANNE M. KELLER:



FISCAL IMPACT: yes\$ or no

Funds Available yes no

Account name/number:

Attachments: Ordinance Serial No. 06-21

SUMMARY STATEMENT:

Each year the three city clerks discuss proposed changes to our election codes. This year we have decided to concentrate on the following areas of Title 4. The following outlines the proposed amendments in Ordinance Serial No. 06-21, Amending WMC Title 4, Elections:

- Section 2. Amendment of Special Needs Voting. This amendment is proposed to clarify that special needs ballots shall be delivered to a city election official at a city precinct only. This will assist in tracking voted special needs ballots prior to canvassing.
- Sections 3 and 4. Amendment of counting early and questioned ballots. These amendments are proposed to ensure that an oversight by an election official in witnessing the voters signature, will not invalidate a properly cast ballot. And, also include a few corrections to procedures that are followed during the election process.