

## **Chapter 3.50 ABSENTEE VOTING**

Sections:

[3.50.010 Eligibility.](#)

[3.50.020 Public notice.](#)

[3.50.030 Preparation of ballots and other materials.](#)

[3.50.040 Form of identification envelope.](#)

[3.50.050 Absentee voting in person.](#)

[3.50.060 Absentee voting by personal representative.](#)

[3.50.070 Absentee voting by mail.](#)

[3.50.080 List of absentee voters.](#)

[3.50.090 Surrender of absentee ballot.](#)

### **3.50.010 Eligibility.**

Any qualified voter may vote an absentee ballot for the precinct in which he resides and is registered:

- A. If he believes he will be unavoidably absent from her/his voting precinct on election day. Before delivering a ballot, the city clerk will satisfy himself/herself of the applicant's right to an absent voter's ballot pursuant to Section 3.10.020; or
- B. If she/he will be unable to be present at the polls because of physical disability. (Ord. 86-9 § 1, 1986.)

### **3.50.020 Public notice.**

The city clerk shall give public notice of the absentee voting provisions pursuant to Section 3.10.080. (Ord. 86-9 § 1, 1986.)

### **3.50.030 Preparation of ballots and other materials.**

A. The city clerk shall provide ballots for use as absentee ballots for all precincts and shall provide a small blank envelope in which the voter shall initially place the marked ballot, and shall provide a larger envelope with the prescribed voter certificate on the back in which the smaller envelope with the ballot enclosed shall be placed. The clerk shall also provide a larger return mail envelope for the voter to use in mailing her/his voted ballot.

B. The city clerk shall provide with each absentee ballot clearly written instructions on proper procedures for the absentee voter to follow in voting and returning his/her ballot. (Ord. 86-9 § 1, 1986.)

**3.50.040 Form of identification envelope.**

The identification envelope and return pre-addressed envelope provided to the voter will be of such form, size and weight as prescribed by the city clerk. The identification envelope will have printed on its face an affidavit substantially as follows:

“I \_\_\_\_\_, am a resident of and a voter in the City of Dillingham, Alaska, qualified

(printed name)

to vote in city elections pursuant to § 3.10.020 of the Dillingham Municipal Code. I am unable to present myself at the polls on election day due to my unavoidable absence or because of a physical disability. I hereby enclose my ballot for the regular/special election to be held on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

(voter signature)

(seal)

\_\_\_\_\_

Residence address within city

SUBSCRIBED AND SWORN before me, this \_\_\_ day of \_\_\_, 20\_\_\_ at \_\_\_m. (note time zone). I hereby certify that in my presence this affiant enclosed said ballot and handed me this envelope sealed; that he signed this affidavit and I acknowledged the same, all in accordance with the law.

\_\_\_\_\_

Official’s signature

(or witness over 18 yrs.)

(seal)

\_\_\_\_\_

Title of Officer

(or 2nd witness over 18 yrs.)

NOTICE: After receiving the sealed envelope from the person taking your affidavit when voting outside the office of the city clerk of the City of Dillingham, you must immediately return it by mail, postage prepaid, to the City Clerk, P.O. Box 889.

MARKED BALLOT ENCLOSED TO BE OPENED ONLY BY CANVASSING COMMITTEE”

(Ord. 86-9 § 1, 1986.)

**3.50.050 Absentee voting in person.**

A. A qualified voter may apply in person for an absentee ballot at the office of the city clerk during regular office hours on or after the fifteenth day before an election, up to and including the day before the election.

B. On receipt of any absentee ballot in person, the voter shall proceed to mark the ballot in secret, to place the ballot in the small envelope, to place the small envelope in the larger envelope in the presence of the election official who shall sign as attesting official and note the date of his/her signature. The election official shall then accept the ballot.

C. The election official may not accept a marked ballot that has been exhibited by an absentee voter with intent to influence other voters. If the absentee voter improperly marks or otherwise damages a ballot, the voter may request, and the election official shall provide, him or her with another ballot up to a maximum of three. Exhibited, improperly marked or damaged ballots shall be destroyed. The numbers of all ballots destroyed shall be noted on the ballot statement. The clerk shall keep a record of the names and the signatures of the voters who cast absentee ballots in person and the dates on which the ballots were cast. (Ord. 86-9 § 1, 1986.)

**3.50.060 Absentee voting by personal representative.**

A. A qualified voter who has a language barrier or is physically disabled may apply for an absentee ballot through a personal representative, to the city clerk, on or after the fifteenth day before an election, up to and including the day of the election.

B. Upon receipt of a written application by personal representative, the election official authorized to issue the absentee ballot shall provide the ballot and other absentee voting material to the personal representative if the written application is signed by the applicant and is accompanied by a letter from a licensed physician, or a statement signed by two qualified voters stating that the applicant will be unable to go to the polling place because of physical disability.

C. The personal representative shall deliver the absentee ballot to the voter as soon as practicable. Upon receipt of an absentee ballot through a personal representative, the voter shall proceed to mark the ballot in secret, to place the ballot in the small envelope, to place the small

envelope in the larger envelope and to sign the voter certificate on the envelope in the presence of the personal representative, who shall witness and date the signature of the voter. The voter must mark the ballot and sign the voter's certification not later than election day. The voter shall then return the absentee ballot to the personal representative who shall deliver the ballot to the clerk. The absentee ballot must be returned to the clerk not later than eight p.m. on election day.

D. The clerk shall keep a record of the name and signature of each personal representative requesting an absentee ballot and the name of the person on whose behalf the ballot is requested. The clerk shall record the date and time the absentee ballot is provided and the time the ballot is returned to the clerk's office.

E. A candidate for office at that election may not act as a personal representative. (Ord. 86-9 § 1, 1986.)

#### **3.50.070 Absentee voting by mail.**

A. A qualified voter may apply by mail to the city clerk for an absentee ballot. The application shall include the address to which the absentee ballot is to be returned, the applicant's full Alaska residence address and the applicant's signature.

B. An application for an absentee ballot by mail must be received at least ten days prior to the election for which the absentee ballot is sought.

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

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 oath, may proceed to mark the ballot in secret, to place the ballot in the small blank 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. An absentee ballot must be marked and attested on or before the date of the election. If the voter returns the ballot by mail, he shall use at least equal to first class mail service and mail the ballot not later than the day of the election to the city clerk. If the ballot is postmarked, it must be postmarked on or before election day.

F. To be counted in the election, an absentee ballot must be postmarked by midnight of election day 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 thereon and shall be preserved for one year with other ballots of the election.

G. 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.

H. The clerk shall maintain a record 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 date on which the ballot is received by the clerk. (Ord. 86-9 § 1, 1986; Ord. 2009-08 § 2, 2009.)

**3.50.080 List of absentee voters.**

The clerk and election officials shall have available for public inspection the names and addresses of persons who voted absentee. Before the election, the clerk will supply the election judges a list of voters who have received their respective ballots under this section. (Ord. 86-9 § 1, 1986.)

**3.50.090 Surrender of absentee ballot.**

If an absentee voter returns to his/her voting precinct on Election Day, he will not be allowed to vote until he surrenders the absent voter's ballot and any other related supplies. The election judges shall return the unused absent voter's ballot with the unused ballots. (Ord. 86-9 § 1, 1986.)