



Kenai City Council – Election Work Session
June 18, 2020 – 5:00 P.M.
Kenai City Hall
210 Fidalgo Avenue, Kenai, AK 99611
Telephonic/Virtual Information Below
www.kenai.city

Agenda

- A. Call to Order
- B. Introduction (Mayor Gabriel)
- C. Presentation Regarding Elections, Vote by Mail Hybrid and Ordinance No. 3127-2020 (City Clerk)
- D. Council Discussion
- E. Public Comment (limited to 3 minute per individual; 20 minutes aggregate)
- F. Adjournment

Join Zoom Meeting

<https://us02web.zoom.us/j/89666517347>

Meeting ID: 896 6651 7347 **Password:** 164506

OR

Dial in by your Location: (253) 215-8782 or (301) 715-8592

Meeting ID: 896 6651 7347 **Password:** 164506

All meetings are open to the public and telephonic/virtual participation is encouraged. Agendas and supporting documents are posted on the City's website at www.kenai.city . For additional information, please contact the City Clerk's Office at 907-283-8231.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Office of the Governor
COMMISSION FOR HUMAN RIGHTS

800 A Street, Suite 204
Anchorage, Alaska 99501-3669
Main: 907.274.4692 / 907.276.7474
TTY/TDD: 711 for Alaska Relay
Fax: 907.278.8588

December 20, 2018

Richard Malley
128 College Highway Apt. 205
Southampton, MA 01073

Holly Montague, Deputy Borough Attorney
Kenai Peninsula Borough
Office of the Borough Attorney
144 N. Binkley Street
Soldotna, AK 99669

RE: *Richard Malley v. Kenai Peninsula Borough*
ASCHR No. J-15-351
EEOC No.

Dear Mr. Malley and Ms. Montague:

The conciliation agreement in the above-referenced matter has been approved by the Commission's executive director. Attached is a copy of the executed agreement for your records. Please note any dates for fulfilling the agreement's terms. Commission staff will monitor compliance with the agreement; however, it is the respondent's obligation to meet all deadlines and notify the Commission as specified in the remedial provisions.

Please submit the required documentation to me during the compliance period via mail or email to sarah.monkton@alaska.gov.

For your information, the following deadlines have been calendared in connection with this conciliation:

<u>DATE DUE</u>	<u>SUMMARY OF OBLIGATION</u>
1/19/19	- Propose resolution to explore accessible voting
3/19/19	- Adopt approved non-discriminatory policy
4/15/19	- Execution of supplemental agreement (if needed)

- 7/19/19 - Stakeholder group advances options for accessible voting
- 8/19/19 - Determine feasibility of accessibility option(s)
- Written report summarizing accessibility options
- 12/19/19 - Provide summary of analysis to election groups
- Initiate the process to implement its chosen option
- Preliminary report on progress and steps to completion
- 12/19/20 - Final report on program adoption or implementation barriers

Upon respondent's successful completion of all of the agreement's requirements, the Commission will take no further action and will dismiss the complaint. Please note that noncompliance with any of the terms of the agreements could result in a finding that conciliation efforts have failed and a public hearing on the allegations in the complaint.

Thank you both for your efforts to bring this matter to a successful resolution.

Sincerely,



Sarah Monkton
Chief of Enforcement

Encl: Conciliation Agreement



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RE: *Richard Malley v. Kenai Peninsula Borough*
ASCHR No. J-15-351

CONCILIATION AGREEMENT

Charges have been filed with the Alaska State Commission for Human Rights, hereinafter the Commission, by the above-named complainant against the above-named respondent, under the provisions of the Alaska Human Rights Law, AS 18.80.010-.300. The charges have been investigated, and substantial evidence to support the allegations of discrimination has been found.

I. GENERAL PROVISIONS:

A. All Parties:

1. It is agreed that this agreement constitutes a total settlement of the issues between the parties in this case.
2. It is understood that this agreement does not constitute an admission by the respondent of any violation of the Alaska Human Rights Law or other applicable federal and municipal civil rights laws. It is further understood that this agreement does not represent an admission or statement by any party relating to the requirements or remedies available pursuant to the Alaska Human Rights Law.
3. All parties agree that the Commission, on request of any party or on its own motion, may review compliance with this agreement. As a part of

such review, the Commission may require written reports concerning compliance, inspect premises, examine witnesses, and examine and copy documents.

4. The Commission will submit this agreement, if applicable, to the agencies that also have accepted this complaint pursuant to worksharing agreements with the Commission.

B. The Commission:

The Commission agrees to close the case and refrain from seeking other statutory remedies relating to the above-captioned complaint, subject to the parties' compliance with the terms of this agreement. In the event of noncompliance, the Commission staff may find that conciliation efforts have failed and forward the case to the Commission for hearing.

C. Complainant:

1. Complainant hereby agrees not to sue respondent with respect to any of the allegations of the above-captioned case, subject to respondent's compliance with this agreement.
2. Complainant hereby waives all further administrative procedures before the Commission on this matter, including a Commission hearing.

D. Respondent:

1. Respondent hereby waives all further administrative procedures before the Commission on this matter, including a Commission hearing.
2. Respondent acknowledges that failure to comply with the terms of this agreement could result in a certification that conciliation efforts have failed and a subsequent hearing on the complaint.

II. ENFORCEMENT:

The parties to this agreement agree that the terms of this agreement are legally binding in the same manner and to the same extent as a Commission order issued following a public hearing pursuant to AS 18.80.130. This agreement shall be enforceable in any court of competent jurisdiction.

III. REMEDIAL PROVISIONS:

- A. Respondent agrees to adopt an approved statement reflecting a policy and procedure that will promote meaningful access to private and independent voting by visually impaired voters, in accordance with the Americans with Disabilities Act and its regulations. The policy must be approved by the Commission before it is adopted and disseminated.

DUE: Three months from the date the Commission approves this agreement.

- B. Respondent agrees to propose a resolution for passage by the Kenai Peninsula Borough Assembly at its schedule January 8, 2019 meeting. The proposed resolution will direct the Borough Clerk's Office to explore accessible voting options, including the option of distributing ballots to all voters by mail and establishing voting centers with accessible voting equipment open two-weeks prior to each election. The proposed resolution shall authorize the establishment of a respondent stakeholder group, which shall include at least one community representative qualified to represent the interests of persons with visual impairments.

DUE: January 8, 2019.

- C. Respondent will establish and direct the stakeholder group to explore options for providing assistive technology to visually impaired voters, including the option of distributing ballots to all voters by mail and establishing voting centers with accessible voting equipment open two-weeks prior to each election. Respondent will direct the stakeholder group to advance options for its consideration that will allow visually impaired voters to vote privately and independently.

DUE: Seven months from the date the Commission approves this agreement.

- D. Respondent shall determine, in light of its budget and operations, the feasibility of each option advanced by the stakeholder group, or of any one option ultimately selected and successfully implemented by respondent.

DUE: Eight months from the date the Commission approves this agreement.

- E. Respondent shall prepare a written report summarizing the options the stakeholder group has explored. If respondent has selected an option for implementation, the report shall also include a detailed explanation of: 1) how the option will allow visually impaired voters to vote privately and independently; 2) its costs and a plan for implementation; and 3) a summary of

findings about any option that was advanced but not selected. If respondent has not selected an option for implementation, the report shall include: detailed findings about each option advanced, including 1) whether and how each option will allow visually impaired voters to vote privately and independently; 2) an assessment of the costs of each option; and 3) whether and how each option may be implemented without constituting an undue hardship or fundamental alteration of respondent's programs and services. Respondent shall provide a copy of its report to the Commission.

DUE: Eight months from the date the Commission approves this agreement.

- F. Respondent shall prepare a summary of its analysis and provide this summary to any local or state election committees, commissions, working groups, or boards on which a representative of Respondent sits so that government entities operating elections in Alaska may benefit from the knowledge and information learned through the study.

DUE: One year from the date the Commission approves this agreement.

- G. Respondent shall initiate the necessary process to implement any option it chooses which will allow visually impaired voters to vote privately and independently without constituting an undue hardship or fundamental alteration of its programs and services.

DUE: One year from the date the Commission approves this agreement.

- H. Respondent shall submit a preliminary report to the Commission describing the manner in which it has carried out the undertakings herein outlined, and explaining the necessary steps to complete implementation of any selected program.

DUE: One year from the date the Commission approves this agreement.

- I. Respondent shall submit a final report to the Commission describing in detail the efforts taken to adopt and implement a program allowing for the private and independent voting of visually impaired voters, the present and projected success of those efforts, and any barriers to implementation.

DUE: Two years from the date the Commission approves this agreement.

- J. Effectuating this agreement is subject to approval by respondent's governing body. It is understood that in order to comply with 6 AAC 30.340 the agreement is being executed prior to ratification by respondent's governing

body. In the event that respondent's governing body does not ratify this agreement, the parties agree to enter into a supplemental agreement, defining a new process and deadline agreed to by the parties.

DUE: If needed, April 15, 2018.

K. In the event respondent does not adopt a program allowing for the private and independent voting of visually impaired voters, the Commission may certify the failure of the conciliation under 6 AAC 30.340(e).

DUE: Within two years of the date the Commission approves this agreement, or within the extended term of the agreement if modified by the actions or writings of the parties.

IV. EXECUTION:

The parties agree that this document may be executed by conformed copies and that a party's signature on one conformed copy constitutes that party's signature on all other conformed copies.

12/17/2018

Date

DocuSigned by:
Richard Malley
521AE5EC56D8491
Richard Malley, Complainant

Date

Holly Montague, for Respondent

Approved at Anchorage this ____ day of _____ 20__.

For the Commission:

Marti Buscaglia
Executive Director

body. In the event that respondent's governing body does not ratify this agreement, the parties agree to enter into a supplemental agreement, defining a new process and deadline agreed to by the parties.

DUE: If needed, April 15, 2018.

- K. In the event respondent does not adopt a program allowing for the private and independent voting of visually impaired voters, the Commission may certify the failure of the conciliation under 6 AAC 30.340(e).

DUE: Within two years of the date the Commission approves this agreement, or within the extended term of the agreement if modified by the actions or writings of the parties.


IV. EXECUTION:

The parties agree that this document may be executed by conformed copies and that a party's signature on one conformed copy constitutes that party's signature on all other conformed copies.

Date


Richard Malley, Complainant

12/18/18
Date


Holly Montague, for Respondent

Approved at Anchorage this 19th day of December 2018.

For the Commission:


Marti Buscaglia
Executive Director

City of Kenai

Current Election Administrative Processes

Where and How We Vote

1. 3 Polling Site Precincts – Optical Scan Units
2. Two Absentee Voting Offices (Two Weeks Prior to Election)
 - a. KPB Building
 - b. Kenai

Logistics

1. KPB Clerk currently programs ballots for the City of Kenai
2. KPB Clerk's Office, in collaboration the Kenai City Clerk's Office and the State Division of Elections, recruits and hires approximately 21 election workers for the following City of Kenai positions:
 - a. Absentee Voting Officials
 - b. Election Precinct Chairs
 - c. Election Precinct Judges
 - d. Canvass Review Board
3. The City of Kenai enjoys inclusion in a comprehensive voter pamphlet, produced by the KPB Clerk's Office, which includes voting information for the KPB as well as the cities of Homer, Kenai, Seward and Soldotna.
4. KPB Maintenance distributes most of the election equipment to the 22 polling locations throughout the Borough the day before the election and retrieves it the day after the election. The majority of the election equipment is stored at the KPB's Records Center. Distribution/coordination of the delivery of the election equipment is administered by the KPB Clerk's Office.
5. KPB Clerk's Office receives all election results for the KPB and the Cities of Kenai, Seward and Soldotna on election night after the polls close. The data is received through a series of modems (telephone lines). KPB IT Director assists with the upload of information to the public website and is available in case of equipment failures on Election Day.
6. The Kenai City Clerk collaborates with the KPB Clerk and Deputy Clerk to conduct training for absentee voting officials and election board officials.
7. The KPB Clerk and Deputy Clerk are on call to troubleshoot any equipment problems that occur at the precincts on Election Day, and, the Kenai City Clerk is on call to travel to up to six precincts for onsite assistance should the KPB Clerk's Office need.

Budget

Regular Election: \$6,100 +/-

1. Personnel \$2,000
2. Advertising = \$2,450
 - a. Election Notices
3. Printing = \$1,600
 - a. Ballots
4. Rent and Operating Leases = \$50

Run Off Election are not needed for the City of Kenai.

Expenses not captured above:

1. Clerk's Office personnel wages
2. Postage for Absentee By-Mail Ballots
3. Supplies

Outreach and Education

1. Notices in Newspapers of General Circulation
 - a. Notice of Offices to be Filled
 - b. Notice of Voter Registration
 - c. Notice of Regular Election
2. Notices Posted at the Library and Post Office
3. Voter Pamphlet distributed to each post office box holder in the borough
4. City of Kenai Facebook Page
5. City of Kenai Website and Election Webpage

Statistics

1. Voter Turnout Regular Election 10-Year Average = 24.52 % of the Registered Voters.
2. Voters Voting out of Precinct (i.e. Absentee In-Person, Absentee By-Mail, Provisional/Questioned, Special Needs) 10-Year Average = 3.3 %.

Year	Registered Voters	Voter Turnout	% Voters Voting out of Precinct	Potential Explanation of Anomaly
2009	5102	34%	3.6%	CoK Proposition to rezone property
2010	5098	29%	3.9%	CoK Mayoral Election
2011	5084	25.47%	3.84%	KPB Mayoral Election

2012	5110	16%	2%	
2013	5011	25%	3%	CoK Mayoral Election
2014	5101	28%	5%	KPB Mayoral Election
2015	5171	19.2%	2.9%	CoK Propositions re. designated Council seats, cancellation of meetings, and nomination petitions.
2016	5223	24.9%	4.0%	CoK Mayoral Election
2017	5246	28.1%	4.6%	KPB Mayoral Election & KPB Marijuana Proposition
2018	5859	15.51%	1.87%	Participation in *ERIC and Implementation of *PFD Automatic Voter Registration

*Electronic Registration Information Center

*Permanent Fund Dividend

Current Administrative Challenges

Equipment

The Optical Scan (OS) units currently being used by the KPB and the Cities of Homer, Kenai, Seward and Soldotna are over 20 years old. The units are owned by the State of Alaska. The KPB has software and a server that is compatible with these units, however the software provider does not support upgrading the system to use a current Windows Server platform. This restriction from deploying current Windows software leaves the KPB potentially vulnerable to security exploits.

1. Hardware and Software Failure Strategic Plan
 - a. KPB maintains back up OS units in case of unit failures.
 - b. KPB Clerk's Office programs and tests back up memory cards for all precincts and included with election supplies, in case of battery failures.
2. Voting Booths and Ballot Boxes
 - a. Voting booths and ballot boxes are in need of constant repair because of age and damage during multiple transports.

Accessibility

1. ADA Compliance
 - a. Voting Devices
 - i. OS units are not ADA Compliant
 - ii. ADA compliant Touch Screen (TS) units, owned by the State, are not available to KPB and Cities during State election years (even numbered years); therefore, there would be no consistency in using these units as a solution for ADA compliance.
 - b. Building Accessibility
 - i. The State of Alaska Division of Elections ensures that every designated polling location is ADA compliant and accessible. In addition, the KPB has worked to ensure that any other facilities utilized are also compliant and accessible.

Recruitment

1. Work Force Demographics
 - a. Polling site personnel are typically retirees which avails them the ability to work one day a year; however, because of their retired status and proclivity to travel it adds difficulty to reliable attendance.
 - b. Election Day is typically a 16 hour work day which is a difficult schedule.

2. Reliability
 - a. Recruiting reliable and knowledgeable personnel, annually, for a position which occurs one day a year at a rate of \$10 per hour.

Logistics

1. Continuity of Operations
 - a. Natural Disaster

The December 2018 earthquake solidified the reality of a possible natural disaster which could greatly disrupt the administration of an election with our current process.

Voter Participation

1. Historically Low Voter Turnout (24.52 % 10-Year Average)
2. Education and Awareness

In spite of the efforts of the Borough, Cities, State, candidates and proposition campaigns, there still appears to be a lack of understanding regarding elections.
3. Voter Confusion and Voter Burnout

During even numbered years the voters are asked to participate in four elections (State Primary in August, Borough Election in October, Municipal Election in October, General Election in November and potentially a Mayoral Run Off Election in late October).

Canvass Review Process

1. Every ballot from a voter who chooses to vote absentee-in-person or absentee-by-mail requires thorough vetting.
2. Voters choosing to vote out of their designated precinct and voting a provisional/questioned ballot.
3. Double Voters – voters who vote absentee in-person or absentee by-mail and also who vote at the polls on Election Day, or a combination of methods.

Equipment

On even numbered years, or in the case of a run-off, the City of Kenai provides for storage of equipment onsite during election season for two precincts, from the August Primary until after the November General Election on even numbered years. The Kenai City Clerk coordinates with the KPB Clerk's Office and City of Kenai Parks and Recreation Staff for delivery and pickup of the equipment.

Introduced by: Ogle
Date: 01/08/19
Action: Adopted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2019-006**

**A RESOLUTION DIRECTING THE KENAI PENINSULA BOROUGH CLERK TO
ESTABLISH AN ELECTION STAKEHOLDERS GROUP TO EXPLORE
IMPLEMENTING OPTIONAL ELECTION MODELS TO BETTER SERVE KENAI
PENINSULA VOTERS AND RATIFYING A STATE OF ALASKA COMMISSION FOR
HUMAN RIGHTS CONCILIATION AGREEMENT**

WHEREAS, the Kenai Peninsula Borough Assembly (“assembly”) recognizes that while local elections directly impact the everyday lives of borough residents, voter turnout in borough and municipal elections is typically low and the current election process consumes considerable community resources; and

WHEREAS, the Kenai Peninsula Borough (“borough”) currently conducts regular elections both by traditional polling locations open only on election day and by mail for more remote precincts and through absentee in person voting sites; and

WHEREAS, the assembly supports increased voter participation by developing a sustainable election process that maximizes accessibility and inclusivity while conserving public resources; and

WHEREAS, the assembly supports establishing an Election Stakeholders Group (“Stakeholders Group”) for the purpose of evaluating and soliciting constituent comments about various election models to better serve borough and municipal voters; and

WHEREAS, the borough prioritizes accessibility for all voters to be able to exercise private and independent voting; and

WHEREAS, the borough further prioritizes security and accuracy in the administration of all elections;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. The Stakeholders Group is established to research ways to increase voter participation by developing sustainable election processes that maximize accessibility and inclusivity while conserving public resources.

SECTION 2. The Stakeholders Group is directed to explore all aspects of administering borough and municipal elections including the traditional polling site model and the by mail hybrid model currently being explored by the State of Alaska Election Policy Work Group which includes by-mail voting with vote centers available two weeks prior to the election.

SECTION 3. The Stakeholders Group members shall include a representative of the borough administration, one community representative qualified to represent the interests of persons with visual impairments, two members of the borough's canvas board, one member representing the League of Women Voters, the municipal managers and one council member from each municipality within the borough, and two assembly members.

SECTION 4. Staff support for the Stakeholders Group shall include representatives from the Kenai Peninsula Borough's Clerk's Office, the borough legal department, the borough IT and GIS departments and municipal clerks from the other municipalities within the borough.

SECTION 5. Appointments to the Stakeholders Group shall be appointed as follows:

- The borough assembly shall appoint two assembly members
- The borough mayor shall appoint the administration representative
- The borough clerk shall appoint two members from the canvas board, one member of the League of Women Voters and one visually impaired representative
- The city council of each participating city shall appoint one council member

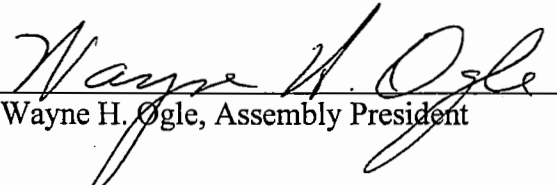
SECTION 6. The Stakeholders Group is subject to the Alaska Open Meetings Act and will use Robert's Rules of Order to conduct business.

SECTION 7. The Stakeholders Group shall have no authority to act on behalf of the assembly or administration or communicate on the borough's behalf other than to make recommendations to the assembly, city councils, and borough and city administration.

SECTION 8. The Stakeholders Group will report to the assembly no later than the first meeting in August of 2019.

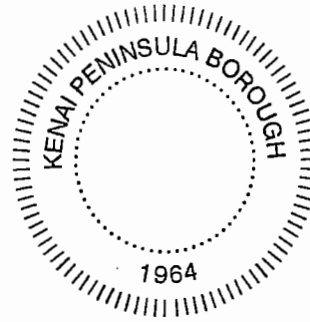
SECTION 9. The Stakeholders Group shall terminate on August 31, 2019, unless extended by the assembly.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 8TH DAY OF JANUARY, 2019.


