

CITY OF COFFMAN COVE, ALASKA

ORDINANCE 21 01

**AN ORDINANCE OF THE CITY OF COFFMAN COVE ESTABLISHING CITY POLICIES
CONCERNING THE ELECTRONIC SUBMISSION OF BALLOTS INCLUDING VOTER
QUALIFICATIONS, METHOD FOR RECEIVING BALLOT AND SUBMISSION DEADLINES.**

BE IT ENACTED BY THE COFFMAN COVE CITY COUNCIL AS FOLLOWS:

Section 1. Purpose. To add, delete and amend the language of Title V – Elections.

Section 2. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Coffman Cove Code of Ordinances.

Section 3. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 4. Effective Date. This ordinance is effective upon adoption.

Section 5. Title and Chapters adopted and/or amended:

Section 5.04.020

Absentee ballots; application; filing

- A. A person who seeks to vote by absentee ballot may file ~~{either in person or by mailing}~~ in person, by mail or by electronic submission his written application to the City Clerk.
- B. An application made by mail or electronic transmission must be received by the City Clerk no more than thirty (30) days, nor less than three (3) days before any election. An application made in person must be filed with the City Clerk not more than twenty (20) days before the City election, and no later than noon on the day before a City election.

Section 5.04.040

Absentee Voting Procedures

- C. Upon issuing an absentee ballot to a voter, ~~{either by mailing or by personal delivery}~~, by mailing, personal delivery or electronic submission, the Clerk shall enter in the blank register the following information: the number of the ballot issued, the name of the voter to whom it was issued, and the date on which the ballot was issued. Before the opening of the polls on election day, the Clerk shall deliver to the election judges a list of the voters who have requested to vote absentee.

Section 5.04.070

Absentee ballots; executing outside City; electronic ballot submissions

A. Any voter issued an absentee ballot may, at any time prior to the closing of the polls on the day of the election for which it is issued, appear before any person authorized by law to administer oaths, and in the presence of such officer cast his ballot in the same manner as he would cast it in the office of the City Clerk under section .060 of this chapter. After writing or stamping his or her name across the seal of the return envelope, the officer shall return it to the voter who shall mail it to the City Clerk.

B. A qualified voter may be issued an application for a ballot to be sent by fax or e-mail (electronic transmission).

a. Any application request received within the timeframe outlined in City Code (56.04.020) shall be processed; requests received after this time shall be denied.

C. In order to receive a ballot, the application request must be complete, including:

a. Applicant's first, middle and last name and their Coffman Cove residence address, other than an overseas voter qualifying under AS 15.05.011,

b. The method for receiving the ballot by electronic transmission,

c. The information necessary for the voter to receive the ballot by electronic transmission,

d. The voter's original, handwritten signature (computer-generated signatures not permitted),

e. A telephone number or e-mail address where the voter can be contacted,

f. A form of the voter's identification which may include:

i. Voter registration number;

ii. Last four digits of Social Security number;

iii. Date of birth;

iv. Alaska Driver's License number or Alaska State identification number; and

g. Acknowledgment that a marked or unmarked ballot sent via fax, e-mail or other electronic means is less secure than a ballot cast by mail or in-person, and acceptance of this risk.

D. Ballots will be electronically transmitted to the location specified in the application. If no electronic location is designated, the ballot will be mailed in accordance with Section 5.04.030 for absentee ballots by mail.

a. The Municipal Clerk will provide reasonable conditions for electronically transmitting ballots, including accuracy, integrity and secrecy of the ballot process.

E. The transmittal to the voter shall contain a copy of the ballot to be used at the election in a form best suited for return transmission.

F. A ballot that is completed and returned by the voter by electronic submission must be accompanied by the following statement: "I understand that by using electronic transmission to return my marked ballot, I am voluntarily waiving a portion of my right to a secret ballot to the extent necessary to process my ballot but expect that my vote will be held as confidential as possible," affirmed with the voter's signature and date of signature.

- G. Deadline for returning ballot electronically: A voter who returns the ballot by electronic transmission must comply with the same deadlines as for voting in-person on or before the closing of the election.
- a. Voted ballots returned electronically by 8:00 pm AKST on election day are considered timely.
 - b. Voted ballots returned by e-mail may be returned with multiple attachments or as multiple e-mails.
- H. When a completed ballot is received by electronic transmission, the election supervisor will record the date of receipt on the absentee ballot register and, if the ballot is received on election day, the time of receipt.
- a. Received via Fax: If the ballot is received by fax, the election supervisor shall:
 - i. Remove the ballot portion of the transmission from the portion that identifies the voter;
 - ii. Place the ballot portion in an envelope of the type used for ballots returned by mail, and seal that envelope;
 - iii. Attach the voter identification portion to the envelope and retain until the canvass meeting.
 - b. Received via E-mail: If returned by e-mail, the e-mail and its attachment(s) shall be printed. The printed e-mail and attachment(s), excluding the ballot, shall be processed and retained as general correspondence of the election.
 - i. The printed ballot shall be placed in an envelope of the type used for ballots returned by mail and sealed.
 - c. The City Clerk as election supervisor shall retain all electronically submitted ballots received in the office safe until the time the City Council meets as the election review committee to canvass the election as outlined in Section 5.04.090. The Clerk shall deliver all absentee ballots received prior to the election polls closing to be counted in the final tally of the election.
- I. Ballots returned electronically with a missing signature will not be processed.
- J. An electronically transmitted ballot shall be counted in the same manner as other ballots, even though this procedure may reveal to one or more election officials the manner in which a particular voter cast his or her ballot. However, it shall be unlawful to display an electronically transmitted ballot in a manner that intentionally reveals a voter's cast ballot to any person other than the municipal clerk, an election official, or an attorney advising the clerk on legal matters concerning the aforementioned ballot for the sole purpose of allowing these individuals to perform their duties as necessary to the administration of the election.

