

Introduced by: Vice-Mayor
Middlebrook
Introduction Date: August 11, 2009
Public hearing date: August 25, 2009
September 8, 2009
Action: Passed
Vote: 6-0

CITY OF BETHEL, ALASKA

ORDINANCE #09-27

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING THE ABSENTEE VOTING – COUNTING OF BALLOTS SECTION OF THE BETHEL MUNICIPAL CODE

WHEREAS, the Tuesday following the election is the last day for the canvass board to complete their canvass and for the Council to certify the election in accordance with the Bethel Municipal Code;

WHEREAS, the election process is a busy time for the Clerk's Office;

WHEREAS, currently the Bethel Municipal Code (BMC) allows for absentee ballots to be submitted to the Clerk's Office up until the Monday following the election;

WHEREAS, if a ballot is not received by the Clerk's Office by the time the Canvas Board is complete with their canvass of the election, the ballot is marked, "invalid;"

WHEREAS, to allow for adequate preparation for the council meeting and certification of the election, the canvass board should meet prior to the Monday following the election,

WHEREAS, moving the ballot submission deadline to 6:00 p.m. two days following the election-and holding the canvass board meeting sooner, will provide the clerk a few days to prepare for the close of the election, and certification;

BE IT ORDAINED, by the City Council of Bethel, Alaska; that:

Section 1. Classification. This ordinance is permanent and general in nature and shall be placed in the Bethel Municipal Code.

SECTION 2. Amendment. Section 7.80.080 of the Code is hereby amended to read as follows (new language is underlined and deleted language is stricken out):

7.08.080 Counting of ballots.

To be counted in the election, an absentee ballot must be ~~postmarked~~ received by the clerk on or before 6:00 p.m. two days following the election day, and be received by the clerk no later than the ~~Monday following the election~~. Absentee ballot envelopes received by the clerk after 6:00p two (2) days following the election the canvass board has completed absentee ballot counting shall not be opened, but shall be marked "invalid" and the date of receipt noted thereon. Such envelopes shall be retained with the other election records and destroyed with them as provided by the city's record retention schedule. Absentee ballot envelopes shall be examined by the canvass board ~~who~~, whose members shall determine whether the absentee voter is qualified to vote at the election and whether the ballot has been properly cast.

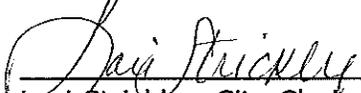
Section 3. Effective Date. This ordinance shall become effective when the City receives Department of Justice preclearance under the Voting Rights Act of 1965, or 60 days after the Department of Justice has received the City's Request for preclearance, whichever is earlier.

ENACTED THIS 8th DAY OF SEPTEMBER 2009 BY A VOTE OF 6 IN FAVOR AND 0 OPPOSED.



Joseph Klejka, Mayor

ATTEST:



Lori Strickler, City Clerk