Wayne H. Ogle, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk




Yes: Bagley, Blakeley, Carpenter, Cooper, Dunne, Fischer, Hibbert, Smalley, Ogle
No: None
Absent: None

Kenai Peninsula Borough
Office of the Borough Clerk

MEMORANDUM

TO: Wayne Ogle, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Wayne Ogle, Assembly President

FROM: Holly Montague, Deputy Borough Attorney
Johni Blankenship, Borough Clerk 

DATE: December 21, 2018

RE: Resolution 2019-006, Directing the Kenai Peninsula Borough Clerk to Establish an Election Stakeholders Group to Explore Implementing Optional Election Models to Better Serve Kenai Peninsula Voters and Ratifying a State of Alaska Commission for Human Rights Conciliation Agreement (Ogle)

In 2015 a complaint was filed with the Alaska State Commission for Human Rights ("ASCHR") regarding the accommodations offered to visually impaired voters. The KPB's accommodations are similar to those of municipalities throughout the state. However, in October of 2018 the ASCHR investigation resulted in a finding of probable cause of discrimination.

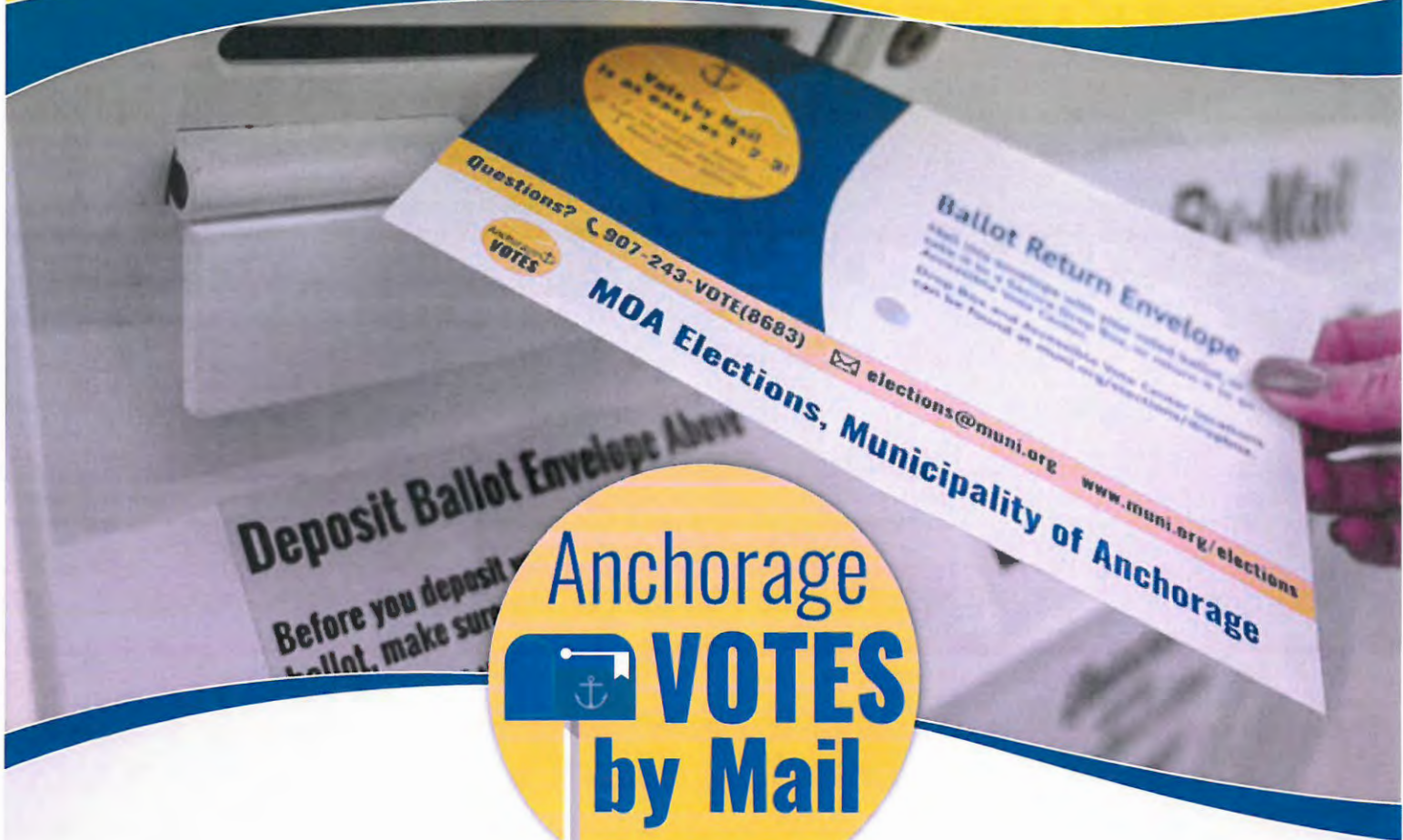
The borough clerk would like to move forward with accommodating visually impaired voters' ability to vote independently and privately. Therefore, assembly ratification of the conciliation agreement is sought authorizing the borough clerk to explore different options to provide accessible voting methods for all. Specifically included in this exploration will be an evaluation of a by-mail voting system and the establishment of vote centers open for two weeks prior to the election, as well as a review of other options.

The conciliation agreement also requires a stakeholders group be formed to evaluate election methodologies which includes a member representing the visually impaired community. The stakeholders group would also include municipal managers from within the borough, two members of the borough's canvas board, one member representing the League of Women Voters, two assembly members and a member from each city council. Staff support would

be provided by the borough and city clerks, the borough attorney's office, borough IT and GIS.

The borough clerk looks forward to exploring ways to increase voter participation and making exercising the right to vote more accessible for all eligible voters. Your support of this resolution is appreciated.

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VOTE BY MAIL PROJECT



CONTACT INFORMATION

For more information about Municipality of Anchorage elections, please visit the MOA Elections website at muni.org/elections.

You may also email elections@muni.org, call 907-243-VOTE (8683), or visit City Hall: 632 West 6th Avenue, Suite 250 • Anchorage, Alaska 99501

or visit MOA Election Center (January- April):
619 East Ship Creek Avenue, Door D • Anchorage, Alaska 99501

State of Alaska Voter Registration

Register to Vote:

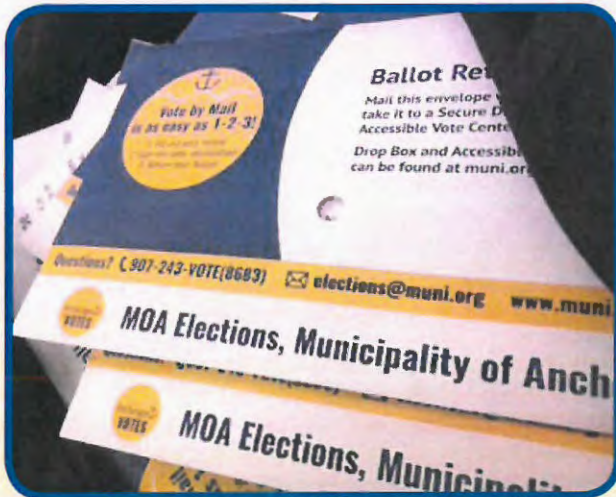
<https://voterregistration.alaska.gov/>

Review your Voter Registration:

<https://myvoterinformation.alaska.gov/>

Update your Voter Registration:

<https://voterregistration.alaska.gov/>



Municipal Clerk's Office Social Media

 [@MunicipalClerksOffice](https://www.facebook.com/MunicipalClerksOffice)

 [@AncMuniClerk](https://twitter.com/AncMuniClerk)


 [@anc_muni_clerk](https://www.instagram.com/anc_muni_clerk)

TABLE OF CONTENTS:



Assembly Members and Staff	4
Executive Summary	5
Legislation	6
Collaboration with the State of Alaska	7
Geographic Information Services – GIS	8
Collaboration with the United States Postal Service	9
Project and Operations Expenses	10
How Vote By Mail Works	11
Secure Drop Boxes	12
Accessible Vote Centers	14
MOA Election Center	16
Election Workers	18
Community Education and Outreach	20
Results	22
Vision	23

ASSEMBLY MEMBERS AND STAFF

2018 Anchorage Assembly	2019 Anchorage Assembly
Forrest Dunbar, Chair	Eric Croft, Chair
Eric Croft, Vice Chair	Felix Rivera, Vice Chair
Dick Traini, Vice Chair	Christopher Constant
Christopher Constant	Fred Dyson
Fred Dyson	Gretchen Wehmhoff
Amy Demboski	Austin Quinn-Davidson
Tim Steele	Dick Traini
Austin Quinn-Davidson	Forrest Dunbar
Felix Rivera	Pete Petersen
Pete Petersen	Suzanne LaFrance
Suzanne LaFrance	John Weddleton
John Weddleton	

2015-2018 Executive Steering Committee
Elvi Gray-Jackson
Dick Traini
Ernie Hall
Pete Petersen

2018 Assembly Ethics and Elections Committee
Pete Peterson, Chair
Eric Croft
Forrest Dunbar
Dick Traini

Municipal Clerk's Office Election Team
Barbara A. Jones
Amy Solberg
Anna Campione
Carolyn Hall
Cindy Hawkins
Amanda Moser
Jacqueline Yeagle

Project Management
Dennis Wheeler, Project Manager Resource Data, Inc
Kami Fitch, Senior Business Analyst Resource Data, Inc



EXECUTIVE SUMMARY

For decades, Anchorage Municipal Elections suffered from low voter turnout. Historically, Anchorage conducted traditional poll-based elections, with more than 120 polling locations across the Municipality. In an effort to increase the public engagement and voter turnout, in 2015, the Anchorage Assembly directed the Municipal Clerk's Office to explore alternative voting options. Other challenges the Municipal Clerk's Office faced included replacing retiring election workers, aging election equipment, lack of suitable space, security concerns, and strain on the community resources necessary to run poll-based elections.

The Municipal Clerk's Office created a Stakeholder Group to involve the public in the discussion of Vote by Mail. The Stakeholder Group included about a dozen people representing a diverse group of Anchorage citizens. Over time, the Stakeholder Group grew to more than 50 members.

After extensive research of Vote by Mail elections in other jurisdictions and considering stakeholder

input, the Anchorage Assembly determined that Vote by Mail elections could increase voter participation and save community resources. In response, the Anchorage Assembly Ethics and Elections Committee authorized the Municipal Clerk's Office to further explore voting by mail.

The Vote by Mail project began in earnest, building on a foundation of community involvement and engagement. Over the next three years, the Municipal Clerk's Office, and the Anchorage Assembly accomplished the following:

- updated the Municipal Code to reflect the coming changes to location elections;
- found a functional, secure space to administer elections;
- collaborated with the State of Alaska for voter information;
- purchased equipment and software to handle the new technology;
- trained a new workforce to administer Vote by Mail;
- conducted a comprehensive community outreach campaign;
- and more.

The hard work paid off. In 2018, the Municipal Clerk's Office administered the inaugural Vote by Mail election. An historic number of voters participated in the election, with 79,295 ballots cast.



LEGISLATION

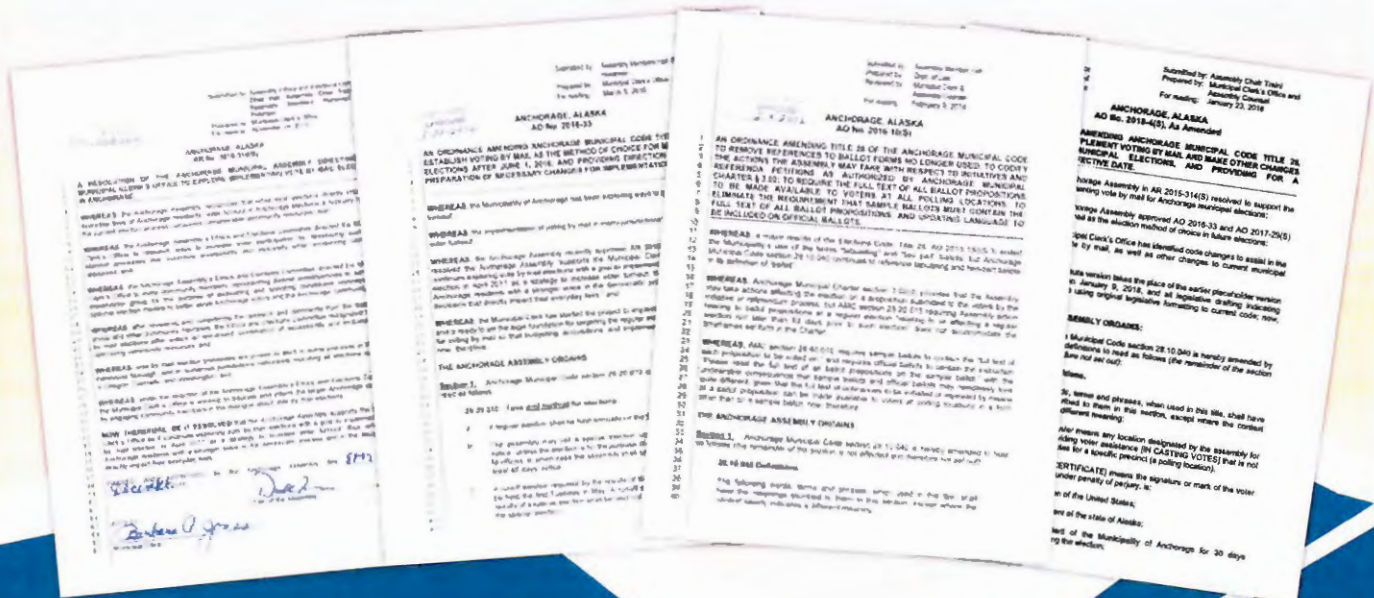
In 2015, the Anchorage Assembly Ethics and Elections Committee asked the Municipal Clerk's Office to find ways to increase voter participation and to save community resources. After a lot of research and review through the community Stakeholder Group, the Clerk's Office shared the results with the Ethics and Elections Committee. The Committee recommended the Assembly adopt a new voting system to deliver ballots by mail to all registered voters. In 2016, the Anchorage Assembly approved a resolution

to establish Vote by Mail as the preferred way to vote. The resolution stated Vote by Mail was "...a strategy to increase voter turnout, thus empowering Anchorage residents with a stronger voice in the democratic process and in the decisions that directly impact their everyday lives..." AR 2016-33.

Preparations for the inaugural Vote by Mail election began right away. Preparations included budgeting, acquisitions, and a number of updates to the Anchorage Municipal Code.



Anchorage Assembly in Chambers at the ZJ Loussac Library





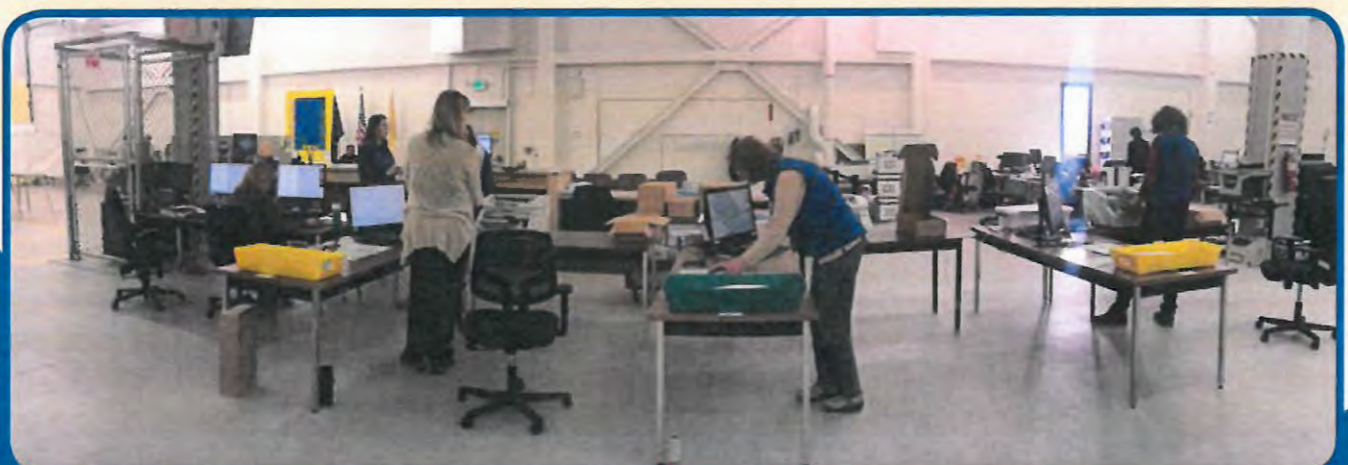
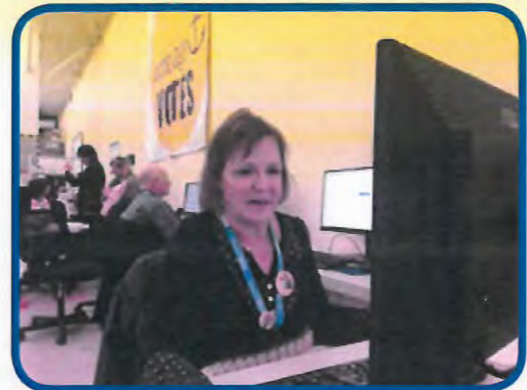
COLLABORATION WITH THE STATE OF ALASKA



The State of Alaska Division of Elections maintains the voter registration database. The Municipality of Anchorage (MOA) relies on state records from this database to confirm voter eligibility and to assign the correct ballot style. In a Vote by Mail election, accurate information is critical because qualified registered voters receive their ballots in the mail approximately three weeks before Election Day. Voter data, such as names, addresses, and signatures, must be up to date prior to the ballot package mail-out.

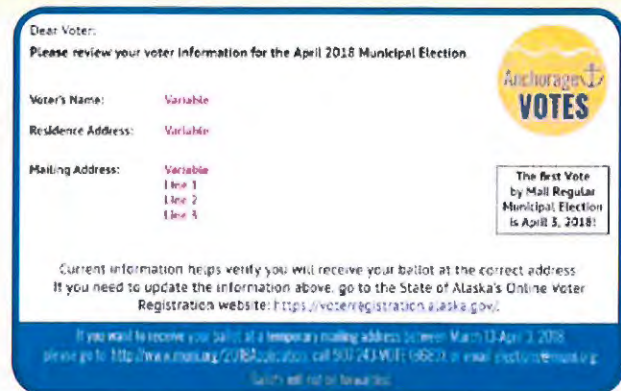
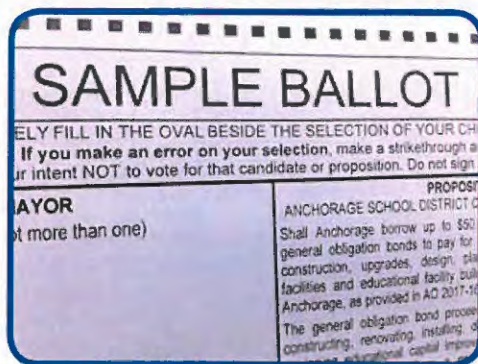
The Lieutenant Governor and the State of Alaska Division of Elections supported the Anchorage Assembly and the Municipal Clerk's Office Vote by Mail efforts in the following ways:

- Members of the State of Alaska Division of Elections staff were early participants in the Stakeholder Group and during the research and Request for Proposal phases.
- Division of Elections Region II Office (Anchorage area) staff securely shared and digitized voter signatures for ballot return envelope voter verification and worked at the MOA Election Center during the 2018 inaugural Vote by Mail election.
- The State of Alaska and the Municipal Clerk's Office collaborated to find opportunities to reduce costs & increase efficiencies.

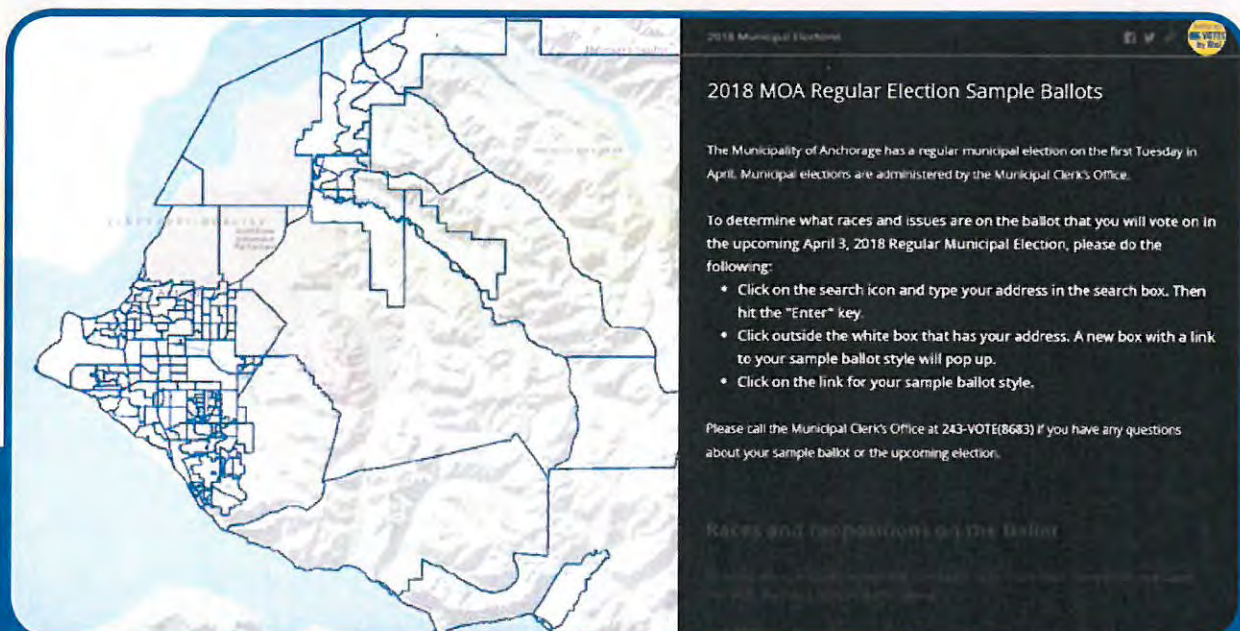


GEOGRAPHIC INFORMATION SERVICES – GIS

Anchorage Municipal voters receive a specific ballot based on their residence address. For this reason, it is particularly important for voter records to contain accurate residence addresses. Since Municipal elections include a number of service areas, such as the Anchorage Fire Service Area that may tax voters differently than voters who do not receive fire services, the Municipal Clerk's Office and the MOA GIS team worked together to match voter residence addresses within the different service areas. This matching process ensures that the voter receives the correct ballot for the races, issues and taxes applicable to that voter.



In preparation for the inaugural Vote by Mail election, GIS also conducted preliminary work to correct and update Anchorage residence address records and created an "Elections and Government" map gallery with a number of online maps. Several featured maps include the "Secure Drop Box and Accessible Vote Center Map," where voters can find the locations of the twelve drop boxes and five Accessible Vote Centers; and the "Sample Ballot Style Map," where voters can enter their address and review the sample ballot for their residence address.



COLLABORATION WITH THE UNITED STATES POSTAL SERVICE



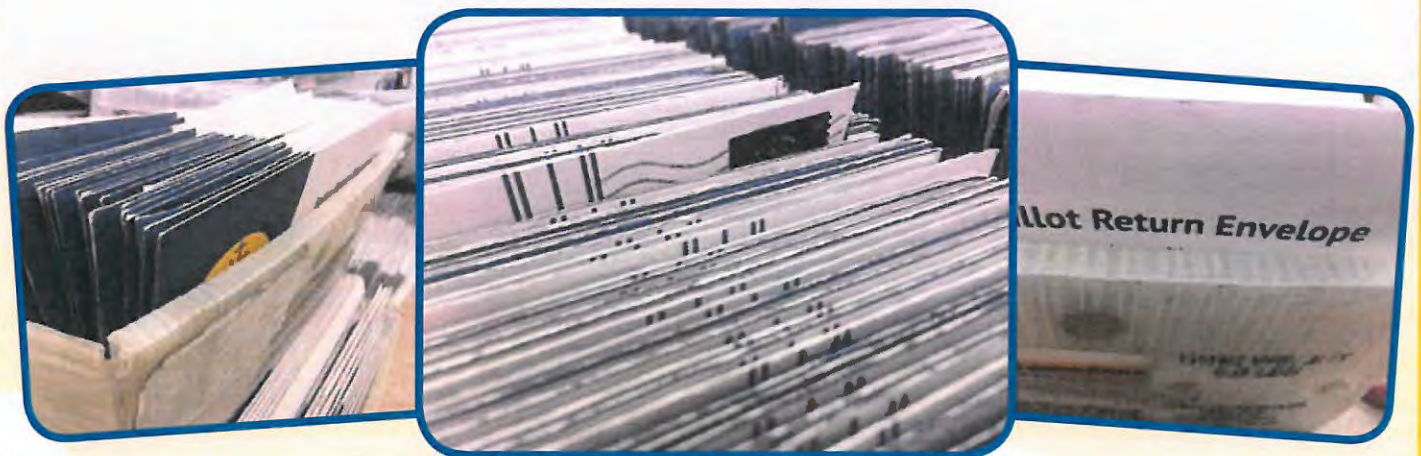
As the name would suggest, a successful Vote by Mail election framework requires significant collaboration with the United States Postal Service. The Municipal Clerk's Office invited USPS representatives to meet with the Vote by Mail Project Team.

The representatives were loyal attendees at all Stakeholder Group meetings and were essential to the success of the first Vote by Mail election.

The Postal Service helped the Municipal Clerk's Office coordinate the following:

- Mail pick up at the main post office;
- Guidance and approval of official ballot package envelopes that meet USPS standards;
- Authorize use of the official election logo on mailed election material;
- Postcard and ballot package support during mail transit.

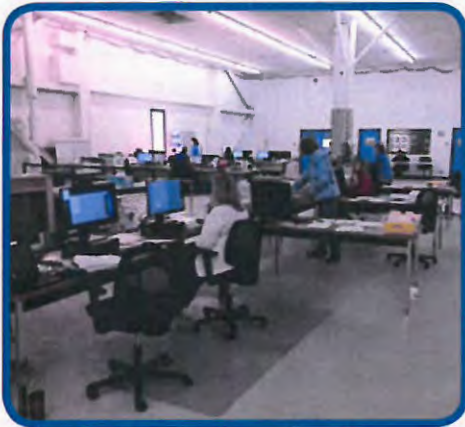
The Municipal Clerk's Office is appreciative of the Postal Service's delivery of 218,000 postcards and 194,000 ballot packages to qualified Anchorage voters.



PROJECT AND OPERATIONS EXPENSES

The Anchorage Assembly allocated funding for the Vote by Mail project and operational costs. The Anchorage Assembly budgeted \$1.28 million to the Vote by Mail project. As of December 31, 2018, the project cost \$1.14 million.

Traditional poll-based elections typically cost the Municipality of Anchorage between \$600,000 - \$700,000 in operational expenses. The inaugural Vote by Mail election in April 2018 cost \$944,000 in operational expenses. Part of the increased cost is largely due to the cost of printing, but also the Clerk's Office deliberately printed extra envelopes and ballots, and hired a high number of staff as safeguards for any unanticipated problems with its first Vote by Mail election. The Municipal Clerk's Office anticipates the cost per vote will drop as it refines and reduces its printing and staffing needs, based on its growing experience.



HOW VOTE BY MAIL WORKS

What is Vote by Mail?

Vote by Mail is an alternative to precinct-based voting in which official ballots are mailed to voters and returned for counting.

How does Vote by Mail work?

Ballot packages are mailed to all qualified registered voters 21 days before Election Day. Each ballot package contains a ballot, ballot return envelope, security envelope, and instructions.

Voters have the opportunity to learn about the issues on the ballot by using trusted resources.

Voters vote their choices, place the ballot into the security envelope, then place the ballot and security envelope into the ballot return envelope. Voters sign the declaration on the back of the ballot return envelope and return the package for processing.

There are three ways to return the ballot package:

1. Placing it in a Secure Drop Box by 8pm on Election Day.
2. Returning it to an Accessible Vote Center by 8pm on Election Day.
3. Mailing it using first class postage through the United States Postal Service, postmarked on or before Election Day.



Accessible Vote Center - O'Malley's on the Green

Voters may visit an Accessible Vote Center if they need assistance. Accessible Vote Centers function like the former absentee polling locations and provide voter services such as replacement ballots and voter assistance.



Secure Drop Box - Fairview Community Recreation Center

SECURE DROP BOXES

Typically, in Vote by Mail elections, all eligible voters receive ballot materials at their mailing address two to three weeks before Election Day and enjoy multiple options for returning their voted ballot materials. Those options include returning the ballots by mail, placing them in a Secure Drop Box, or returning them to an Accessible Vote Center.

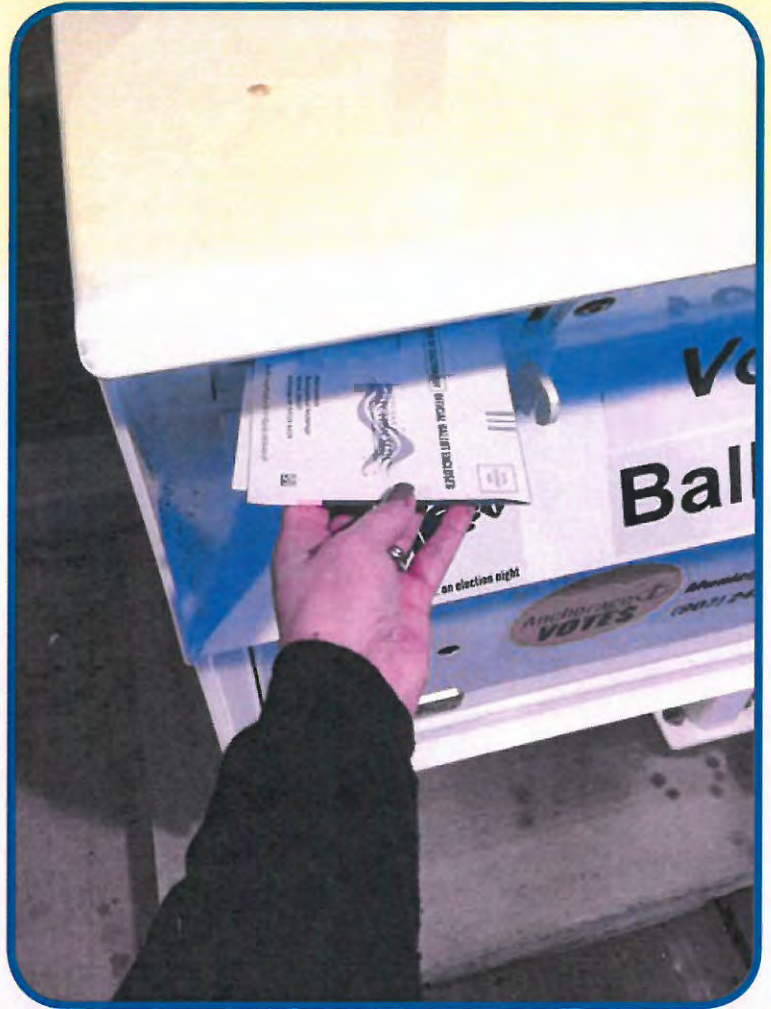
A Secure Drop Box functions similar to a book return unit at a library or a Post Office mailbox, including unique design features that resist tampering and vandalism.

Election workers opened the Secure Drop Boxes on March 13, 2018 – the day of the ballot package mail-out. The boxes remained open 24/7 until 8:00 p.m. on Election Day.

Stakeholders and other engaged community members assisted the Municipal Clerk's Office to identify Secure Drop Box sites for the 2018 inaugural Vote by Mail election. The group found twelve locations – two in each Assembly District – that considered the following criteria: good lighting, government property ownership, excellent vehicular and pedestrian traffic flow, and outdoor security cameras. The Clerk's Office secured permission from the following selected locations:

- Loussac Library
- Anchorage School District Education Center
- Bartlett High School
- Clark Middle School
- Dimond High School
- Fairview Community Recreation Center
- Service High School
- South Anchorage High School
- Spenard Community Recreation Center
- UAA Alaska Airlines Center
- Eagle River Town Center
- Girdwood Community Center





ACCESSIBLE VOTE CENTERS

An Accessible Vote Center (AVC) is a location for voters to obtain voter services. "Accessible" for the purpose of Anchorage Municipal Elections means the building is generally accessible to all and that all voters can receive voting assistance.

At Accessible Vote Centers, voters have the opportunity to:

- Return their mail ballot.
- Vote in-person if their ballot was lost, damaged, or if they did not receive a ballot package in the mail.
- Receive voting assistance.
- Access help for other voter questions.
- Register to vote.
- Vote a questioned or provisional ballot.

The original MOA Vote by Mail Election plan included four Accessible Vote Centers: Anchorage City Hall, ZJ Loussac Library, Eagle River Town Center, and the MOA Election Center.

In February 2018, community members requested a fifth AVC – at O'Malley's on the Green golf course in South Anchorage.

Accessible Vote Centers (AVCs) opened on Monday, March 26, 2018, and closed at 8:00 p.m. on Election Day, April 3. The Loussac Library AVC opened for early voting, on March 23.





MOA ELECTION CENTER

As Anchorage grew over the last 40-plus years, MOA Elections outgrew its limited space at City Hall. With the addition of Vote by Mail technology, the Municipal Clerk's Office developed a list of attributes desired and initiated a search for a suitable location. Existing Municipality of Anchorage and Anchorage School District property inventory did not meet the requirements.

The VBM Project Team turned to the private sector and found a large warehouse in downtown Anchorage. The MOA Election Center is located at 619 East Ship Creek Avenue, Suite 100 at Door D. With 13,036 square feet of open floor and office space, there is enough room to accommodate all MOA election activity. In late 2016, the Anchorage Assembly signed a three-year lease for the space. The Election Center required some renovation, which began immediately, so it could be ready in time for the first Vote by Mail election.

The Election Center floorplan is designed with envelope, ballot security and voter privacy in mind. Between ballot processing phases, locked cages contain envelopes, ballots and any sensitive voter information. Only select supervisors have keys to gain

entry to the cages. The yellow markings on the Election Center floor indicate the "yellow brick road" for members of the public to tour the facility.

MOA Election Center security features include some of the following:

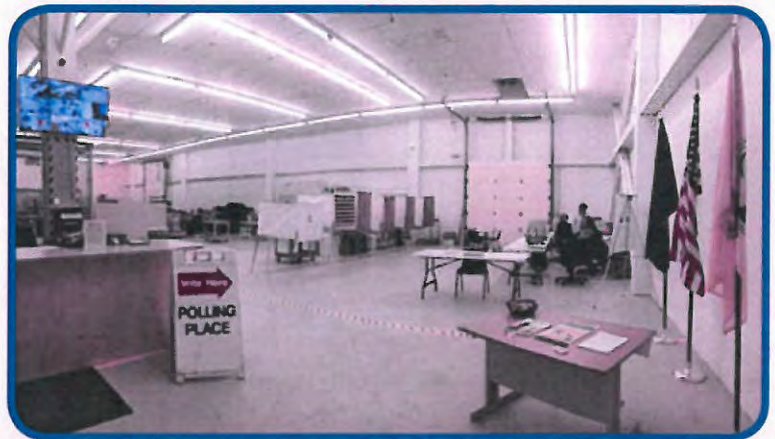
- Every person in the center wears a colored lanyard that indicates that person's level of access to the floor. For example, all election workers wear green lanyards, which indicates they have access to the floor at-large; whereas, members of the public wear yellow lanyards, which indicates they have access only to the "yellow brick road".
- Nine security cameras detect and record movement in ballot processing areas.
- Two election workers are present with ballots at all times during processing.
- Computers and servers that host sensitive data are air-gapped from the internet, meaning there is no wired or wireless internet access to the election systems or data. Internet is restricted to the staff work area.
- Locked cages protect servers and have limited access entry by election managers.
- To protect voter privacy, no cell phones are permitted on the Election Center floor.



Before



After



ELECTION WORKERS

Anchorage's poll-based elections required more than 600 temporary election workers. Year over year, the workforce historically suffered from high turnover, with a significant amount of time spent on recruiting and training. The inaugural Vote by Mail election workforce shrunk from 600-plus workers to about 60.

The Clerk's Office needed workers to staff the following areas: Call Center, reception, envelope sorter, signature verification, absentee or temporary address requests, electronic voting requests, Secure Drop Box pick-up, Accessible Vote Centers, USPS mail pick-up, and runners.

TRAINING

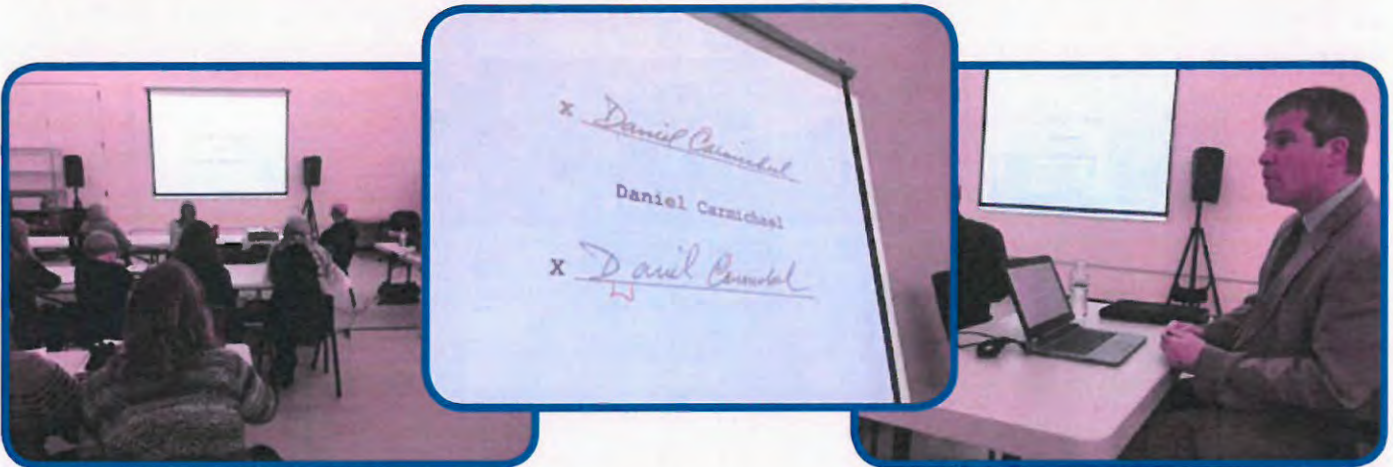
As with poll-based elections, Vote by Mail election workers sign an oath of office, must be trustworthy and have integrity. In addition, Vote by Mail election workers must be highly skilled in specific areas, such as databases and Microsoft Office. The Municipal Clerk's Office diligently focused on training the workers on new election software and procedures.



SIGNATURE VERIFICATION

As is the case in all Vote by Mail jurisdictions, MOA Elections depends on voter signatures to verify voter identity. In February 2018, a Washington State Patrol forensic scientist conducted a signature verification course for election workers.

Workers learned how to compare and weigh the significance of the differences between the



Above: Washington State Patrol forensic scientist Andy Szymanski trains MOA Election Workers in signature verification.

signature on the ballot return envelope with the reference signature(s) on file for each voter. Assembly legislation AO 2018-4(S), As Amended, describes specific guidelines for verifying signatures for Municipal elections.



COMMUNITY EDUCATION

STAKEHOLDER GROUP

The Municipal Clerk's Office convened an Elections Stakeholder Group that began meeting in the summer of 2015. The group provided valuable assistance and support in developing election processes intended to help increase voting activity among the members' constituent groups and the Anchorage community as a whole. Through the inaugural Vote by Mail election, the Stakeholder Group included more than 50 engaged members representing the below constituencies:



The Municipal Clerk's Office rolled out an intensive Vote by Mail public education campaign in January 2018 that included the following:

- paid media, such as paid public service announcements, mailed postcards, YouTube pre-roll ads and Facebook ad campaigns
- earned media, such as local news coverage, talk radio show appearances, and social media.
- in-person engagements, such as community presentations, Election Center tours, and tabling opportunities at public events.



Stakeholders	
Access Alaska	Food Bank of Alaska
AFL-CIO	GCI
Alaska Center	League of Women Voters Anchorage
Alaska Map Science	Municipality of Anchorage (MOA) Election Workers
Alaska State Legislature	MOA GIS
Anchorage Assembly	MOA Office of Equal Opportunity
Anchorage Community Land Trust	National Association for the Advancement of Colored People (NAACP)
Anchorage Economic Development Corporation	Office of the Governor
Anchorage Election Commission	Political consultants
Anchorage Faith and Action Congregations Together (AFACT)	State of Alaska, Division of Elections
Anchorage Mayor's Office	The Foraker Group
Anchorage School Board	United States Post Office
Disability Law Center	University of Alaska-Anchorage
First Alaskans Institute	and the Public

The goal was to ensure that every qualified, registered voter in Anchorage received the information the voter needed to cast a ballot in the April election. The main messages addressed:

- *What is Vote by Mail?*
- *Is Vote by Mail secure?*
- *How do I Vote by Mail?*
- *Why did Anchorage switch to Vote by Mail?*
- *What is the deadline to return my ballot?*



AND OUTREACH

The Municipal Clerk's Office leveraged Municipal resources to help get the word out about the changes to local elections. The MOA Video Center and MOA Reprographics Department were critical to the education and outreach effort. The Video Center produced PSAs to air on local television stations and online. The Reprographics Department created fliers, posters, brochures and logos and provided printed materials in a timely manner.

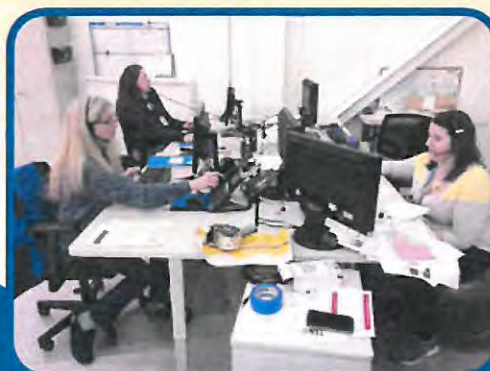
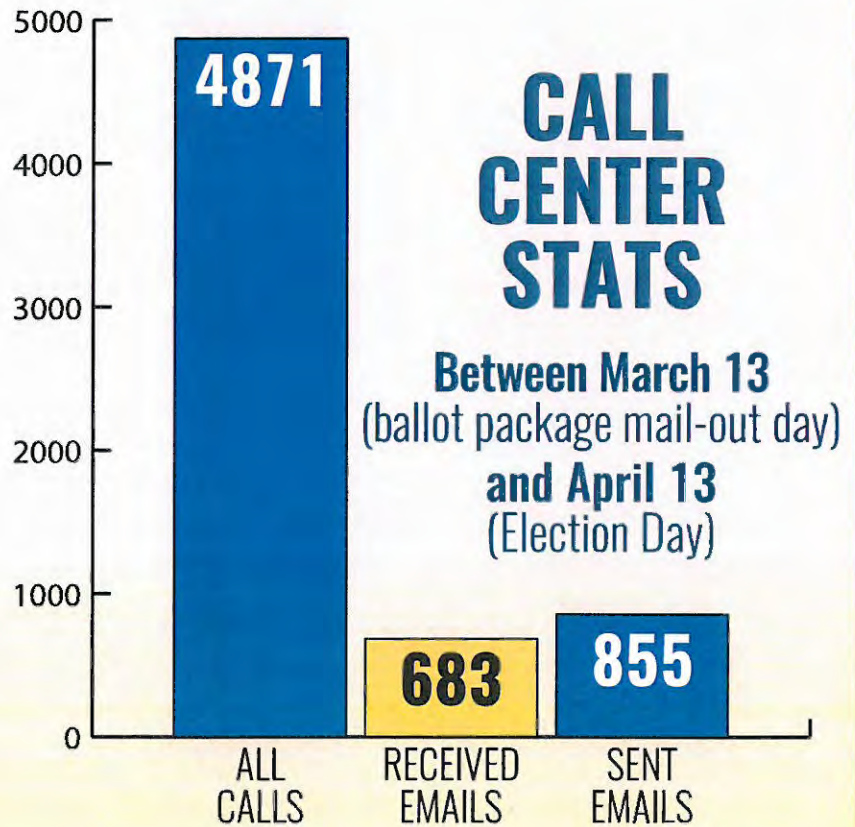
Outreach by the Numbers:	
Presentations: 39; approx. 1,300+ people	Facebook posts: 212
Tours: 10+; approx. 250 attendees	Tweets: 128
Digital Media Kit Recipients: approx. 150	YouTube plays, 30-second PSA: approx. 12,000
Tabling Events: 10; approx. 4,300 attendees	YouTube plays, 60-second PSA: approx. 360
Press Releases Issued: 16	Nextdoor posts: 7

CALL CENTER – 907-243-VOTE (8683)

The southeast corner of the MOA Election Center hosts the Call Center, where election workers staff the Voter Hotline at 907-243-VOTE (8683) and respond to emails at elections@muni.org.

The primary responsibility of the Call Center is to provide telephone and e-mail assistance and support to voters. The Voter Hotline began taking calls in February 2018.

The Call Center answered calls Monday through Friday 8:30 a.m. to 4:00 p.m., with extended hours on and around Election Day to meet an anticipated increase in voter questions. Mornings proved particularly busy: approximately 31% of a day's calls were before 10:00 a.m. The Call Center adjusted staffing to meet the morning demand.



RESULTS

April 3, 2018 Regular Municipal Election results and statistics:

- The Municipal Clerk’s Office mailed 194,507 ballot packages to qualified registered voters on March 13, 2018.
- The inaugural MOA Vote by Mail election drew a record-breaking voter turnout of 79,295 ballots cast in a Regular Municipal Election.
- The Municipal Clerk’s Office Election Signature Verification Team could not match 100 signatures, but reviewed and approved 79,295 signatures, which demonstrates an acceptance rate of 99.87%.
- The Municipal Clerk’s Office mailed approximately 779 “Opportunity to Cure” letters to voters to correct signature or other issues with their ballot return envelope. Most voters responded to the letters; ultimately, only 166 voters who received the letters had their ballot envelope rejected by the Election Commission.
- Total ballot envelopes rejected: 671; total ballot envelopes returned after the Public Session of Canvass: 30; Total ballot envelopes returned: 79,996.



Mayoral Election Year*	Ballots Cast	Voter Turnout (%)	Registered Voters
2018	79,295	36.31	218,388
2015	57,536	27.93	206,033
2012	71,099	35.82	198,512

*Voter turnout is typically higher in mayoral elections.

Ballot Envelopes Returned (%)				
Mail	Secure Drop Box	Accessible Vote Center	*Electronic Voting	**Senior Centers
46.7%	38.0%	14.8%	.3%	.1%

*Electronic Voting encompasses requests to vote by email, and by fax.
 **Ballot boxes staffed by election workers were on-site at Anchorage and Chugiak-Eagle River Senior Centers on occasion around Election Day to assist elders with returning their ballots.

VISION



The Municipal Clerk's Office believes in facilitating a well-informed and well-served community in order to maximize public participation in local government. The Clerk's Office continues to refine the Vote by Mail process and election procedures to improve each voter's experience and involvement in Municipal elections.



www.muni.org/elections


Vote by Mail
is as easy as 1-2-3!
1. Fill out your ballot
2. Sign the voter declaration
3. Return your ballot

Ballot Return Envelope

Mail this envelope with your voted ballot, or take it to a Secure Drop Box, or return it to an Accessible Vote Center.

Drop Box and Accessible Vote Center locations can be found at muni.org/elections/dropbox.

Questions? ☎ 907-243-VOTE(8683) ✉ elections@muni.org www.muni.org/elections

 **MOA Elections, Municipality of Anchorage**

Municipal Clerk's Office Social Media

 [@MunicipalClerksOffice](https://www.facebook.com/MunicipalClerksOffice)

 [@AncMuniClerk](https://twitter.com/AncMuniClerk)

 [@anc_muni_clerk](https://www.instagram.com/anc_muni_clerk)

State of Alaska Voter Registration

Register to Vote:

<https://voterregistration.alaska.gov/>

Review your Voter Registration:

<https://myvoterinformation.alaska.gov/>

Update your Voter Registration:

<https://voterregistration.alaska.gov/>

CONTACT INFORMATION

For more information about Municipality of Anchorage elections, please visit the MOA Elections website at muni.org/elections.

You may also email elections@muni.org, call 907-243-VOTE (8683), or visit City Hall: 632 West 6th Avenue, Suite 250 • Anchorage, Alaska 99501

or visit MOA Election Center (January- April):
619 East Ship Creek Avenue, Door D • Anchorage, Alaska 99501

Election Stakeholders Group - Subcommittee Trip Report

Municipality of Anchorage's (MOA) By Mail Election Center

A subcommittee of the Election Stakeholders Group traveled to Anchorage on April 1, 2019 in order to tour the MOA's by mail election center in the Ship Creek area. The subcommittee members in attendance were Teri Birchfield, Linda Cusack and Willy Dunne.

The subcommittee was accompanied by the following subject matter experts: Brenda Ballou, Johni Blankenship, Ben Hanson, Jamie Heinz, Melissa Jacobsen, Shellie Saner, and Michele Turner. Also in attendance were Brekke Hewitt, Deputy Clerk for the City of Soldotna and Jacquelyn LePlante, Deputy Clerk for the City of Kenai.

Anchorage Municipal Clerk Barbara Jones facilitated the tour along with the project manager Dennis Wheeler from Resource Data, Inc. (RDI). The MOA contracts with RDI for project management.

The first station on the tour was an Accessible Vote Center (AVC). The AVC is for voters to vote in person. All registered voters were mailed ballots; however, for one reason or another some voters choose to vote at the AVC. The MOA set up 6 Accessible Vote Centers throughout the municipality. They also have 16 Secure Ballot Drop Boxes throughout the municipality.



The second station was the storage area which was essentially empty as MOA was currently in an active election season so most items were deployed and in use.

Station three was the incoming mail station which had two (2) full time-temporary employees. These employees were responsible for sorting, scanning and categorizing the incoming mail (i.e. voted ballots, undeliverable ballot packages, other MOA mail which was routed incorrectly). The envelopes were run through the sorter twice. The first run was to date stamp the envelope "received" and ensure the envelopes were all facing the correct direction. During the second run, the scanning software read the unique bar code on each piece of mail to determine essential information (voter name, precinct, ballot style, etc.) to assist with sorting. The scanner also took a picture of the signature block of each voted ballot envelope. The picture and bar code information was shared with the signature verification team.



Station four was the signature verification team. The employees in this group were trained by members of Washington State Trooper forensics' team who specialized in signature verification. Every signature was reviewed twice for validity; by two separate employees at two separate workstations. The Division of Elections provided the MOA with a database of signatures from registered voters. The MOA also used signatures from poll registers from prior polling site elections to create a rather robust signature database.

Station five was the cure station. This was the group of individuals that reviewed envelopes with issues (no signature on envelope, no signature on file, other). This group contacts each voter that had a curable issue in writing within 3-days of receipt of the voted ballot in order to give the voter the opportunity to solve the issue (sign the envelope, provided ID, other). The voter had up until certification of the election results to cure the issue, around 10-days.

Station six was the station that separated the ballots from the envelopes. The MOA used an automated machine to open the envelopes. The ballots were then sorted into card styles in preparation of scanning (tabulation).

Station seven scanned the batches of ballots into the election software for tabulation and auditing. The MOA uses Dominion's software. Any ballots that were rejected by the scanner were set aside for facsimiles to be created later.



Station eight and the final station was the audit/adjudication station. The software was set to detect anomalies on the ballot which needed further review to clarify voter intent. Each batch was reviewed and any ballots which needed clarification were reviewed and a determination was made by the employee as to the voter's intent. Each decision was recorded by the software and an audit trail was created.

The MOA uses an outside vendor to print, stuff and mail the ballots and ballot packages to each registered voter. The ballot packages are mailed three weeks prior to election day. The MOA does not mail ballot packages to voters that have been determined by the DOE to have an undeliverable mailing address.

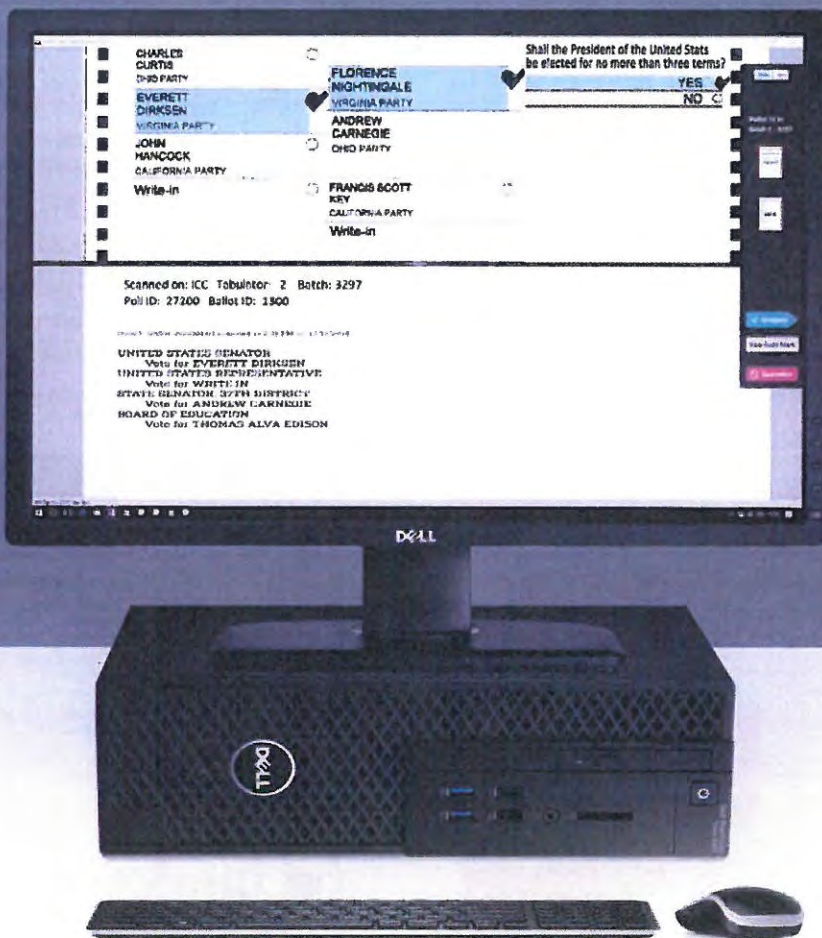
That being said, ballots returned undeliverable were still received. They were housed in the election center's vault waiting to be forwarded to DOE after the election to update the voter registration database.

The MOA contracts with the League of Women voters to create and print the voter pamphlet which is mailed to each household one month prior to the election. (see attached example)

The MOA mailed out approximately 216,000 ballot packages to registered voters.



ADJUDICATION



The first digital tool to streamline ballot review & adjudication.



SIMPLE

Contests needing review are automatically highlighted to help adjudicators.



SCALABLE

Have as many reviewing teams as the jurisdiction requires, ensuring efficient processes.



EFFICIENT

Eliminates additional costs, time and resources associated with duplicating and re-scanning ballots.



FLEXIBLE

Define out-stack conditions to review, such as blank ballots, undervotes, marginal marks, and write-ins.

Get in touch

1.866.654.VOTE (8683)
sales@dominionvoting.com
www.dominionvoting.com




ADJUDICATION

Allows for efficient processing of ballots that require resolution of voter intent during the post-voting stage of an election.

Once scanned on ImageCast® Central scanners, ballots with out-stack conditions are automatically sent to the Adjudication application for digital ballot review.

Adjudicators will always have the full ballot in front of them, ensuring complete transparency during ballot intent checking.

Ballot changes always preserve the voter's original intent. Anyone reviewing a ballot will be able to see how the voter marked their ballot, how the scanner interpreted the intent, and how the ballot was adjudicated (shown below).




Scanned on ICC Tabulator 1
Ballot ID: 2


UNITED STATES SENATOR
Vote for EVERETT DIRKSEN
UNITED STATES REPRESENTATIVE
Vote for WRITE-IN
STATE SENATOR, 37TH DISTRICT
Vote for ANDREW CARNEGIE
BOARD OF EDUCATION
Vote for THOMAS ALVA EDISON

Adjudicated at 2:48 PM on 12/12/2015 by admin

UNITED STATES SENATOR
Vote for EVERETT DIRKSEN
UNITED STATES REPRESENTATIVE
* Adjudicated* Write-In accepted for JANE AUSTEN
STATE SENATOR, 37TH DISTRICT
Vote for ANDREW CARNEGIE
NONPARTISAN OFFICES
BOARD OF EDUCATION
Vote for THOMAS ALVA EDISON



FAMOUS NAMES Demonstration Ballot

To VOTE: Completely fill in the oval , next to your choice like this 
Mark with a blue or black ink pen, or with a pencil.

FEDERAL OFFICES	STATE OFFICES	PROPOSITIONS
UNITED STATES SENATOR <small>(Vote for ONE)</small>	STATE SENATOR 37th DISTRICT <small>(Vote for ONE)</small>	
<input type="checkbox"/> EVERETT DIRKSEN VIRGINIA PARTY <input type="checkbox"/> CHARLES CURTIS OHIO PARTY <input type="checkbox"/> JOHN HANCOCK CALIFORNIA PARTY <input type="checkbox"/> Write-In	<input checked="" type="checkbox"/> FLORENCE NIGHTINGALE VIRGINIA PARTY <input type="checkbox"/> ANDREW CARNEGIE OHIO PARTY <input type="checkbox"/> FRANCIS SCOTT KEY CALIFORNIA PARTY <input type="checkbox"/> Write-In	
UNITED STATES REPRESENTATIVE <small>(Vote for ONE)</small>	NONPARTISAN OFFICES	
<input type="checkbox"/> WILLIAM B. WILSON VIRGINIA PARTY <input type="checkbox"/> ROBERT LA FOLLETTE OHIO PARTY <input type="checkbox"/> W.C. REDFIELD CALIFORNIA PARTY <input type="checkbox"/> Write-In <input type="checkbox"/> JANE AUSTEN	BOARD OF EDUCATION <small>(Vote for ONE)</small>	
	<input type="checkbox"/> BOOKER T. WASHINGTON <input type="checkbox"/> ALBERT EINSTEIN <input type="checkbox"/> THOMAS ALVA EDISON <input checked="" type="checkbox"/> HELEN KELLER Write-In	

Scanned on ICC Tabulator 1
Ballot ID: 2

UNITED STATES SENATOR
Vote for EVERETT DIRKSEN
UNITED STATES REPRESENTATIVE
Vote for WRITE-IN
STATE SENATOR, 37TH DISTRICT
Vote for ANDREW CARNEGIE
BOARD OF EDUCATION
Vote for THOMAS ALVA EDISON

Adjudicated at 2:48 PM on 12/12/2015 by admin

UNITED STATES SENATOR
Vote for EVERETT DIRKSEN
UNITED STATES REPRESENTATIVE
* Adjudicated* Write-In accepted for JANE AUSTEN
STATE SENATOR, 37TH DISTRICT
Vote for ANDREW CARNEGIE
NONPARTISAN OFFICES
BOARD OF EDUCATION
Vote for THOMAS ALVA EDISON

IMAGECAST® CENTRAL

Efficient & scalable
central count system.



EFFICIENT

Uses industry-leading COTS hardware to decrease costs and minimize risk of failure.



SIMPLE

Intuitive software that uses touchscreen navigation and requires minimal training.



FLEXIBLE

Modular and scalable to an election of any size - meeting the needs of all jurisdictions.



SECURE

Meets EAC security standards to preserve integrity and auditability.

Get in touch

1.866.654.VOTE (8683)
sales@dominionvoting.com
www.dominionvoting.com



FEATURES & BENEFITS

Streamline Central Count Processes

- Ballots, scanned in batches, are processed suiting jurisdictional requirements and preferences.
- Once scanned, ballots with out-stack conditions are automatically sent to the Adjudication application for digital ballot review.

Engineered Simplicity

- The operator loads a batch and presses “scan” - simple! When the batch is complete, the operator presses “accept” - easy!
- Can be used in conjunction with the Adjudication digital ballot review application.

System Flexibility To Meet All Needs

- Provides ample flexibility to meet the needs of small, medium and large jurisdictions.
- Ability to add multiple commercial scanners to increase efficiency without breaking the bank.

Scanning Reliability

- Features AuditMark® ballot image auditing capability that retains a secure digital image of every ballot cast.
- One ImageCast® Central scanner can process roughly 4,000 ballots per hour, or 28,000 ballots in a day, ensuring each ballot is accounted for efficiently.



FLEXIBLE HARDWARE



Canon DR-G1130



Canon DR-X10C



Canon DR-M160ii



Different Capacity Hardware Options

Makes use of industry-leading commercial off-the-shelf (COTS) hardware to decrease capital costs, minimize risk of hardware failure and improve maintainability.

Most central count solutions that exist in the market today are large, expensive, proprietary solutions that are not scalable, efficient, or easy to maintain - the ImageCast® Central is the opposite.

SCALABLE & EFFICIENT

The ImageCast® Central is the most **cost-effective system that offers efficiency, scalability and flexibility;** no matter the size or complexity of the jurisdiction.



“The new system has enhanced our ability to deliver efficient elections for the citizens of Denver. We achieved our key objectives, which included innovating the voter’s experience, increasing operational efficiencies, and enhancing transparency.”

*Amber McReynolds, Director of Elections,
Denver Elections Division*

“The choice to utilize the Dominion system has provided our county government and citizens with an efficient solution. The system makes better use of tax payer monies and provides a more robust set of data for result audits.”

Sheila Reiner, County Clerk, Mesa County CO
Image: Amanda Polson, Elections Director



The ImageCast® Central is used to tabulate results from all ballots and all voting channels. As ballots are scanned, the system automatically digitally out-stacks ballot images needing review - our Adjudication application then takes over. **The Adjudication application is the digital tool that provides real time efficient multi-user adjudication of ballots, with customer-defined out-stack conditions.**

Get in touch

1.866.654.VOTE (8683)
sales@dominionvoting.com
www.dominionvoting.com



Dominion's exclusive digital ballot audit trail.

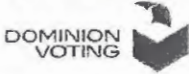
Dominion's exclusive AuditMark® technology is a unique, visual audit trail, allowing results to be audited down to each individual ballot. This patented process not only images and stores a copy of the ballot, but also appends to that image a record of how the voter's selections were interpreted by the tabulator.

This is a sample ballot image for a Dominion Democracy Suite® ballot. The image contains:


- Clear image of all text, ballot identifiers, candidates and voter markings.
- Image of the front and back side of the ballot
- AuditMark®: Ballot-level audit trail feature showing the results interpreted by the system for this ballot.
- If a ballot is digitally adjudicated, an additional AuditMark® is added to show how the voter marked their ballot, how the scanner interpreted the intent, and how the ballot was adjudicated.

Demonstration Ballot
Presidential General Election
County
November 6, 2012

Boleta de Demostración
Elección Presidencial General
Condado
6 de Noviembre de 2012



<p>Candidate A <input type="radio"/></p> <p>Candidate B <input checked="" type="radio"/></p>	<p>Instructions to Voters To vote, completely fill in the oval to the right of your choice. Use only the marking pen provided to mark your ballot.</p>	<p>Instrucciones para los Votantes Para votar, rellene completamente el óvalo a la derecha de su selección. Use sólo el marcador que le entregaron para marcar la boleta.</p>
<p>or write-in o por escrito</p> <p>Ann <input type="text"/></p>	<p>Optional Write-in: To vote for a qualified write-in candidate, write the person's name in the write-in space and fill in the oval.</p>	<p>Voto opcional por escrito: Para votar por escrito por un candidato calificado, escriba el nombre de la persona en el espacio de votación por escrito y llene el óvalo.</p>

Party-Nominated Offices Cargos Nominados por los Partidos	Voter-Nominated Offices Cargos Nominados por los Votantes	Nonpartisan Offices Cargos No Partidarios
<p>President and Vice President Presidente y Vicepresidente</p> <p>Vote for 1 party / Vote por 1 partido</p> <p>Joseph Barchi <input type="radio"/> <small>Fig Higo</small></p> <p>Andrew Hallaran <input type="radio"/> <small>for Vice President / por Vicepresidente</small></p> <p>Adam Cramer <input type="radio"/> <small>Peer Foto</small></p> <p>Greg Vuocolo <input type="radio"/> <small>for Vice President / por Vicepresidente</small></p> <p>Daniel Court <input type="radio"/> <small>Grape Uva</small></p> <p>Amy Blumhardt <input type="radio"/> <small>for Vice President / por Vicepresidente</small></p> <p>Alvin Boone <input type="radio"/> <small>for President / por Presidente</small></p> <p>James Lian <input type="radio"/> <small>for Vice President / por Vicepresidente</small></p> <p>Heather Portier <input type="radio"/> <small>for President / por Presidente</small></p> <p>Victor Martinez <input type="radio"/> <small>for Vice President / por Vicepresidente</small></p> <p>Alex Wallace <input type="radio"/> <small>for President / por Presidente</small></p> <p>Lawrence Smith <input type="radio"/> <small>for Vice President / por Vicepresidente</small></p> <p>or write-in o por escrito</p>	<p>United States Senator Senador de Estados Unidos</p> <p>Vote for 1 / Vote por 1</p> <p>Sylvia Wentworth <input checked="" type="radio"/> <small>Party Preference: Grape</small></p> <p>Lloyd Garriss <input type="radio"/> <small>Party Preference: Fig</small></p> <p>United States Representative Representante de Estados Unidos</p> <p>District 20 Distrito 20</p> <p>Vote for 1 / Vote por 1</p> <p>Dennis Weiford <input checked="" type="radio"/> <small>Party Preference: Grape</small></p> <p>John Hewitson <input type="radio"/> <small>Party Preference: Fig</small></p> <p>Member of the State Assembly Miembro de la Asamblea Estatal</p> <p>District 29 Distrito 29</p> <p>Vote for 1 / Vote por 1</p> <p>Camille Argent <input checked="" type="radio"/> <small>Party Preference: Grape</small></p> <p>Bruce Reeder <input type="radio"/> <small>Party Preference: Fig</small></p>	<p>City Ciudad</p> <p>Mayor Alcalde</p> <p>Vote for 1 / Vote por 1</p> <p>Van Jackson <input checked="" type="radio"/> <small>Mayor</small></p> <p>Mary Miller <input type="radio"/> <small>Economist</small></p> <p>or write-in o por escrito</p> <p>City Council Member Miembro del Concejo Municipal</p> <p>Vote for up to 2 / Vote por un máximo de 2</p> <p>Joe Lee <input checked="" type="radio"/> <small>Student</small></p> <p>Esther York <input checked="" type="radio"/> <small>Engineer</small></p> <p>Barbara Williams <input type="radio"/> <small>Teacher</small></p> <p>Hugh Smith <input type="radio"/> <small>Businessman</small></p> <p>Kenneth Mitchell <input type="radio"/> <small>Farmer</small></p> <p>Clayton Garner <input type="radio"/> <small>Publisher</small></p> <p>Kathleen Benson <input type="radio"/> <small>City Council Member</small></p> <p>or write-in o por escrito</p> <p>or write-in o por escrito</p> <p>Continue voting next side Continúe votando al otro lado </p>

VOTE BOTH SIDES OF BALLOT

Measures Submitted to the Voters
Medidas Presentadas ante el Electorado

30 **TEMPORARY TAXES TO FUND EDUCATION. GUARANTEED LOCAL PUBLIC SAFETY FUNDING. INITIATIVE CONSTITUTIONAL AMENDMENT.**
Increases taxes on earnings over \$250,000 for seven years and sales taxes by ¼ cent for four years, to fund schools. Guarantees public safety reassignment funding. Fiscal Impact: Increased state tax revenues through 2018-19, averaging about \$6 billion annually over the next few years. Revenues available for funding state budget. In 2012-13, planned spending reductions, primarily to education programs, would not occur.

30 **IMPUESTOS TEMPORALES PARA FINANCIAR LA EDUCACIÓN. FINANCIAMIENTO GARANTIZADO PARA LA SEGURIDAD PÚBLICA LOCAL.**

Benefits

Transparent

- At the bottom of every digital ballot image is an AuditMark® (ballot audit record), showing how each voter's mark was interpreted by the tabulator.

Accurate

- The AuditMark® functionality answers the question most often asked by constituents - "How do I know the scanner accurately interpreted my voter intent?"

Trustworthy

- By viewing a selection of ballot images, election officials can easily verify that the tabulator has accurately interpreted the voter's selections, and develop confidence in results.

seguridad pública. Impacto fiscal: Aumenta las recaudaciones tributarias estatales hasta 2018-'9, con un promedio anual de unos \$6,000 millones en los próximos años. Recaudaciones disponibles para financiar el presupuesto estatal. No se producirían reducciones de gastos planeadas, principalmente para programas de educación, en 2012-13.

Yes / Sí
No / No

31 STATE BUDGET. STATE AND LOCAL GOVERNMENT. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.

Establishes two-year state budget. Sets rules for offsetting new expenditures, and Governor budget cuts in fiscal emergencies. Local governments can alter application of laws governing state-funded programs. Fiscal Impact: Decreased state sales tax revenues of \$200 million annually, with corresponding increases of funding to local governments. Other, potentially more significant changes in state and local budgets, depending on future decisions by public officials.

31 PRESUPUESTO ESTADAL. GOBIERNOS ESTADAL Y LOCALES. ENMIENDA CONSTITUCIONAL Y LEY POR INICIATIVA.

Establece un presupuesto del estado cada dos años. Establece reglas para compensar nuevos gastos y recortes del presupuesto por parte del Gobernador ante emergencias fiscales. Los gobiernos locales pueden modificar la aplicación de las leyes que gobiernan los programas financiados por el estado. Impacto fiscal: Reducción de las recaudaciones tributarias estatales de \$200 millones anuales, con los correspondientes aumentos de financiamiento a los gobiernos locales. Otros cambios potencialmente más significativos en los presupuestos estatales y locales, dependiendo de las decisiones futuras de los funcionarios públicos.

Yes / Sí
No / No

32 POLITICAL CONTRIBUTIONS BY PAYROLL DEDUCTION. CONTRIBUTIONS TO CANDIDATES. INITIATIVE STATUTE.

Prohibits unions from using payroll-deducted funds for political purposes. Applies same use prohibition to payroll deductions, if any, by corporations or government contractors. Prohibits union and corporate contributions to candidates and their committees. Prohibits government contractor contributions to elected officers or their committees. Fiscal Impact: Increased costs to state and local government, potentially exceeding \$1 million annually, to implement and enforce the measure's requirements.

32 CONTRIBUCIONES POLITICAS POR DEDUCCIONES DE NÓMINA. CONTRIBUCIONES A CANDIDATOS. LEY POR INICIATIVA.

Restringe el uso de fondos deducidos de la nómina para fines políticos por parte de los sindicatos. Aplica las mismas restricciones de uso a las deducciones de nómina, si las hay, a las corporaciones o los contratistas del gobierno. Restringe las contribuciones sindicales y corporativas a candidatos y sus comités. Limita las contribuciones de los contratistas del gobierno a funcionarios electos o a sus comités. Impacto fiscal: Aumento de costos para los gobiernos estatal y locales, potencialmente en exceso de \$1 millón anuales, para implementar y hacer cumplir los requisitos de la medida.

Yes / Sí
No / No

33 AUTO INSURANCE COMPANIES. PRICES BASED ON DRIVER'S HISTORY OF INSURANCE COVERAGE. INITIATIVE STATUTE.

Changes current law to allow insurance companies to set prices based on whether the driver previously carried auto insurance with any insurance company. Allows proportional discount for drivers with some prior coverage. Allows increased cost for drivers without history of continuous coverage. Fiscal Impact: Probably no significant fiscal effect on state insurance premium tax revenues.

33 COMPAÑÍAS DE SEGURO DE AUTOMÓVILES. PRECIOS BASADOS EN EL HISTORIAL DE COBERTURA DE SEGURO DEL CONDUCTOR. LEY POR INICIATIVA.

Cambia la ley actual para permitir que las compañías de seguro fijen sus precios de acuerdo a si el conductor tuvo antes un seguro de automóvil con cualquier compañía de seguros. Permite un descuento proporcional para conductores con alguna cobertura previa. Permite aumentar el costo para conductores sin historial de coberturas continuas. Impacto fiscal: Probablemente sin efecto fiscal significativo sobre las recaudaciones tributarias estatales sobre las primas de seguro.

Yes / Sí
No / No



00002_00001_000001.tif scanned at 14:31:37 on 02/09/14.

Office of President and Vice President
BLANK CONTEST
Office of United States Senator
Vote for Sylvia Wentworth
Office of United States Representative
Vote for Dennis Weiford
Office of Member of the State Assembly
Vote for Camille Argent
Office of Mayor
Vote for Van Jackson
Vote for Esther York
Office of Proposition 30 - TEMPORARY TAXES TO FUND EDUCATION, GUARANTEED LOCAL PUBLIC SAFETY FUNDING, INITIATIVE CONSTITUTIONAL AMENDMENT.
Vote for Yes
Office of Proposition 31 - STATE BUDGET, STATE AND LOCAL GOVERNMENT, INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.
Vote for Yes
Office of Proposition 32 - POLITICAL CONTRIBUTIONS BY PAYROLL DEDUCTION, CONTRIBUTIONS TO CANDIDATES, INITIATIVE STATUTE.
Vote for Yes
Office of Proposition 33 - AUTO INSURANCE COMPANIES, PRICES BASED ON DRIVER'S HISTORY OF INSURANCE COVERAGE, INITIATIVE STATUTE.
Vote for Yes

Get in touch

1.866.654.VOTE (8683)
sales@dominionvoting.com
www.dominionvoting.com



OFFICIAL BALLOT

Demonstration Election
Demo County

Tuesday, November 3, 2020

BOLETA OFICIAL

Elección de demostración
Condado de demostración

Martes, 3 de Noviembre del 2020

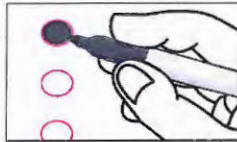
1003 PP Precinct

Ballot ID 1003

Instructions to Voters:

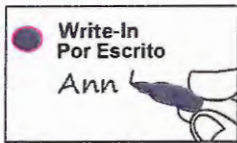
To vote, completely fill in the oval to the left of your choice. Use a blue or black ink pen to mark your ballot. **NO RED INK.**

If you make a mistake, ask for a new ballot.



Optional Write-in:

To vote for a qualified write-in candidate, write the person's name in the write-in space and fill in the oval.



Instrucciones para los electores:

Para votar, llene completamente el óvalo del lado izquierdo de su elección. Utilice una pluma de tinta azul o negra para marcar su balota. **NO UTILICE TINTA ROJA.**

Si comete un error, pida una balota nueva.

Para introducir un candidato - opcional:

Para introducir el nombre de un candidato debidamente calificado, escriba el nombre de la persona en el espacio en blanco y llene el oval correspondiente.

State / Estatal	Municipal / Municipal	School / Escuela
Governor Gobernador Vote for One Vote por Uno	Mayor of Central City Alcalde de Ciudad Central Vote for One Vote por Uno	County Unified School District Distrito Escolar Unificado del Condado Governing Board Member Miembro de la Junta Directiva Vote for Three Vote por Tres
<input type="radio"/> Amelia Earhart	<input type="radio"/> Mary Bailey	<input type="radio"/> Thomas Edison
<input type="radio"/> Howard Hughes	<input type="radio"/> Kent Brockman	<input type="radio"/> Albert Einstein
<input type="radio"/> Charles Lindbergh	<input type="radio"/> Roy Snyder	<input type="radio"/> Nikola Tesla
<input type="radio"/> Write-In Por Escrito	<input type="radio"/> Patty Bouvier	<input type="radio"/> Carl Sagan
County / Condado Supervisor, District 1 Supervisor, Distrito 1 Vote for One Vote por Uno	<input type="radio"/> Write-In Por Escrito	<input type="radio"/> James Watt
<input type="radio"/> Alfred Hitchcock		<input type="radio"/> Write-In Por Escrito
<input type="radio"/> Vincent Price		<input type="radio"/> Write-In Por Escrito
<input type="radio"/> Write-In Por Escrito		<input type="radio"/> Write-In Por Escrito

VOTE BOTH SIDES OF BALLOT
VOTE EN AMBOS LADOS DE LA BOLETA

Bilingual Demo 5.5 EAC

Measures Submitted to the Voters
Medidas Sometidas a los Votantes

County / Condado

Z Was this ballot easy to use?

This ballot was inspired by the EAC best practices report for ballot design. It uses sample content originally developed by the National Institute of Standards and Technology (NIST). Based on the instructions, ballot layout, and overall appearance, did you find this ballot easy to use?

Z ¿Fué esta balota fácil de usar?

Esta balota se inspiró en el informe de la EAC de mejores prácticas para el diseño de una balota. Utiliza contenido de ejemplo originalmente desarrollado por el Instituto Nacional de Estándares y Tecnología (NIST). Basado en las instrucciones, el diseño de la balota, y la apariencia general, ¿ha encontrado esta balota fácil de usar?

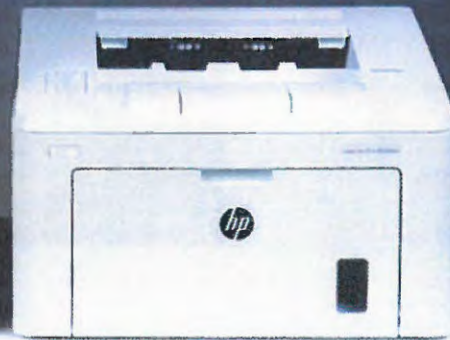
Yes / Sí

No / No

IMAGECAST® X | BMD



Ballot Marking Device that prints a paper ballot after a voter marks their selections using the touchscreen.



The ImageCast® X can be configured as a Ballot Marking Device (BMD), which is paired with a commercially available, compact laser printer that prints a summary of the voters selections. No votes are stored on the ImageCast® X when in the BMD configuration.

Get in touch

1.866.654.VOTE (8683)
sales@dominionvoting.com
www.dominionvoting.com



FEATURES & BENEFITS



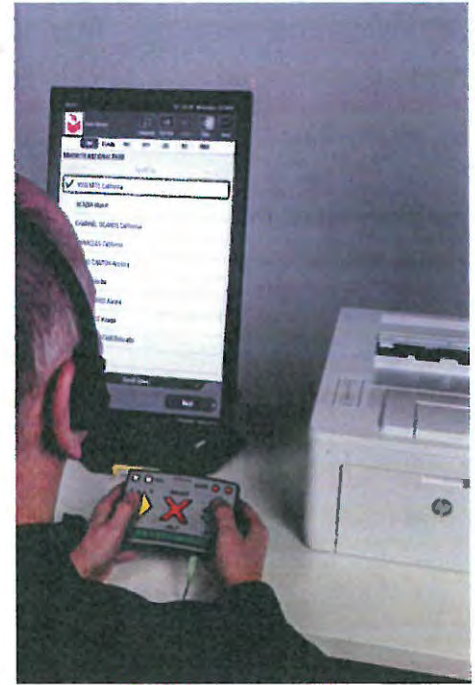
SIMPLE

Familiar printing technology for both poll workers and voters. Simple process for poll worker to reload paper.



EFFICIENT

BMD printer uses standard 8.5" x 11" non-proprietary paper. Unused paper can be saved for later election events.



FLEXIBLE

Paper ballots can be scanned on any ImageCast® tabulator in the voting location or central office.

Get in touch

1.866.654.VOTE (8683)
sales@dominionvoting.com
www.dominionvoting.com



IMAGECAST® PRECINCT



The world's most reliable optical scan tabulator.



EFFICIENT

Compact, lightweight, easy to store, and low maintenance.



SIMPLE

Easy-to-use for both voters and poll workers.



SECURE

Meets EAC security standards to preserve integrity and auditability.



ACCESSIBLE

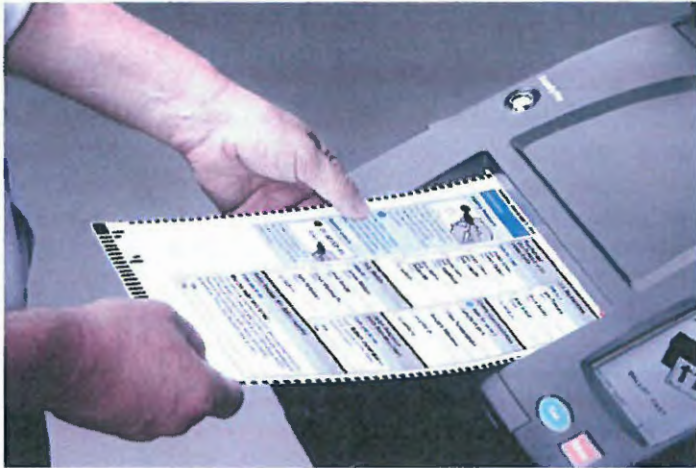
Integrated accessibility options for private and independent voting.

Get in touch

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sales@dominionvoting.com
www.dominionvoting.com



FEATURES & BENEFITS



Engineered Simplicity

- A robust and reliable optical scan tabulator that safely stores and tabulates marked paper ballots.
- Clear voter messages to enable second-chance voting and minimize spoiled ballots.
- Reads single and double-sided ballots in all four orientations.
- Safely stores and tabulates hand-marked ballots and ballots marked using the ImageCast® X.

Streamline In-person Voting

- Plug-and-play set up for easy and efficient opening and closing of polls.
- Integrated physical diverter that automatically segregates ballots containing write-ins, saving time after the polls close.
- During accessible voting, other voters can continue to scan their ballots, ensuring efficient voter processing.

Universal Voting Technology

- Optional integrated ADA compliant configurations, providing all voters with privacy and independence.
- Voters navigate an audio version of their ballot and confirm their selections, which are stored electronically or marked on a printed paper ballot.
- When in the Ballot Marking Device configuration, the system uses a library of human-hand marks and writing, further protecting voter privacy.

ACCURACY & TRANSPARENCY



Ensuring Accurate & Transparent Elections

Every ballot image is appended with Dominion's exclusive AuditMark® technology. The system digitally stores an image of every ballot cast along with a clear record of how the tabulator interpreted each vote, ensuring a completely transparent and auditable election.

All results and ballot images are stored on encrypted memory cards. No identifying information about the voter is taken by the tabulator.

GLOBAL FOOTPRINT



The ImageCast® Precinct is the most widely used and reliable optical scan tabulator, with over 100,000 units deployed globally. Over the course of thousands of election projects conducted globally, Dominion has implemented a customer oriented, technical culture focused on achieving the highest levels of accuracy, reliability and transparency.

Get in touch

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sales@dominionvoting.com
www.dominionvoting.com



DEMOCRACY SUITE[®]

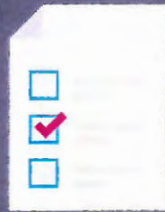
End-to-end election technology solution.

Build the Election



Election Event Designer

Vote & Count the Ballot



In-person Voting; Central Scanning & Adjudication; Remote & Accessible Voting

Report Results



Results Tally & Reporting

Audit the Election



AuditMark[®]



SIMPLE

Your entire election is driven out of a single database.



FLEXIBLE

Capable of handling many election types and jurisdictions ranging in size.



EFFICIENT

Simplify processes, increase productivity, and save time and money.



SECURE

Meets EAC security standards to preserve integrity and auditability.

Get in touch

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sales@dominionvoting.com
www.dominionvoting.com



ELECTION EVENT DESIGNER

Flexibility

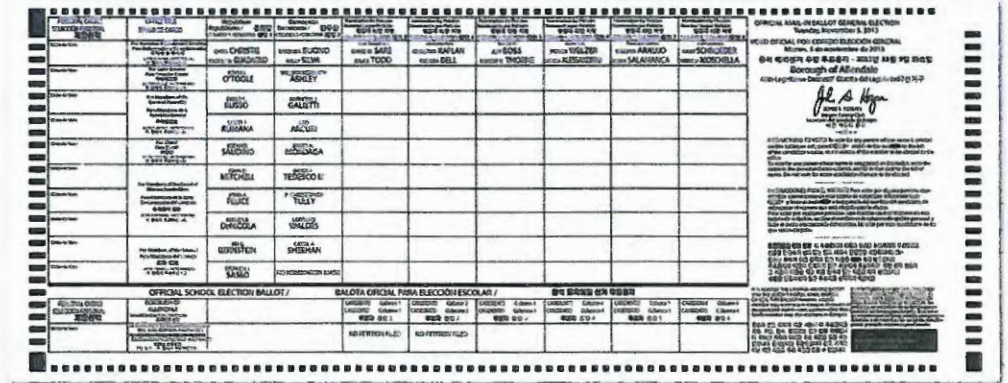
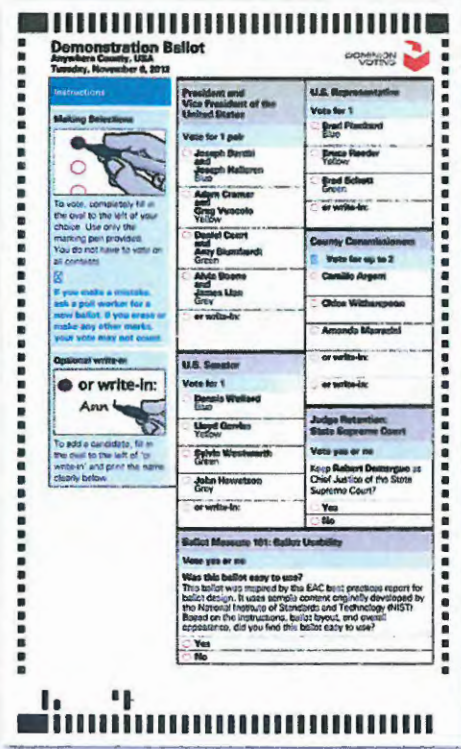
- High degree of flexibility in ballot layout and design with full user control.
- Program and define tabulator behavior to suit preferences and requirements.

Streamline Pre-Elections

- Streamline programming and only proof one database for paper and DRE ballots.
- Easy back-up and restore process for re-use in future elections, saving you time and effort.

Engineered Simplicity

- All ballots are created from the same database.



Optional Democracy Suite® Modules



Automated Test Decks



Ranked Choice Voting



Mobile Ballot Printing



ImageCast® Remote (UOCAVA)

RESULTS TALLY & REPORTING

Streamline Post-Elections

- Save report profiles for efficient reporting on Election Night.
- Track incoming results from all channels from a single database.

Flexibility To Meet All Needs

- Flexible reporting with configurable filtering options.
- Reports can be exported in a variety of common formats.

Engineered Simplicity

- Simple tally process - no need for cartridge readers.
- Easy to use interface with one-click results reports.



Communications Manager



Results Transfer Manager



Adjudication



Election Night Reporting

U.S. FOOTPRINT

Clark County, **Nevada** will be the first to deploy the ImageCast® X DRE with fully accessible Voter Verified Paper Audit Trail (VVPAT).

Michigan ranked Democracy Suite® #1 out of 5 major vendors. Over 59 counties will be implementing Democracy Suite® in 2017-2018.

Democracy Suite® was chosen as the statewide voting system in **Colorado**. The State is streamlining their processes with the ImageCast® X, ImageCast® Central and Adjudication.

58 **New York** counties implemented the ImageCast® Precinct - the first all-in-one Ballot Marking Device.

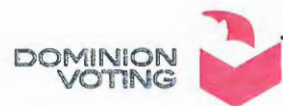
Currently supporting a diverse customer base in **California**, including 30 counties ranging in products and size.

Louisiana experienced great efficiencies after the statewide implementation of the ImageCast Central®.

Dominion is an established provider in the United States, with a diverse customer base of 33 states, out of which 19 have successfully implemented our Democracy Suite® system. Dominion has taken action to learn about what election officials need and desire in a new voting system - we are putting your requests into action, and enhancing our system to meet your specific needs and requirements.

Get in touch

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sales@dominionvoting.com
www.dominionvoting.com





DS200[®]

Precinct Scanner & Tabulator



Protective Cover

Cover has heavy-duty rubber seal to shelter DS200 from elements during transport.

Easy to Set Up

Lid-up, power-on approach allows poll workers to easily open polls.

Touch Screen and Display

Provides voters with instructions and immediate feedback. Tension bearings hold screen in place for custom positioning.

Ballot/Card Slot

Voters cast both ballots and vote summary cards here; accommodates up to 19-inch ballots.

Auxiliary Ballot Compartment

Main Ballot Compartment

Easy, hassle-free storage of up to 2,500 ballots.

11

The number of 14-inch flat ballots processed per minute

DS200 Key Features

The DS200 is a precinct-based scanner and vote tabulator equipped with the latest in ES&S' patented technology. Fully certified and compliant with EAC guidelines, the DS200 enhances the voting experience for voters and election officials alike. Our patented IMR™ and PTRAC® technology ensures even the most poorly marked ballots are read accurately and consistently — protecting voter intent. All of this is designed to make everyone's job easier.

ACCURATE



The DS200 combines the ES&S-patented Intelligent Mark Recognition (IMR™) and patented Positive Target Recognition & Alignment Compensation (PTRAC®) systems to accurately track and pinpoint target locations. This technology accommodates ballots inserted at angles or with erroneous marks to uphold voter intent. This precision improves the reliability of elections.

SECURE



Like all ES&S tabulation equipment, the DS200 includes physical security features such as locking panels and security seals to secure sensitive components and election files, and a key-locked case for transport and shipping. The DS200 operating system controls, limits and detects unauthorized access to all critical data. The system also includes safeguards, such as data encryption and digital signatures, that help protect sensitive data and verify authenticity, including certification of all firmware.

RELIABLE



Having both battery backup and thermal paper means you never have to worry about power outages or printer ink.

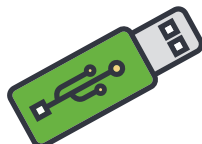
COMPATIBLE



Works in conjunction with:

- ExpressVote® Universal Voting System
- Electionware® Election Management Software
- DS450® High-Throughput Scanner & Tabulator
- AutoMARK® Ballot Marking Device
- DS850® High-Speed Scanner & Tabulator
- Election Reporting Manager®

COMPREHENSIVE



- Primary data storage device
- Backup data storage



Ballot on Demand® Solution

BOD Printing System

ES&S' secure Ballot on Demand® (BOD) solution consolidates commercially available printing components with ES&S proprietary software. This proven system automates and streamlines ballot production and distribution, offering flexible options for on-demand ballot printing needs. The system includes a printer, laptop and BOD software.



FEATURES AND BENEFITS

Automated ballot management

- Removes the risk of ballot shortages
- Ensures the correct ballot style for every voter
- Eliminates ballot picking and pulling
- Reduces staffing needs for ballot processing and inventory
- Eliminates the need to organize and store mass quantities of printed ballots
- No Election Day delays for ballot deliveries

Multi-purpose paper trays

- Enables efficient printing of two-sided ballots
- Support ballot lengths up to 19-inches

Proprietary software

- Overprint/overlay capabilities. BOD software can overprint special text or images onto a completed PDF to meet each jurisdiction's unique needs.

System integration

- Integrates with voter registration systems, providing an easy-to-use interface

Specifications

H x W x D: 15.3" x 17.2" x 23.8"

Weight: 68 lbs

Tray capacity: 530 sheets per tray

Pages per minute:
34 ppm (color) / 36 ppm (B&W)

Page length supported:
11", 14", 17", 19"

Prints: single and double-sided

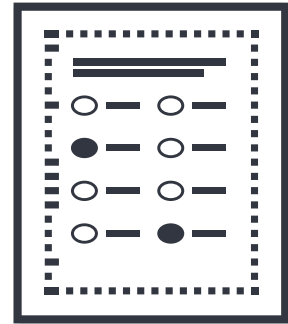
Power consumption:
600 watts (typical) / 1300 watts (max)
Normal outlet

Life expectancy
(8.5" x 11" single-side pages):
Toner cartridge: 11,000 pages
Drum: 20,000 pages

BALLOT PRINTING

Our Ballot on Demand solution enables election staff to print the exact number of ballots needed for each precinct of any allowable ballot style based on voter turnout. This increases efficiency and reduces cost and waste.

When integrated with VR workstations or electronic pollbooks, the system will automatically accept individual ballot requests and print the proper ballot for each request. This eliminates the need to pre-print, store and inventory ballots at polling locations, and ensures the correct ballot is printed for each voter.



BALLOT SECURITY



Encryption, Hash Validation and Digital Signatures

All ballot PDFs stored on the system for printing are encrypted and can only be printed via the BOD software on the BOD printer. Should unauthorized data somehow be introduced into the system, a user would not be able to associate this data or edit the pre-defined job without logging in as an administrator.



Audit Logs

The BOD Print Service software generates an audit log of all system activities, including system access by administrators. Once an operator is logged into the system, the BOD will report on all printing activity by that operator. The audit log is timestamped, and each individual activity is identified by the administrator login name.



System Application Controls

The BOD system is hardened, including only the services, applications, utilities and settings required to successfully operate the print service program and print ballots. System functions are executable during election events, in the manner and order intended by election officials performing their duties.



Physical and System Access Controls

The Ballot on Demand laptop and printer can be secured in a lockable case and the laptop is secured with a pressure-sensitive, tamper-evident seal. These physical locks and seals are a first line of defense and minimize the effect of any unauthorized access.

The operating software provides security access controls to limit and detect access to critical system components, guarding against system integrity loss and availability. Access codes are required for system access during equipment preparation, testing and operation. These safeguards cannot be bypassed or deactivated during system installation or operation, maintaining the integrity of the election data and audit record.

Two levels of password protection for the BOD laptop exist: Microsoft Windows login and BOD print service login. Should unauthorized data somehow be introduced into the system, a user would not be able to associate this data or edit the pre-defined job without logging in as an administrator.



ExpressVote®

Universal Voting System as a Marker



Multilingual

Touch Screen and Display

Allows voters to easily make vote selections and review their selection.

Instruction Panel

A visual guide that shows voters how to use the ExpressVote.

Card Slot

Where the voter inserts their card to activate selections.

Visual Aids

High contrast and zoom functionality.

Front Access Panel

Headphone jack, a port for a Sip-and-Puff device or two-position rocker switch, and Audio-Tactile Keypad make the unit ADA friendly.



Audio-Tactile Keypad

Enables ADA voters to control audio and navigate the ballot.



ACTIVATING THE VOTE SESSION:

Election officials can configure the ExpressVote to best fit their needs. The voter receives an activation card to begin the process.

- If only one ballot style is programmed for the election, a blank card activates the vote session.
- Multiple ballot styles with a blank card prompt poll workers to select the correct ballot style for the voter.
- A card with an activation barcode displays the correct options for the voter if the election has multiple ballot styles.

ExpressVote Key Features

As a marker, the ExpressVote handles the entire marking process, eliminating marginal marks and the need for voter mark interpretation. Voters utilize the touch screen to mark their vote selections, receiving a verifiable paper vote record upon completion. The ExpressVote is used during early voting or in precincts and vote centers on Election Day to serve every eligible voter, including those with special needs.

EASY TO SET UP AND USE



The one-step startup and poll-closing procedure make the ExpressVote an ideal device for poll workers. The intuitive design offers streamlined simplicity for poll workers and election staff. The ExpressVote is also small, lightweight and easy to move.

CONTROLLED AND REDUCED COSTS



Traditional ballot printing costs can be significantly reduced by eliminating the need for pre-printed paper ballots. Voters activate their vote session, make their selections and receive a paper record to cast. This process consumes 70 percent less paper than traditional ballots.

INNOVATIVE DESIGN



Voters review a summary page and can make changes before receiving their verifiable paper vote record. The ExpressVote prevents overvotes and undervoting with prompts and on-screen feedback. ExpressVote in marking mode neither stores nor tabulates vote counts. The system produces a verifiable paper record for each voter.

VERIFIABLE PAPER RECORD



After all selections are made, a human- and machine-readable paper record is produced that includes text and an optical scan barcode. Votes are digitally scanned for tabulation on an ES&S DS200[®], DS450[®] or DS850[®] device.

SECURE



The ExpressVote Universal Voting System utilizes a variety of functions to ensure election data and cast vote records are secure. In its current certification as a marking device, no vote data is stored in the device. Its system functions are only executable during election events, in the manner and order intended by election officials performing their duties.

For more information visit www.essvote.com



DS450[®]

High-Throughput Scanner & Tabulator

Touch Screen Display

Walks the operator through every step of the tabulation process.

Patented IMR[®] and PTRAC[®]

IMR[®] and PTRAC[®] technology provides unparalleled accuracy that reduces time-consuming manual ballot adjudication.

C-Curve

C-Curve efficiently transports ballots into the appropriate output bin.



Input Tray

Output Bins

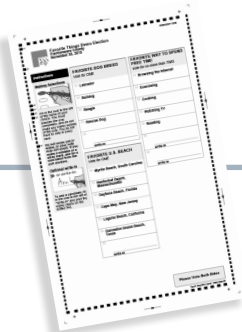
- Sorts ballots into:
- Counted
 - Requires Further Review
 - Write-Ins

Paper Path Jam Management

LED light tracking feature enables easy management of ballot jams – prevents need to rescan entire batch.

72

The number of 14-inch flat ballots processed per minute



DS450 Key Features

Customizable sorting is now more affordable than ever with the DS450 central scanner and tabulator. Process more ballots in less time, without stopping to sort overvotes, write-ins or blank ballots. ES&S sets the industry standard for high-speed scanners. The DS450 embodies the spirit of the DS850 while maintaining an efficient throughput along with affordability for jurisdictions.



SECURE

System integrity and electronic audits make the DS450 part of the most dependable family of central vote scanners and tabulators in its class. Safeguards, such as data encryption and digital signatures, help protect sensitive data and verify authenticity, including certification of all firmware.



FLEXIBLE

With three separate output bins, you can determine whether to outstack specific types of ballots for further review. Let the DS450 handle separating write-in votes, over-votes and blank ballots – all without missing a beat.



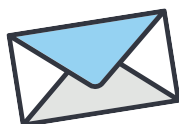
ACCURATE

ES&S-patented IMR® and PTRAC® technology ensures ballots are read accurately and consistently, protecting voter intent and minimizing manual adjudication.



HIGH THROUGHPUT

Achieve faster sorts without stopping for each blank ballot with the DS450. It scans and sorts 14-inch double-sided ballots at 72 per minute into three output bins.

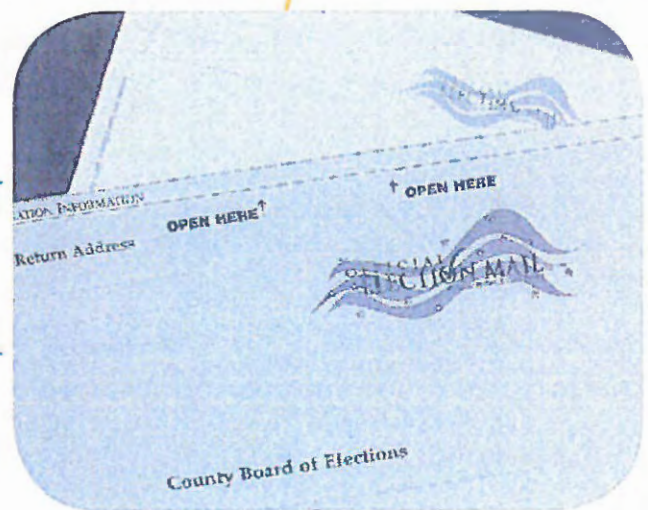


FOLDED BALLOT PROCESSING

The DS450 is designed with a series of TruGrip™ rollers, which maintain constant contact with the ballot surface, ensuring quality control throughout the entire tabulation process.

**STATE AND LOCAL
ELECTION MAIL—
USER'S GUIDE**

March 2018
Publication 632



Contents

How to Use This Guide 4

Section I.

Determining the Appropriate Class of Mail to Use 5

What You Are Mailing 6

How Your Mailpieces Are Designed 6

How Quickly You Need the Pieces Delivered . . . 6

How Many Pieces You Have 6

Whether You Want Free Forwarding and Return 6

If You Need Extra Services 6

Section II.

Using Reply Mail and Sending Mail to Armed Forces Personnel and Overseas Voters 7

Section III.

Preparing Your Address List 8

Address Hygiene Tools 8

Physical Address Hygiene and Quality 8

Move Update Options 8

More Addressing Tips for Election Mailers 9

Addressing Official Election Mail to Persons Overseas and in the Military 10

Section IV.

Consulting With a Postal Service Election Mail Coordinator to Plan the Mailing 11

Consult With Your Local Postal Service Coordinator 11

Section V.

Filing Required Forms for Postage Discounts and Other Mailing Services . . . 12

For Postage Discounts Use PS Form 3615 . . . 12

For Authorization for Nonprofit Status Use PS Form 3624 12

For Business Reply Mail Use PS Forms 3615 and 6805 12

Section VI. Working With a Mailpiece

Design Analyst to Ensure Mailpiece Quality 13

Consult With a Mailpiece Design Analyst Before Printing Your Envelopes 13

More Design Tips for Election Mailers 13

Design Resources 13

Section VII. Preparing and Presenting the

Mailing 15

At Least 2 Weeks Before Election Day, Finalize Your Plans 15

Section VIII: Election Mail Checklist 16

How to Use This Guide

You will find eight sections in this guide. Each of the following sections provides information election officials must consider before they mail:

- I. Determining the Appropriate Class of Mail to Use.
- II. Using Reply Mail and Sending Mail to Armed Forces Personnel and Overseas Voters.
- III. Preparing Your Address List.
- IV. Consulting With a Postal Service Election Mail Coordinator to Plan the Mailing.
- V. Filing Required Forms for Postage Discounts and Other Mailing Services.
- VI. Working With a Mailpiece Design Analyst to Ensure Mailpiece Quality.
- VII. Preparing and Presenting the Mailing.
- VIII. Election Mail Checklist.

Each of the sections in this guide contains a brief description of the topic, the most pertinent items to consider, and references for additional information. You can access the information in this guide and additional resources on *usps.com*.

See the following resources:

- The Election Mail Web site at *www.usps.com/electionmail* contains material for preparing mailings, including resources, FAQs, and direct links to the additional references mentioned in this guide.
- Postal Explorer at *http://pe.usps.com* contains information to make informed decisions.
- Quick Service Guides (QSG) at *http://pe.usps.com/text/qsg300/q000.htm* contain concise explanations and useful illustrations covering most Postal Service requirements.
- *Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM)* at *http://pe.usps.com/DMM300/Index* contains domestic mail information and requirements.

Section I. Determining the Appropriate Class of Mail to Use

The class of mail you use to send your pieces depends on the following:

- What are you mailing (e.g., ballots, newsletters, and registration)?
- Does your mailpiece contain personal information?
- How are the mailpieces designed (e.g., dimensions, and card vs. envelope)?
- How quickly do you need the pieces delivered?
- How many pieces do you have?
- Do you want free forwarding and/or return (if pieces cannot be forwarded or you do not want them forwarded)?
- Will you require extra services (e.g., Certified Mail service, which provides you with a mailing receipt and delivery status)?

The main classes of mail you will want to consider are First-Class Mail and USPS Marketing Mail. The following table summarizes the important features of each.

Class of Mail	Speed	Free Forwarding and Return	Secure Destruction	Extra Services	Presort Discounts	Single Piece
First-Class Mail	Yes	Yes	Yes	Yes	Yes	Yes
USPS Marketing Mail	No	No	No	Certificate of Mailing only Unless for Parcels	Yes	No
Nonprofit USPS Marketing Mail	No	No	No	Certificate of Mailing only Unless for Parcels	Yes	No

What You Are Mailing

First-Class Mail: You may send mailable matter using First-Class Mail service. Some types of mail you must send using First-Class Mail service, including mail that has the character of personal correspondence. First-Class Mail service is closed against postal inspection. For a full definition of what must be sent using First-Class Mail service, see DMM 133.3.0.

USPS Marketing Mail: USPS Marketing Mail is mail that is not required to be sent as First-Class Mail. For a full definition of what you can send as USPS Marketing Mail, see DMM 243.2.0.

Nonprofit USPS Marketing Mail: Under the National Voter Registration Act of 1993 (NVRA), state and local voting registration officials may mail certain USPS Marketing Mail materials that are authorized or required by the NVRA at the Nonprofit USPS Marketing Mail prices, which are lower than the regular USPS Marketing Mail prices. For further information on what organizations are eligible to use Nonprofit prices and what kind of mail can be sent at Nonprofit prices, refer to DMM 703.1.0 and Publication 417, *Nonprofit USPS Marketing Mail Eligibility*. Applicable customer support rulings, such as PS-323, "Computer-Prepared Mailpieces Entered by Nonprofit Organizations," can provide additional guidance and can be found online at <http://pe.usps.com/CustomersupportRuling/Index>.

How Your Mailpieces Are Designed

The contents, weight, size, and design of your mailpiece can affect the class of mail you can use. First-Class Mail may weigh up to 13 ounces. USPS Marketing Mail, including Nonprofit USPS Marketing Mail, must weigh less than 16 ounces.