(Ordinance 89-6)
(Ordinance 11-03)
(Ordinance 13-08)

NOW, THEREFORE, BE IT ENACTED BY THE COFFMAN COVE CITY COUNCIL, AS FOLLOWS:

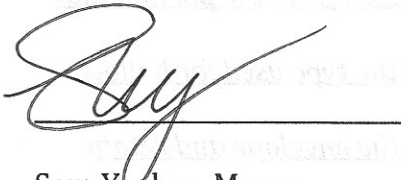
New language: *italics and underlined*; Deleted language: ~~[in bold brackets and stricken]~~

1st READING: January 21st, 2021

2ND READING: February 18th, 2021

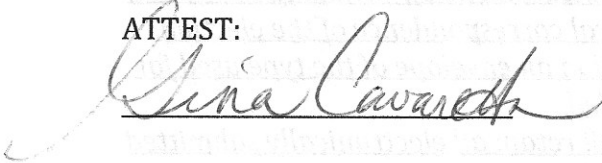
PUBLIC HEARING: February 18th, 2021

PASSED AND APPROVED by the Coffman Cove City Council on this 18th day of FEBRUARY, 2021.



Sara Yockey, Mayor

ATTEST:



Gina Cavaretta, Clerk

NOW, THEREFORE, BE IT ENACTED BY THE COFFMAN COVE CITY COUNCIL, AS FOLLOWS:



City of Coffman Cove

PO Box 18047

102 Denali Alley

Coffman Cove, AK. 99918

Phone: (907) 329-2233 Fax: (907) 329-2212

Email: clerk@ccalaska.com

Application to Vote by Electronic Transmission

Form 5.06-B

Regular Municipal Election: 1st Tuesday of October

Complete all fields, sign & return to City Hall not more than thirty (30) days before Election Day and no later than three (3) days before Election Day.

1. **Voter Name**

First

MI

Last

Suffix (Sr., Jr., III, etc.)

2. **Coffman Cove Residence Address**

Building Number & Street Name

Apt # (if applicable)

City

Zip

3. **Phone** (____) _____

4. **E-Mail Address** _____

5. **E-Mail Address or Fax Number to which a Regular Municipal Election Ballot will be sent:**

E-Mail Address _____ **OR** Fax Number (____) _____

Care Of (if applicable): _____

6. **Identifier** (VOTER must provide at least one of the following numbers):

Voter ID# _____ **Last 4 Digits SSN** _____ **DOB** _____

7. **Affirm statement below with an original, handwritten signature. No computer-generated (electronic) signatures.**

a. I swear or affirm, under penalty of perjury, that the information on this form is true, accurate and complete to the best of my knowledge. I am eligible to vote in the requested jurisdiction and I have not requested a ballot from any other state; I am not voting in any other manner in the election. I further certify that I have not been convicted

of a felony, or having been so convicted, have been unconditionally discharged from incarceration, probation and/or parole. I am not registered to vote in another state or I have taken the necessary steps that cancel my registration. *I understand that by using electronic transmission to return my marked ballot, I am voluntarily waiving my right to a secret ballot and potentially disclosing personal identifying information. I am assuming the risk that the integrity of the date on my ballot is not guaranteed and a faulty transmission may occur; I understand that firewalls may isolate and strip attachments like my application or voted ballot. I understand it is my responsibility to follow up and confirm that my application and completed ballot were transmitted and received and were delivered to the Municipal Clerk's office.*

Using dark ink, please write signature and date in the box below:

Signature

Date

Application to Vote by Electronic Transmission Instructions & Information

1. Type or print legibly, using dark ink if completed by hand.
2. Provide your complete Coffman Cove physical residence address. Your application will *not be processed* if the residence address is blank or incomplete.
3. Provide a telephone number where you can be contacted.
4. Provide the e-mail address or Fax number where the ballot package should be sent.
5. Provide at least one identifier such as voter number, last four digits of your social security number, or date of birth. This information is kept confidential.
6. Print a copy of your application, if completing electronically.
7. Provide your dated, handwritten signature.
8. Hand-deliver, mail, fax or e-mail your completed application to the Clerk's Office at any of the following:
 - a. Physical address: 102 NW Denali Alley
Coffman Cove, AK 99918
 - b. Mailing address: City of Coffman Cove
P.O. Box 18135
Coffman Cove, AK 99918
 - c. Fax: 907-329-2212
 - d. Email: clerk@ccalaska.com

- **Applications will be accepted not more than thirty (30) days before the election and no later than three (3) days before election day.**
- **Return your ballot as soon as possible.** Voted ballots must be received by 8:00 pm AKST when polls close on Election Day.

For Office Use Only

Voter Status (X or √): _____

Signature Verified ☐

Verified By: _____

Regular Ballot #: _____

Date Emailed/Faxed: _____