

Introduced by: Borough Clerk, Alise L. Rice
Drafted by: Borough Clerk and Borough Attorney
Introduced on: 09/17/2020
Public Hearing Date: 09/17/2020
Adopted on:

**KODIAK ISLAND BOROUGH
ORDINANCE NO. FY2021-17**

**AN EMERGENCY ORDINANCE OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
AMENDING KODIAK ISLAND BOROUGH CODE SECTION 7.60.010 RELATING TO THE
ELECTION PAMPHLET, MAKING THE PAMPHLET OPTIONAL AND, CLARIFYING HOW IT
IS SENT AND SHORTENING THE TIME FOR SENDING MAILING THE PAMPHLET.**

WHEREAS, the Assembly has been advised that a printing error in the 2020 election pamphlet has resulted in a need to reprint the election pamphlet prior to mailing; and

WHEREAS, the reprinting of the pamphlet cannot be accomplished in time to have the election pamphlet sent out to those households of registered voters which are located within the Borough by the deadline of 14 days prior to the election date set out in KIBC 7.60.010(E); and

WHEREAS, the Assembly finds that the method prescribed for distribution of the election pamphlet should include updated information delivery by posting on the borough web site; and

WHEREAS, the Assembly finds that the insufficient time remains to complete and mail the election pamphlet as called for in KIBC 7.60.010 or to amend that requirement by a non-emergency ordinance; and

WHEREAS, the Assembly finds that it is in the best interests of the Borough and its citizens to provide necessary accommodation and relief from the strict provisions of KIBC 7.60.010 prior to the election in order to avoid injecting uncertainty into the election process.

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND
BOROUGH THAT:**

Section 1: This ordinance is NOT of permanent nature and shall NOT become a part of the Kodiak Island Borough Code of Ordinances.

Section 2: That section 7.60.010, Election Pamphlet, of the Kodiak Island Borough Code is temporarily amended to read as follows:

- A. Before each regular and special election, the clerk ~~shall~~ may prepare, publish, and mail an election pamphlet to every registered voter household at a mailing address located within the borough, mail a copy of the election pamphlet to any voter outside the borough boundaries who requests an absentee ballot, and post the contents of the election pamphlet on the borough web site.

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- B. Each election pamphlet shall contain:
1. A map of the election precincts;
 2. Sample ballots;
 3. An absentee ballot application;
 4. For each ballot proposition submitted to the voters by initiative or referendum petition or by the assembly:
 - a. The full text of the proposition specifying ordinances proposed to be affected;
 - b. The ballot title and the summary of the proposition prepared by the administration or the clerk; and
 - c. A summary of statements submitted by proponents and opponents of each proposition. If only one statement is received, it will not be published;
 5. For each bond question, a statement of the scope of each project; and
 6. Additional information on voting procedures that the clerk considers necessary.
- C. There is no charge for statements statements, if any, submitted advocating approval or rejection of a proposition submitted to the voters for approval.
- D. Material in the election pamphlet shall be organized to the extent possible in the same manner and form in which it will appear on the ballot. The decision of the clerk on the form of the material is final.
- E. Not less than ~~14~~ 7 days before the election, the clerk ~~shall~~ may mail to every registered voter household one copy of the pamphlet. Additional pamphlets may be obtained from the borough offices.
- F. A candidate's information and statement submitted under this section may not exceed 350 words. An article such as "a," "an," and "the" will be counted as a word.
- G. The clerk will add a disclaimer in the pamphlet noting the text is presented as submitted by the candidate or proposition sponsor(s.) The clerk will add a disclaimer noting the information is the opinion of the author(s) and has been reproduced as submitted, without any changes to grammar, spelling, or punctuation.

H. Failure to distribute an election pamphlet under this section shall not invalidate an election and shall not qualify as a basis for an election contest.

Section 3: That the amendment in section two of this ordinance shall expire November 30, 2020.

Effective Date: This ordinance takes effect upon adoption.

**ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
THIS _____ DAY OF _____, 2020.**

KODIAK ISLAND BOROUGH

ATTEST:

William Roberts, Mayor

Alise L. Rice, Borough Clerk

VOTES:

Ayes:

Noes: