

NON-CODE ORDINANCE

CITY OF \_\_\_\_\_, ALASKA

NON-CODE ORDINANCE NO. \_\_\_\_\_

**A NON-CODE ORDINANCE TEMPORARILY AMENDING THE MUNICIPALITY’S ELECTION CODE TO ALLOW FOR ABSENTEE VOTING BY-MAIL IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19).**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF \_\_\_\_\_:

**Section 1. Classification.**

This is a non-code emergency ordinance.

**Section 2. Absentee Voting By-Mail.**

A. A qualified voter may apply to vote by mail to the clerk for an absentee ballot. The application shall include space for the applicant’s residence address, ballot mailing address, phone number, certificate of residency, and space for the applicant’s signature. Husband and wife may use one application but Alaska law requires that each must sign. The clerk may require a voter casting an absentee ballot by mail to provide proof of identification or other information to aid in the establishment of his/her identity.

B. An application for an absentee ballot by-mail must be received by the clerk at least \_\_\_\_\_ days prior to the day of the election.

C. After receipt of an application, the clerk shall send the absentee ballot and other absentee voting materials to the applicant as soon as they are ready for distribution. The return envelope sent with the materials shall be pre-addressed to the clerk, and include pre-paid postage.

D. Upon receipt of an absentee ballot by mail, the voter, in the presence of a notary public; commissioned officer of the armed forces, including the National Guard; district judge or magistrate; United States postal official; or other person qualified to administer an oath, may proceed to mark the ballot in secret, to place the ballot in the small plain envelope, to place the small envelope in the larger envelope in the presence of an official, and shall date his/her signature. If none of the officials listed in this subsection are reasonably accessible, an absentee voter shall have the ballot witnessed by two persons over the age of eighteen.

E. To be counted in the election, an absentee ballot must be postmarked by midnight of the day of the election, and received by the clerk before the date and hour of the canvass. Ballot envelopes received after that time shall not be opened but shall be marked “invalid” with the date and hour of receipt noted and kept on file with the other election materials.

F. The clerk shall maintain a list of the name of each voter to whom an absentee ballot is sent by mail. The record must list the date on which the ballot is mailed and the address the applicant requested the ballot to be mailed.

G. The clerk shall supply the election judges a list of voters who have requested their ballot by mail. If an absentee voter returns to his voting precinct on the day of the election, he will not be allowed to vote until he surrenders the ballot. The election judges shall return the unused ballot to the clerk. If the voter is unable to locate his ballot, the election judges may issue a questioned ballot.

**Section 3. Effective Date.**

This act is effective on adoption, and expires on the day the election is certified.

First Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

PASSED and ADOPTED by the Council of the City of \_\_\_\_\_ on

\_\_\_\_\_, 2020.

SEAL:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

# ABSENTEE VOTING BY-MAIL BALLOT PROCEDURES

## Procedures.

The following are general procedures for absentee vote by-mail, and serve as preliminary guidance only. Please refer to your election code for complete details.

- Voter completes and return an absentee voting by-mail application.
- Clerk receives application and enters information on the list of applicants. (A list is kept of all applicants and the address that each ballot is mailed.)
- Clerk mails ballot to voter with a plain envelope, ballot return envelope, oath and affidavit (this may be printed on the outside of the ballot return envelope) and instructions for voting. Instructions include applicable deadlines to return the ballot and contact information for questions.
- Voter places the marked ballot inside the plain envelope, and places the plain envelope in the ballot return envelope.
- Voter completes oath and affidavit and places it in the ballot return envelope (if the oath and affidavit is not printed on the outside of the ballot envelope) and seals it.
- Clerk receives ballot in mail, date stamps, and keeps in a secure location until reviewed by the canvass board. Undeliverable ballots are noted on the list of applicants.
- Clerk supplies election judges list of voters who have requested their ballot by mail. If an absentee voter returns to his/her voting precinct on Election Day, he will not be allowed to vote until he surrenders the ballot or votes a questioned ballot.

## Preparations.

The following is a suggested list of materials needed for absentee vote by-mail, and serves as preliminary guidance only. The forms provided are examples to help clerks understand the process better.

- Absentee Voting By-Mail Application.
- Absentee Voting By-Mail List of Applicants.
- Absentee Voting By-Mail Ballot Return Envelope. (It will need to be bigger than the plain envelope).
- Absentee Voting By-Mail Oath & Affidavit. (It can be printed on the outside of the Absentee Voting By-Mail Ballot Return Envelop).
- Plain Envelopes.
- Postage. (Work with the postmaster in town to get proper return postage).

## Coronavirus Disease 2019 (COVID-19) & Voting.

The Division of Community & Regional Affairs (DCRA) encourages clerks to review the “Recommendations for Election Polling Locations” publication - an interim guidance written by the Centers for Disease Control and Prevention (CDC) specific to elections and COVID-19.

The publication includes a list of recommendations for the following:

- Actions for Election Officials in Advance of Election Day.
- Preventative Actions Polling Workers Can Take.
- Preventative Actions Polling Station Workers Can Take for Themselves and the General Public.

Please refer to the [CDC Website](#) for more information.