Various presort discounts apply to both First-Class Mail and USPS Marketing Mail. Additional discounts are available for automation pieces, which have additional requirements. For further information, see DMM 201.3.1 (cards/letters) and 201.6.0 (flats).

How Quickly You Need the Pieces Delivered

Most First-Class Mail is delivered within 2–5 days. Most USPS Marketing Mail and Nonprofit USPS Marketing Mail pieces take between 3–10 days to be delivered.

Work closely with your local Postal Service coordinator to determine the most likely delivery times for your mailing.

How Many Pieces You Have

There is no minimum for the number of pieces that may be sent at First-Class Mail single-piece prices. If you have at least 500 pieces in the same size category [letter-size or oversize envelopes (flats)], you may be able to send them at First-Class Mail discount prices. For further information, see DMM 233. To send USPS Marketing Mail, you need to have at least 200 pieces or 50 pounds in the same size category. For further information, see DMM 243.

Whether You Want Free Forwarding and Return

The Postal Service offers three options for how it treats mail that cannot be delivered to the address on the envelope. The mail can be forwarded to the new address, returned to you, or discarded.

If you use First-Class Mail, the forwarding and/or return services are free. First-Class Mail may be discarded only when requesting Change Service Requested provided via ACS (see Section III – Move Update Options and note that fees may apply). Secure Destruction is available for First-Class Mail that contains personally identifiable information.

Undeliverable-as-addressed (UAA) USPS Marketing Mail is generally discarded. If you use USPS Marketing Mail and you want the mail forwarded or returned, the mailpiece must have the appropriate ancillary service endorsement printed on the address side of the mailpiece, and you will be charged for each mailpiece that is returned. For more information about ancillary and address correction services available, see DMM 507.1.5.

If You Need Extra Services

The Postal Service has a number of service enhancements, called extra services, available for use with First-Class Mail service. Extra services can be purchased for an additional fee. The extra service that is generally of most interest to election officials is Certified Mail service. The service provides the sender with a mailing receipt and, upon request, electronic verification that the Postal Service delivered or attempted to deliver the mailpiece. For further information, see DMM 503.3.

Section II.

Using Reply Mail and Sending Mail to Armed Forces Personnel and Overseas Voters

Business Reply Mail: If you provide return envelopes for mail such as ballots, consider using Business Reply Mail (BRM) service. BRM is a First-Class Mail service that enables you to pay the return postage (including a per-piece fee), for only the mail returned to you. You can distribute BRM cards, envelopes, self-mailers, cartons, or labels and have them returned to you at any Post Office. The mailpieces you distribute need to conform to a specific format, including use of a unique ZIP+4 code assigned by the Postal Service.

For more information on BRM, see Quick Service Guide 505 and DMM 505.1.0, <http://pe.usps.com/text/qsg300/Q505.htm>.

Qualified Business Reply Mail: If you are anticipating receiving approximately 616 or more return letters, or 591 cards, annually, consider the use of Qualified Business Reply Mail (QBRM). QBRM service provides you with discounts on postage and per-piece fees. It can be used only on automation-compatible cards and letter-size mail weighing up to 2 ounces. The design must be approved by the Postal Service before distribution, and there are requirements for advance deposits and accounting fees. For more information on QBRM, see Quick Service Guide 505 and DMM 505.1.2 and 505.1.6.

Courtesy Reply Mail: Courtesy Reply Mail (CRM) consists of pre-addressed postcards or envelopes that you provide to the voters both to expedite their responses and to provide accurate delivery to the correct return address. CRM differs from BRM in that the voter is responsible for applying the correct postage to the return piece and no permit or fees are required. For further information, see *Courtesy Reply Mail Quick Service Guide 505a*, <http://pe.usps.com/text/qsg300/Q505a.htm>.

Absentee Balloting Materials for Military Personnel and Overseas Voters: You may send absentee balloting materials through the mail without prepayment of postage when the absentee balloting materials allow eligible persons in the following categories to apply for registration and vote by absentee ballot when absent from their place of voting residence:

- Members of the Armed Forces in active service and their spouses and dependents.
- Members of the U.S. Merchant Marine and their spouses and dependents.
- U.S. citizens residing outside the territorial limits of the United States and the District of Columbia and their spouses and dependents residing with or accompanying them.

You must prepare balloting materials in accordance with DMM 703.8.0.

Shortpaid and Unpaid Absentee Balloting Materials: Shortpaid and unpaid absentee balloting materials must not be returned to the voter for additional postage. Postage is collected from the election office upon delivery or at a later date. The Postal Service must not delay delivery of balloting materials.

Section III. Preparing Your Address List

Having an updated, correct, and complete address list will help ensure accurate and timely delivery of your mail. By maximizing your address quality, you can also minimize your mailing costs. The Postal Service has established minimum standards for address quality for certain postage prices.

Accurate and standardized addresses will help reduce the amount of undeliverable-as-addressed (UAA) pieces in your mailings. To learn more about the correct way to standardize your addresses, see Publication 28, *Postal Addressing Standards* online at <http://pe.usps.com/text/pub28/welcome.htm>.

Address Hygiene Tools

The Postal Service has a variety of products and services or hygiene tools that will help improve the accuracy of your mailing lists, the quality of the physical addresses, and provide move update information. These products and services are available through either the Postal Service or private mail service providers licensed or certified by the Postal Service.

Physical Address Hygiene and Quality

The following four products will help ensure that all your addresses are deliverable — and also identify those with address deficiencies:

- a. **Coding Accuracy Support System (CASS).** CASS-certified address matching software will help standardize your addresses and update your files with ZIP+4 codes. You can get CASS-certified software from numerous mail service providers or have your own software CASS-certified. Having ZIP+4 codes on your mail improves the speed and efficiency of your mail delivery and can reduce postage prices.
- b. **Delivery Point Validation (DPV).** DPV can confirm the existence of an address on a mailing list as a valid delivery point and helps you identify inaccurate or incomplete addresses. You must use the DPV product in conjunction with CASS-certified address matching software. DPV is available from various vendors or can be acquired by the end user.
- c. **Address Element Correction (AEC).** AEC is an entirely computerized address correction process which uses logic routines to assist in ZIP+4 coding previously un-coded addresses, allowing mail to qualify for discounted automation prices.
- d. **Address Element Correction II (AEC II).** AEC II is for addresses that AEC cannot resolve electronically. In AEC II, addresses are sent to delivery personnel, carriers, and clerks in local Post Offices for resolution.

Move Update Options

Mailers are required to update all addresses on discounted First-Class Mail and USPS Marketing Mail within 95 days before a mailing. The Postal Service makes the following Move Update options available to mailers at reasonable costs. You need to determine which of the following methods works best for your organization:

- a. **NCOA^{Link} Systems.** The NCOA^{Link} process provides change-of-address (COA) data, submitted by customers who have moved and have notified the Postal Service of a change-of-address. Updated 18 month or 48 month computerized change-of-address information is provided on a regular basis to the NCOA^{Link} licensees by the Postal Service. NCOA^{Link} is very effective because it corrects your addresses before you mail.

b. **Address Change Service (ACS).** ACS is a free service that provides mailers a cost-effective means of obtaining current change-of-address information when mail is undeliverable-as-addressed (UAA). ACS allows you to update address files electronically, eliminating the cost, time, and errors of manual keying. ACS provides a data file that includes new address information or the reason your mail cannot be delivered (examples: "Attempted – Not Known" or "Insufficient Address"). The Postal Service may charge an electronic or automated address correction fee for each address correction record provided. With ACS, you get corrected information for your mailpiece after the mailing. For more information about ACS, go to: <https://postalpro.usps.com>.

c. **Ancillary Service Endorsements.** Ancillary service endorsements are used to request an addressee's new address and to provide the Postal Service with instructions on how to handle your mail if it is undeliverable-as-addressed (UAA). "Address Service Requested", "Change Service Requested" and "Return Service Requested" endorsements meet the Move Update standard and provide you with the new address or the reason the mail cannot be delivered through either a separate address correction notice (PS Form 3547, *Notice to Mailer of Correction in Address*) or the return of your mail. Manual address correction fees or return postage may apply. For more information on ancillary endorsements, see DMM 507.1.5.

ACS and ASE (ancillary service endorsements) are post-mailing updates and do not necessarily meet the Move Update requirement for the mailing. As long as you continue to mail to your customers at least once every 95 days using a post-mailing method, and update your addresses to be used on the mailpieces before the next mailing, you are in compliance with Move Update. Otherwise, if you mail more than 95 days after the last mailing or if this is the very first time you mail to an address that you obtain other than directly from your addressee (in the last 95 days), you must use an approved method or mail the pieces at the single-piece First-Class Mail price.

Additional information on how to comply with the Move Update standard can be found in the *Guide to Move Update* at <http://postalpro.usps.com/node/1116> and DMM 602.5 at <http://pe.usps.com/text/dmm300/602.htm>.

More Addressing Tips for Election Mailers

To help you with the processing of your mail, consider including the following information on your mail in addition to the voter name and address:

- Election date or code.
- Voter identification.
- Precinct number or name.
- Party code (primary election only; party code may not be used to disclose to the public the affiliation of the voter).

However, if you include this type of information on your Election Mail, it should be printed so it is not in the optical character read area used by Postal Service processing equipment to read the delivery address. If voter information must appear in the delivery address block area (i.e., address labels are used for both the voter information and the delivery address), then the voter information line must appear above the recipient line of the delivery address.

A Postal Service mailpiece design analyst (MDA) can help you, at no charge, with this and other aspects of proper mail design. For help with mailpiece design, contact a mailpiece design analyst (MDA) by calling the MDA Customer Service Help Desk at 855-593-6093 (hours of operation are Monday–Friday, 7 a.m. to 5 p.m. CT) or send your request by e-mail to mda@usps.gov. Also, mailpiece design information is available online at <https://postalpro.usps.com/mailing/mailpiece-design-analyst-mda-customer-service-help-desk>.

For more information on Postal Service addressing products and services, contact:

NATIONAL CUSTOMER SUPPORT CENTER
UNITED STATES POSTAL SERVICE
225 N HUMPHREYS BLVD STE 501
MEMPHIS TN 38188-1001

TEL.: 800-238-3150
FAX: 901-767-8853

Addressing Official Election Mail to Persons Overseas and in the Military

Foreign addresses except Canada: The very last line of mail addressed to a foreign country should contain the country name printed in capital letters (no abbreviations). When using a foreign postal code, place it on the line above the country of destination.

Example:

MR THOMAS CLARK
117 RUSSELL DRIVE
LONDON W1P 7HQ
ENGLAND

Canadian addresses: For mail addressed to Canada, the last line of the address must show only the country name, written in full (no abbreviations) and in capital letters. There must be two spaces between the province abbreviation and the postal code, as shown below between ON and K1A 0B1.

Example:

MRS HELEN K SAUNDERS
1010 CLEAR STREET
OTTAWA ON K1A 0B1
CANADA

Military addresses: Overseas military and diplomatic addresses must conform to domestic addressing standards format, while including the correct APO, FPO, or DPO and AA, AE, or AP designation. AA, AE, and AP are used for addresses with the 3-digit ZIP Code prefixes 340, 090-098, and 962-966, respectively. APO/FPO/DPO addresses must not include a foreign city and/or country name.

Mail must be addressed to an individual or job title such as "Commander," "Commanding Officer," or other changes. Mail addressed to "Any Service Member," or similar wording such as "Any Soldier," "Sailor," "Airman," or "Marine"; "Military Mail"; or any other vague description, is prohibited.

The correct format and correlating examples are as follows:

- a. Line 1: Job Title and/or Full name.
- b. Line 2: The delivery line (the second line from the bottom in the address) must show the word "UNIT", "CMR" or "PSC" and number; and box number assigned.
- c. Line 3: The bottom line must contain the APO, FPO, DPO ("city") designation and the appropriate two-letter AA, AE, or AP ("state") abbreviation followed by the ZIP Code or ZIP+4 code.

SEAMAN JOHN DOE
UNIT 100100 BOX 4120
FPO AP 96691

JOHN DOE
PSC 5698 BOX 2002
APO AE 09400

For additional information on mailing to foreign countries, consult *Mailing Standards of the United States Postal Service*, International Mail Manual (IMM) available online at pe.usps.com.

Department of State addresses: Overseas mail addressed to Department of State personnel must show on the top line: full name, including first name and middle name or initial; and the delivery line with Unit, number, and Box number assigned. The bottom line must contain the DPO "city" designation and the appropriate two-letter "state" abbreviation (AA, AE, or AP), followed by the ZIP Code or ZIP+4 code.

Example:

JANE T DOE
UNIT 9900 BOX 0500
DPO AE 09701-0500

Section IV.

Consulting With a Postal Service Election Mail Coordinator to Plan the Mailing

The Postal Service will help you with every step of your mailing process. Consult with a Postal Service Election Mail coordinator to plan the mailing.

For help with mailpiece design, contact a mailpiece design analyst (MDA) by calling the MDA Customer Service Help Desk at 855-593-6093 (hours of operation are Monday–Friday, 7 a.m.–5 p.m. CT) or by sending your request by e-mail to mda@usps.gov. Also, mailpiece design information is available online at <https://postalpro.usps.com/mailing/mailpiece-design-analyst-mda-customer-service-help-desk>.

Consult With Your Local Postal Service Coordinator

Contact your local Postal Service Election Mail coordinator to arrange a meeting. You may also want to have direct contact with all local Post Offices within your county to help coordinate your mailing. In the meeting, include the following people:

- All your personnel involved in ordering, designing, addressing, and preparing mail.
- Any outside mail service providers or suppliers you are using.

In the meeting, your Postal Service Election Mail coordinator will discuss the logistics of your mailings with you, including the following:

- **Delivery date.** When planning the date, you will want to consider the size of the mailing, the time sensitivity of the contents, and the class of mail (e.g., First-Class Mail, USPS Marketing Mail). For ballots, take into consideration holidays and 3-day weekends so that ballots will not sit in mailboxes over a long weekend. The Postal Service delivers 6 days a week, Monday through Saturday, but does not deliver on national holidays. Because different classes of mail have different service standards, the Postal Service recommends the use of First-Class Mail service to obtain timely delivery.

- **When to give the mailpieces to the Postal Service.** The Postal Service can help schedule a time that allows for the immediate acceptance of your mailing. If more than one county is involved, it is important to coordinate the time of acceptance for each.
- **Where to give the mail to the Postal Service.** Typically, you will give your mail to a business mail entry unit, but larger Post Offices may need to direct the mailing to a specific dock area.
- **Bulk preparation supplies and equipment you will need.** Talk with your Postal Service Election Mail coordinator about Postal Service supplies (e.g., forms, tags, trays, and sacks), and when and where you can order them. There are no charges for these items. The Postal Service recommends the use of Tag 191, *Domestic and International Ballots*, on tray and sack containers to identify official ballot mail only (not other mailings) while in the mailstream.
- **Required forms and mailing profiles.** Forms are required if you want to mail at bulk (large-volume) discount postage prices for First-Class Mail, USPS Marketing Mail, or Nonprofit USPS Marketing Mail.
- **Options for mail that cannot be delivered.** Discuss how you want the Postal Service to handle mail that is UAA; see *Address Change Service* and *Ancillary Service Endorsements* in Section III.
- **Return address options.** You have a number of options where completed ballots will be mailed back, including the following:
 - Use your office address and ZIP+4 code.
 - Rent a Post Office box. This service allows you to pick up your mail during the hours the box lobby is open.
 - Rent a "phantom" Post Office box (caller service). Caller service is a premium service available for a fee, which allows you to pick up mail at a Post Office call window or loading dock when the office is open.

Section V.

Filing Required Forms for Postage Discounts and Other Mailing Services

The forms you will need are available through your local Post Office and at <http://about.usps.com/forms/welcome.htm>.

For Postage Discounts Use PS Form 3615

If you want to send your mail using First-Class Mail service or USPS Marketing Mail and receive discounts based on the volume and preparation of your mailings, you will need to obtain a permit from the Postal Service. This can be done by using PS Form 3615, *Mailing Permit Application and Customer Profile*.

For Authorization for Nonprofit Status Use PS Form 3624

If you want to mail any of your mailpieces using Nonprofit USPS Marketing Mail prices, you will first need to obtain authorization from the Postal Service. To do so, submit PS Form 3624, *Application to Mail at Nonprofit USPS Marketing Mail Prices*, to apply with supporting documentation.

For more information, see Publication 417, *Nonprofit USPS Marketing Mail Eligibility*.

For Business Reply Mail Use PS Forms 3615 and 6805

To apply for a permit to use BRM, complete PS Form 3615, *Mailing Permit Application and Customer Profile*.

Once you have your permit, you can give permission to your authorized representative to distribute and receive BRM pieces at other Post Offices using your permit number. For further information, see DMM 505.1.1 and 505.1.3

PS Form 6805, *BRM/QBRM Application for ZIP+4 Code Assignment/Validation and QBRM Approval*, needs to be filled out for any new BRM account. If you want to use QBRM, you will also need to complete PS Form 6805. PS Form 6805 is now dual-purpose: (1) for obtaining the required unique ZIP+4 codes, whether they are used for BRM or QBRM, and (2) for use as the QBRM-approval form. For further information, see DMM 505.1.1.3 and 505.1.6.

Section VI. Working With a Mailpiece Design Analyst to Ensure Mailpiece Quality

Mailpiece design is one of the most critical components in determining your mailing costs. Properly designed mail can allow you to receive automation price discounts.

Consult With a Mailpiece Design Analyst Before Printing Your Envelopes

Most of your questions about mailpiece design can be answered by a Postal Service mailpiece design analyst (MDA).

Consult with an MDA to discuss the design for the cover or envelope of every mailpiece you plan to mail (e.g., postcards, envelopes, or larger mail such as manila envelopes and catalogs, also known as flats). This service is free, and it can save significant costs for your mailing operation and unforeseen delays in delivery.

Provide at least 25 examples to the MDA for review, using new samples, or if none are available, materials from similar past mailings. The MDA will check to see if they meet current Postal Service standards for automation (e.g., envelope dimensions, paper stock, and ink colors for readability) and general mailability.

Ask the MDA to do the following:

- Help you design outgoing and return envelopes to meet automation-compatibility standards.
- Review and assist with proper wording and placement of postal markings and endorsements on your envelopes.
- Review the blueline or PDF file of your envelopes, postcards, and other mail before it is printed and provide recommendations for improvement.

More Design Tips for Election Mailers

- Always consider using the Official Election Mail logo. The purpose of the Official Election Mail logo is to alert all Postal Service employees that the mail with the logo is either from or to an official state or local voter registration organization or election official, and appropriate handling should be provided.
- Consider possible weight limitations. Printing instructions and information on both sides of forms will reduce the amount of paper and overall weight of your mail, saving postage costs.
- Consider different colors for different ballot types, districts, elections, parties, or inserts. Instead of colored envelopes, consider using colored bands that encircle only part of the envelopes, but away from the delivery address. Discuss this with your MDA.
- Some ink and paper colors will not work well on automated postal equipment. Discuss potential colors with your MDA.
- You must prepare balloting materials in accordance with DMM 703.8.0.

Design Resources

Other sources of information include:

- Quick Service Guides. The Quick Service Guides (QSG) provide information covering design of letters, cards, flats, and various reply forms for automation compatibility, along with schematics, as well as the requirements for absentee ballot envelope design. Find them at pe.usps.com.

- Postal Explorer. You can find most of the information you need to make informed decisions on Postal Explorer at *pe.usps.com*, especially the mailpiece design information available online at <https://postalpro.usps.com/mailing/mailpiece-design-analyst-mda-customer-service-help-desk>.
- Publication 25, *Designing Letter and Reply Mail*.
- Publication 28, *Postal Addressing Standards*.
- Publication 177, *Guidelines for Optimizing Readability of Flat-Size Mail*.
- Publication 178, *Recommendations for Designing Flat-Size Mail*.
- Election Officials' Mailing Resources page at www.usps.com/electionmail.
- Publication 631, *Official Election Mail — Graphic Guidelines and Logos*.

Section VII. Preparing and Presenting the Mailing

At Least 2 Weeks Before Election Day, Finalize Your Plans

- Let your Postal Election Mail team know if you want to pick up returning ballots at a Postal Service facility each day or have them delivered to your election office with your regular mail. If you want to pick up your mail, coordinate with your Postal Service Election Mail coordinator to see if this can be arranged and the best time for pick up. This option will allow you to get the Election Mail as early as possible. This is another reason to consider using Post Office box service or caller service.
- Let your Postal Service Election Mail coordinator know your cut-off time for receiving returned ballots. Arrange the latest time when an election official may pick up last-minute returns.
- Obtain pallets, trays, sacks, labels, tags, and stickers. If you use a mailing service, be sure to verify that the service will be providing all the needed supplies or can obtain them for you.
- Depending on what you are mailing, present one or more of the following forms to the Postal Service along with your mail:
 - PS Form 3600 series for First-Class Mail.
 - PS Form 3602 series for USPS Marketing Mail (Regular or Nonprofit).
- These forms are available on the Postal Service Web site. Go to <http://about.usps.com/forms/all-forms.htm>.

Section VIII: Election Mail Checklist

This suggested checklist will help ensure a successful mailing.

Step 1. Call your Postal Service Election Mail Coordinator.

