

(4) Voter dying before election day. Whenever the board shall determine from proof or investigation that any person who has marked and transmitted or deposited in person with the board an absentee ballot, has died before election day, said board shall not count the ballot of the said deceased voter, but it shall be preserved by the board for six months and may then be destroyed, unless prior to that time the board is ordered by a court of competent jurisdiction to keep the same for any longer period. If at or prior to the time of such counting and canvassing the board shall not have determined that the absentee resident who marked a ballot had died before election day, said ballot shall be counted, and the fact that said absentee resident may be shown to have been actually dead on election day shall not invalidate said ballot or said election.

(5) Placing ballot in ballot box and entry in registry; more than one ballot in envelope; marking ballots. If the board determines that the provisions for filling out and signing the oath on the outside of the ballot envelope have been substantially complied with and that the person signing the voter's oath is entitled to vote under this section in any district of the city, and has not already voted therein on election day, they shall open the ballot envelope and remove the ballot therefrom and place it in a ballot box or ballot boxes prepared for that purpose. When any ballot envelope is opened, the board shall enter in the appropriate register the fact that the voter whose name appears thereon has voted, using the initials "A.B." to indicate the vote has been by absentee ballot. If there be more than one ballot in the ballot envelope, all shall be rejected. Absentee ballots may be marked by any kind of pencil or ink.

(6) More than one ballot received from same person. If the board receives from the same person prior to the closing of the polls on election day more than one absentee ballot, it shall count, certify and canvass only the absentee ballot contained in the ballot envelope on which the voter's oath was first executed, and if the oath on two or more of the ballot envelopes containing absentee ballots are dated the same or if both are undated, none of the ballots received from such person shall be counted.

(j) *Penalties.*

Any person who shall violate any of the provisions of this section shall, upon conviction, be sentenced to pay a fine of not more than one hundred dollars (\$100.00), or be sentenced to imprisonment for not more than thirty days (30), or both in the discretion of the court.

Section 2. That the date of passage of this Resolution is April 7, 1969, and the addition to the Charter of the City of Rockville, hereby enacted shall become effective on May 27, 1969, unless a proper Petition for Referendum hereon shall be filed as provided by Section 13 of Article 23A of the Annotated Code of Maryland (1966 Replacement Volume) and provided a complete and exact copy of this Resolution shall be continually posted on the bulletin board of the Office of the Mayor and Council, 111 South Perry Street, Rockville, Maryland, until May 17, 1969, and provided further that a full summary of the proposed amendment shall be published in the Montgomery County Sentinel, a newspaper of general circulation in the City of Rockville, not less than four times at weekly intervals prior to May 17, 1969.

Section 3. That the Mayor of the City of Rockville is hereby specifically directed to carry out the provisions of Section 2 hereof regarding the giving of notice by posting and publication of this Resolution, and as evidence of said compliance, the Clerk to the Mayor and Council shall