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# ABSENTEE VOTING BY-MAIL BALLOT APPLICATION

1.	<b>Last Name:</b> _____	<b>First Name:</b> _____	<b>Middle Initial:</b> _____
2.	<b>Residence Address:</b> _____, Alaska _____		
3.	<b>Ballot Mailing Address (The address you want the ballot mailed to):</b> _____ Street or Post Office Box _____ City, State, Zip Code _____		
4.	<b>Phone Number (The clerk may need to contact you):</b> _____		
5.	<b>Voter Certificate (Please read and sign):</b> I am a qualified, registered voter of the State of Alaska, I am NOT requesting a ballot from any other State and am not voting in any other manner in this election, except by absentee ballot and have not claimed to be a resident of any other State for any purpose in the past 30 days. Husband and wife may use one application but Alaska law requires that each must sign. _____ Signature _____ Signature _____		
6.	<b>Submit Application:</b> You must return your application to the clerk. The clerk will contact you if there are any problems with your application. The clerk will mail you a ballot once it is available.		
	<b>For Official Use Only</b>		
	_____ Date Application Received	_____ Date Application Received	
	_____ Date Ballot Mailed	_____ Date Ballot Mailed	

# ABSENTEE VOTING BY-MAIL LIST OF APPLICANTS

	NAME	BALLOT MAILING ADDRESS	DATE BALLOT MAILED
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

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\_\_\_\_\_  
CLERK'S SIGNATURE

\_\_\_\_\_  
DATE

# ABSENTEE VOTING BY-MAIL INSTRUCTIONS

You may vote your ballot at any time on or before Election Day.

## HOW TO RETURN YOUR BALLOT BY MAIL

- 1) Review the Absentee Voting By-Mail Oath & Affidavit.
- 2) Vote your ballot in front of an official or two witnesses over the age of 18.
- 3) Put your voted ballot into the plain envelope, seal it.
- 4) Put your voted ballot into the Ballot Return Envelope.
- 5) Put the Ballot Return Envelope in the mail.

## **DEADLINE:**

**YOUR BALLOT MUST BE POSTMARKED ON OR BEFORE ELECTION DAY, AND RECEIVED BY THE CLERK BEFORE THE DATE AND HOUR OF THE CANVASS TO BE COUNTED.**

The clerk will keep a list of voters who have been issued absentee ballots.

If you show up to vote on Election Day at the polling place, you may not vote a regular ballot unless you first surrender to the election workers your absentee ballot issued. If you do not have the absentee ballot issued, you will have to vote a questioned ballot.

## **CONTACT INFORMATION:**

<City Name>

<City Address 1>

<City, State, Zip Code>

<Name of Clerk>

<Phone Number>

# ABSENTEE VOTING BY-MAIL OATH & AFFIDAVIT

*To be completed by Voter.*

I, _____, state that,	
"I am a resident of and a registered voter in the City of _____, Alaska and I hereby enclose my ballot."	
_____	_____
Signature of Voter	Date

*To be completed by Official.*

<b>Option #1:</b>	
SUBSCRIBED and SWORN to before me, this _____ day of _____, 2020.	
I hereby certify that the above-named affiant appeared before me, displayed to me an unmarked Absentee Ballot, marked the ballot in my presence and, without allowing me or any other person to see how the ballot was marked, enclosed and sealed said ballot in a ballot envelope, and then enclosed and sealed that ballot envelope in the return envelope, handed me this return envelope sealed, and signed the foregoing affidavit.	
_____	_____
Signature of Official	Title
{NOTARY SEAL}	



To be completed by Witnesses.

**Option #2:**

SUBSCRIBED and SWORN to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

I hereby certify that the above-named affiant appeared before me, displayed to me an unmarked Absentee Ballot, marked the ballot in my presence and, without allowing me or any other person to see how the ballot was marked, enclosed and sealed said ballot in a ballot envelope, and then enclosed and sealed that ballot envelope in the return envelope, handed me this return envelope sealed, and signed the foregoing affidavit. I am also certifying that I am at least 18 years of age.

\_\_\_\_\_  
Signature of Witness #1

\_\_\_\_\_  
Signature of Witness #2

*The plain envelope serves as a secrecy sleeve for the voted ballot.*

# **PLAIN ENVELOPE**

Option 1: Absentee Oath & Affidavit Not Printed on Envelope. The oath will need to be placed inside along with the envelope containing the voted ballot.

# BALLOT RETURN ENVELOPE

From:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



DRAFT

To:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attention: Clerk

**OFFICIAL BALLOT ENCLOSED. TO BE OPENED BY CANVASS BOARD ONLY.**

# BALLOT RETURN ENVELOPE

From:

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DRAFT

To:

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Attention: Clerk

**OFFICIAL BALLOT ENCLOSED. TO BE OPENED BY CANVASS BOARD ONLY.**

Option 2: Absentee Oath & Affidavit Printed on Envelope.

To be completed by Voter.

I, \_\_\_\_\_, state that,

“I am a resident of and a registered voter in the City of \_\_\_\_\_, Alaska and I hereby enclose my ballot.”

\_\_\_\_\_  
Signature of Voter

\_\_\_\_\_  
Date

To be completed by Official.

**Option #1:**

SUBSCRIBED and SWORN to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

I hereby certify that the above-named affiant appeared before me, displayed to me an unmarked Absentee Ballot, marked the ballot in my presence and, without allowing me or any other person to see how the ballot was marked, enclosed and sealed said ballot in a ballot envelope, and then enclosed and sealed that ballot envelope in the return envelope, handed me this return envelope sealed, and signed the foregoing affidavit.

\_\_\_\_\_  
Signature of Official

\_\_\_\_\_  
Title

{NOTARY SEAL}

To be completed by Witnesses.

**Option #2:**

SUBSCRIBED and SWORN to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

I hereby certify that the above-named affiant appeared before me, displayed to me an unmarked Absentee Ballot, marked the ballot in my presence and, without allowing me or any other person to see how the ballot was marked, enclosed and sealed said ballot in a ballot envelope, and then enclosed and sealed that ballot envelope in the return envelope, handed me this return envelope sealed, and signed the foregoing affidavit. I am also certifying that I am at least 18 years of age.

\_\_\_\_\_  
Signature of Witness #1

\_\_\_\_\_  
Signature of Witness #2