See Section IV and link:

<http://about.usps.com/gov-services/election-mail/>

- Discuss the specific purpose for the mailing (e.g., information, ballots, and voter registration).
- Discuss when you intend to present the mail to the Postal Service.
- Discuss your delivery date requirements.
- Discuss if this is a Uniformed and Overseas Citizens Absentee Voting Act (JOCAVA)-eligible mailing.
- Determine if the mailing must go as First-Class Mail. USPS recommends the use of First-Class Mail postage on all outbound absentee or vote-by-mail ballots.
- Determine if the mailing can go as USPS Marketing Mail. USPS Marketing Mail is limited to one solicitation (e.g., "Please Vote!", "Register to work as a poll worker" or "Request an absentee ballot"). Mailpieces that contain more than one solicitation must be sent as First-Class Mail.
- Determine where and when the mailpieces must be presented to the Postal Service to meet your desired delivery dates.
- Determine the volume of the mailings.
- Determine the best method of receiving return mail (e.g., street delivery, PO Box or Caller Service). Caller Service is a premium service available for a fee to any customer who:
 - Requires more than free carrier service.
 - Receives or plans to receive more mail than can be delivered to the largest available Post Office Box at the facility.
- Determine the best time to pick up the mail each day.
- Determine the latest time when an election official can pick up returns.
- Determine the final date for receiving return mail.
- Determine the necessary postal equipment and supplies needed.
- Determine payment method.
- Determine what forms are needed for mail entry and postage payment.
- Determine if the mailing must meet address or Move Update requirements.
- Determine if the mailing needs to have an ancillary service endorsement (e.g., Return Service Requested).
- Determine if the mailing needs any Extra Services (e.g., Certified Mail, Return Receipt Requested, and Registered Mail).

Step 2. Determine if the mailing needs to include a reply piece (See Section II).

- Decide if you plan to use Business Reply Mail or Courtesy Reply Mail.
- Decide if it is cost effective to use Qualified Business Reply Mail (QBRM).

Step 3. Prepare your address list (See Section III).

- Decide who should receive the mailpieces.
- Compile your address list.
- Ensure proper address list hygiene.
- Validate physical address accuracy.
- Validate that you meet the Move Update standard, if applicable.

- NCOALink — The NCOALink product is a secure dataset of approximately 160 million permanent change-of-address (COA) records consisting of names and addresses of individuals, families, and businesses who have filed a change of address with the Postal Service. Developed with secure data store technology to increase security of postal customer data and protect the privacy of this information, the NCOALink product enables mailers to process mailing lists and update lists with new addresses prior to mailing. The NCOALink data is provided on a regular basis to companies that have been licensed by the Postal Service.

Step 4. File required forms for postage discounts and other mailing services (if needed) (See Section V).

- PS Form 3615, *Mailing Permit Application and Customer Profile* (for Permit Imprint and Business Reply Mail permits).
<http://about.usps.com/forms/ps3615.pdf>
- PS Form 3624, *Application to Mail at Nonprofit USPS Marketing Mail Prices*.
<http://about.usps.com/forms/ps3624.pdf>
- PS Form 3623, *Request for Confirmation of Authorization (or Pending Application) to Mail at Nonprofit USPS Marketing Mail Prices*.
<http://about.usps.com/forms/ps3623.pdf>
- PS Form 1093, *Application for Post Office Box Service*.
<http://about.usps.com/forms/ps1093.pdf>
- PS Form 1093-C, *How to Apply for Post Office Caller Service*.
<http://about.usps.com/forms/ps1093c.pdf>
- PS Form 6805, *BRM/QBRM Application for ZIP+4 Code Assignment/Validation and QBRM Approval*.
<https://about.usps.com/forms/ps6805.pdf>

Step 5. Review mailpiece design

The Postal Service recommends that Election Officials always have all ballot envelope designs, previous as well as new designs, that will be used reviewed by a Mailpiece Design Analyst (MDA). Mailpiece review typically occurs within 48 hours of submission. Election Officials have, in some instances, made design

decisions without consulting an MDA. Some uninformed decisions have resulted in envelopes that are not automation compatible and/or returned to the voter.

For assistance with mailpiece design, contact an MDA by calling the MDA Customer Service Help Desk at 855-593-6093 (hours of operation are Monday–Friday, 7 a.m.–5 p.m. CT) or by sending your request by e-mail to mda@usps.gov. Also, mailpiece design information is available online at <https://postalpro.usps.com/mailing/mailpiece-design-analyst-mda-customer-service-help-desk>.

MDAs are trained to do the following:

- Provide pre-mailing piece design consultation.
- Provide technical assistance to printers, graphic designers, and envelope manufacturers.
- Provide guidance on class of mail options based on:
 - Delivery standards.
 - Service levels.
 - Postage prices.
 - Presort requirements.
 - Content requirements.
- Review mailpieces for adherence to USPS standards.
 - Ensure that location of elections office/agency related content does not interfere with Postal Service regulations or processing.
 - Test paper and mail samples for thickness, size, shape, weight, color, flexibility, and Intelligent Mail barcode (IMb) tolerances.
 - Analyze readability of actual mailpieces.
 - Provide assistance with mailpiece design evaluations of Political Mail and Official Election Mail.
 - Verify:
 - ZIP+4.
 - Official Election Mail logo size and placement.
 - Endorsements.

- Before artwork is sent to printer, finalize design with MDA and submit pre-production proof.

Postal Service design recommendations.

USPS highly recommends that Local Election Officials use available Postal Service support resources: Election Mail Coordinators and Mailpiece Design Analysts.

- Use letter-size reply envelopes.
 - The Postal Service highly recommends the use of letter-size reply envelopes. The use of letter-size reply envelopes will increase the operational likelihood that the ballot receives a postmark.
- Consider appropriate colors, weight limitations, proper wording, placement of postal markings, etc.
 - Use pastel colors (USPS guidance on appropriate colors to use).
 - Local Election Offices should standardize use of envelopes by color for each election type (e.g., primary/general/special/school.)
- First-Class Mail "Best Practices"
 - Local Election Officials should use First-Class Mail service rather than USPS Marketing Mail service when paying for the delivery of outbound absentee or vote-by-mail ballots. Most First-Class Mail is delivered within 2–5 days. Most USPS Marketing Mail is delivered within 3–10 days.
 - Use USPS-approved practices to maximize postage discounts for First-Class Mail (e.g., presort First-Class Mail).

Postal Service DMM requirements.

- USPS requires that the balloting materials for all types of absentee ballots, whether disseminated in hardcopy or electronically, must indicate in a prominent location the proper amount of First-Class Mail postage that must be paid. This information must be included in the balloting materials.

- Alternatively, the marking "Apply First-Class Mail postage here" may be printed in the upper-right corner of the address side of the envelope used by the voter to return the ballot to election officials. USPS will also accept approved variations of the above markings. Additionally, balloting materials must indicate, in a prominent location, the specific amount of First-Class Mail postage required for the return of the ballot to election officials. The marking requirements will not apply to balloting materials that are qualified under the special exemptions specified by USPS (see DMM 703.8.0).

- For the design of reply envelopes do as follows:
 - Use the Official Election Mail Logo on all Official Election Mail because:
 - Voters recognize the mail as important.
 - Postal Service workers can distinguish the mailpiece from the thousands of other mailpieces processed daily.
 - Use IMb to increase the electronic visibility of the absentee ballot in the mail stream to assist in the proper processing and timely delivery of voted absentee ballots.
 - Use Informed Visibility (IV) Mail Tracking and Reporting, a service which provides:
 - Near real-time mail tracking data for letter and flat pieces, bundles, handling units (trays, tubs, and sacks), and containers as mail moves through the mailstream, enabling you to better plan election mail resources.
 - Flexible data provisioning and data delegation, allowing you to receive the data you want, when you want it, and how you want it.

Step 6. Prevent late ballots with essential voter communication.

- Election Officials should consider including a voter notification in the ballot material packet to ensure the timely delivery of ballots. Return-by mail-date guidance is based on state and local laws, but could include:
 - For domestic nonmilitary voters, the Postal Service recommends that voters mail their ballots at least 1 week out from the due date to account for any unforeseen events or weather issues.
 - For APO/FPO the Military Postal Service Agency recommends that military personnel serving overseas follow the return-by-mail date for their location published at: <http://usps.com/electionmail/>.
- Voters returning their ballots via a Postal Service retail location may ask window clerks to roundstamp/hand cancel the postage. The roundstamp contains the date that the mail is accepted at a USPS office.

Step 7. Prepare and present the mailing (See Section VII)

- Print mailing in time for preparation and delivery to the Post Office facility.
- Obtain postal supplies and equipment (e.g., trays, stickers, and tags).
- Prepare mailing for delivery to the Post Office.
- Obtain and complete postage statements to be presented with the mailing:
 - If using First-Class Mail, use one or more forms in the 3600 series.
 - If using USPS Marketing Mail, use one or more forms in the 3602 series.
- Affix Tag 191 on all Domestic and International Ballot mailings. USPS recommends that all trays and sacks with mailings of ballot materials affix Tag 191, *Domestic and International Ballots*. This bright green tag provides a high degree of visibility on ballot mail as it enters Postal Service processing centers.

- To obtain Tag 191, Election Officials should contact their Business Mail Entry Unit at: <https://postalpro.usps.com/locators/find-bme>.
- Or visit: <http://about.usps.com/gov-services/election-mail/> to order Tag 191 online.

NOTE: Tag 191 can ONLY be applied to ballot mail, such as Vote-by-Mail Ballots or Absentee Ballots.

- Present mailing, postage statement, and, if necessary, check (payment) for funding postage account.

Note: The following are amongst the many trademarks of the United States Postal Service: ACS™, AEC II®, Business Reply Mail®, CASS™, Certified Mail®, Courtesy Reply Mail™, DMM®, DPV®, First-Class Mail®, IMM®, NCOALINK®, Official Election Mail logo®, Official Election Mail™, PO Box™, Post Office™, Postal Explorer®, Postal Service™, Priority Mail Express®, Qualified Business Reply Mail™, Registered Mail™, USPS .com®, USPS®, USPS Eagle logo, USPS Marketing Mail®, ZIP Code™, ZIP+4®.

USPS Postmarks Mail Processed on **USPS Letter Automation Processing Equipment That Applies Cancellations**

The U.S. Postal Service® recognizes elections for political offices are the bedrock of our system of government. We greatly value our role in the election process as well as the relationships we have with Election Officials.

In response to mailers' and municipal officials' requests, the Postal Service™ began applying a cancellation mark to all letter pieces processed on USPS® Letter Automation Compatible Postage Cancellation Systems in March 2014.

The result of this improvement is that First-Class Mail® processed on Letter Automation Compatible Postage Cancellation Systems identifies the date the mail was processed at the mail processing facility near origin or drop shipment location (see Figures 1, 2, and 3). This change has a variety of uses, including identifying the date the Postal Service™ accepted custody of ballot materials.

Figures 1, 2, and 3
Sample Alternative Cancellation Marks (Images not to scale)



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Kenai Peninsula Borough
Election Stakeholders Group
Final Report and Recommendations
(Unanimously Approved July 26, 2019)



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Table of Contents

PURPOSE	3
GUIDING PRINCIPLES.....	4
1.) Maximize Accessibility and Inclusivity	4
2.) Efficiency and Conservation of Public Resources	4
3.) Voter Satisfaction and Confidence	4
4.) Longevity in the Solution	4
5.) Coordination and Collaboration	5
6.) Security and Integrity	5
7.) Voter Outreach	5
8.) Continuity of Operations / Contingency Disaster Plan.....	5
RECOMMENDATIONS.....	6
Recommendation #1 – Vote by Mail Hybrid:	6
Recommendation #2 – Education and Outreach Campaign	7
Recommendation #3 – Alaska State Statute Title 29 Amendment	8
Recommendation #4 – Voter Pamphlet	9
Recommendation #5 – Appointed Service Area Boards.....	9
Recommendation #6 – Statements Advocating for Approval or Rejection of Propositions.....	10
Additional Recommendations	10

PURPOSE

The Election Stakeholders Group was established to research ways to increase voter participation by developing sustainable election processes that maximize accessibility and inclusivity while conserving public resources.

Voting is the foundation of our democracy. Active participation in the electoral process is necessary for high functioning governance.

The Election Stakeholders Group (ESG) was established on January 8, 2019 by KPB Resolution 2019-006 and tasked with researching ways to increase voter participation by developing sustainable election processes that maximize accessibility and inclusivity while conserving public resources. In addition, the ESG was directed to explore all aspects of administering borough and city elections including the traditional polling site model and the vote by mail hybrid model.

The ESG was encouraged to keep in mind the directives of the conciliation agreement between the borough and the Human Rights Commission. Specifically, Section C which states, “Respondent Kenai Peninsula Borough (KPB) will establish and direct the stakeholder group to explore options for providing assistive technology to visually impaired voters, including the option of distributing ballots to all voters by mail and establishing voting centers with accessible voting equipment open two weeks prior to each election. Respondent will direct the stakeholder group to advance options for its consideration that will allow visually impaired voters to vote privately and independently.”

The KPB is at a critical impasse regarding the administration of elections for two reasons:

1. The Human Rights Commission has declared our current accommodations and equipment for voters with disabilities, specifically those that may be visually impaired, as significantly discriminatory;
2. The hardware that is currently being used by the KPB is owned by the State of Alaska and is at its end of life. Further, that equipment does not comply with Americans with Disabilities Act (ADA) requirements and therefore is not an option for the KPB moving forward.

The ESG was comprised of assembly members, city council members, city managers, borough mayor's office and community members interested in the electoral process. The group was staffed by the Borough Clerk's Office and assisted by subject matter experts from within the borough and cities within the borough.

The first ESG meeting was held on February 15, 2019 and subsequent meetings were held every two weeks after that for a total of 12 meetings. The meetings were advertised in accordance with the Open Meetings Act and the public was encouraged to attend; however, there was no public participation aside from 2 emails. A small subcommittee of the group did participate in a local radio show and had an opportunity to respond to questions for the listening audience.

In conducting its work and arriving at recommendations, the ESG adopted the following guiding principles:

GUIDING PRINCIPLES

1.) Maximize Accessibility and Inclusivity

Provide disability-related accommodations and other facilitative measures to enable residents experiencing a disability their equal right to vote privately and independently.

Promote participation in the electoral process for all borough voters.

2.) Efficiency and Conservation of Public Resources

Use public resources efficiently and conservatively by evaluating election-related factors such as cost per vote cast, cost per election, cost sharing with cities within the borough, appointed vs. elected advisory boards, and indirect costs.

3.) Voter Satisfaction and Confidence

Increase voter satisfaction and confidence in borough elections by maintaining voter privacy, providing options for ballot tracking and voter flexibility, and collaborating with the Alaska Division of Elections to maintain accurate voter rolls.

4.) Longevity in the Solution

Maximize the longevity of the election solution and the borough's ability to adapt to advances in technology, changes in the election workforce, engaging new voters, voter preferences, and conditions in regulatory frameworks.

5.) Coordination and Collaboration

Promote collaboration with all election stakeholders, including the public, Alaska Division of Elections, cities within the borough, candidates, media, local community groups, and voting organizations.

6.) Security and Integrity

Ensure security of the voting system, including hardware, software, accountability procedures, and the voter registration database.

Maintain integrity in the system by adopting internal controls such as signature verification, requiring acceptable identifiers, providing extensive election worker training, and giving voters the ability to cure errors to ensure all valid votes are counted.

7.) Voter Outreach

Encourage higher voter turnout by implementing a voter communication and education campaign that promotes the value of civic engagement.

Develop educational materials which explain the new processes to the public, utilizing multiple resources and methods of outreach and communication, to ensure there is a clear public understanding of and support for the new solution.

8.) Continuity of Operations / Contingency Disaster Plan

Adopt a contingency and communication disaster plan to ensure a coordinated and strategic response to any disruptive event and provide for continuity of election operations.

The ESG received presentations from the Borough and City Clerks, representatives from the State of Alaska Division of Elections, the Municipality of Anchorage, the United States Post Office (USPS), and the KPB's current ballot printer and by mail service provider. The ESG received demonstrations from two software/hardware providers. Their presentations were for both polling place and vote by mail structures. Both vendors had ADA compliant equipment for both scenarios. Finally, a subcommittee of the group participated in a field trip to Anchorage to see its "Vote by Mail Election Central" in action.

The ESG spent many hours discussing voter engagement, cost, collaboration and efficiencies. Based on the knowledge gained and through presentations and questions the ESG makes the following recommendations:

RECOMMENDATIONS

Recommendation #1 – Vote by Mail Hybrid:

Recommendation #1 is consistent with and reinforced by all of the guiding principles adopted by the Election Stakeholders Group.

The Election Stakeholders Group recommends the Assembly transition the election process from the current polling site structure to a vote by mail hybrid structure (VBMS). The VBMS is a proven methodology that the KPB has been using for over 20 years in six (Cooper Landing, Hope, Fox River, Moose Pass, Seldovia/Kachemak Bay and Tyonek) of its 28 precincts. The group reviewed the current and VBMS structures and ranked the pros and cons. The pros of the VBMS far outweighed the pros of the existing structure and aligned with the group's adopted guiding principles.

The VBMS has proven to be a more efficient and effective process for the administration of elections. In this process every registered voter will be mailed a ballot package 2-3 weeks prior to election day, giving more voters an opportunity to exercise their right to vote at a time and place that meets their schedule and convenience.

Accessible Vote Centers (AVC) will be established 2 weeks prior to election day in at least 5 locations throughout the borough. AVCs can be utilized to drop off voted ballots or to satisfy the desire to vote in person. The vote centers will be equipped with ADA compliant hardware, allowing all voters to vote privately and independently. The VBMS allows for all voters to vote in the way that suits them best.

Ballot drop boxes will need to be purchased as part of the structure and distributed throughout the borough. Voters can choose to drop their voted ballots in a drop box, at an AVC or in the mail by using the prepaid postage.

The VBMS is a long term solution for the borough and the cities within the borough as it is not subject to the changing technology of the current structure. It uses off-the-shelf scanners to count the ballots and printers for on-demand ballot printing which allows for greater accessibility, upgrades and cost effective repairs.

The VBMS has been demonstrated by the Municipality of Anchorage to engage all voter demographics and therefore translates into higher voter participation and higher voter satisfaction.

The initial capital cost of the VBMS hardware and software is less than that of the traditional structure. There will be other costs to consider; for example, ballot drop

boxes and an initial voter outreach and education campaign. The costs could be shared by the cities within the borough.

The VBMS will add to voter security and confidentiality as well as offer voters an opportunity to cure any issues that may occur with their voted ballots (e.g. no signature provided, no identifier provided, other). The group recommends the implementation of signature verification software and a signature review board. It further recommends to require at least one identifier be provided by the voter (an identifier would include voter registration number, driver's license number, or social security number). The borough should work toward a technical solution which will allow voters to track their voted ballot ensuring its receipt and review.

The VBMS further allows for the review board to adjudicate each ballot to ensure voter intent is correctly determined based on standardized methods and training.

In summary, the ESG supports and recommends the VBM structure for the administration of elections in the KPB.

The ESG received proposals from Dominion Voting software and ADA compatible hardware for both the traditional polling site structure and the vote by mail structure. The vote by mail proposal was \$213,106.60 less than the traditional polling site proposal. The vote by mail structure would require the purchase of ballot drop boxes which, according to the Municipality of Anchorage, cost around \$3,300 apiece to fabricate. The Municipality of Anchorage has 16 drop boxes distributed throughout its jurisdiction. The Municipality of Anchorage also does not prepay the postage for the return of voted ballots. The ESG recommends that the KPB deploy drop boxes as needed on the road system and encourages voters in more remote areas to use USPS. Based on information provided by the Municipality of Anchorage, the ESG is encouraged that the VBMS will increase voter turnout and that the administrative costs will decrease over time.

Recommendation #2 – Education and Outreach Campaign

Recommendation #2 is consistent with and reinforced by guiding principles, 1.) Maximize Accessibility and Inclusivity; 3.) Voter Satisfaction and Confidence; 4.) Longevity in the Solution; 5.) Coordination and Collaboration and 7.) Voter Outreach, adopted by the Election Stakeholders Group.

The Election Stakeholders Group recommends the Assembly appropriate funds for an extensive education and outreach campaign. The voter turnout in the KPB and the cities within it has been historically low. The turnout tends to trend higher or lower depending on what is on the ballot.

One of the focuses of the outreach campaign would be specifically to encourage voter participation no matter what is on the ballot through a

communication plan which promotes civic engagement and targeted marketing regarding the importance of the election process.

Another primary focus would be to educate the voters on the new VBMS.

The group recommends the use of social media, print media, and broadcast media, as well as outreach through the participation of existing community groups (chambers of commerce, rotary, etc.).

The group further recommends the KPB consider contracting with an outside resource to develop and implement a plan specifically regarding the education and notification of the voters of the new vote by mail hybrid structure.

Recommendation #3 – Alaska State Statute Title 29 Amendment

Recommendation #3 is consistent with and reinforced by guiding principles, 1.) Maximize Accessibility and Inclusivity; 2.) Efficiency and Conservation of Public Resources and 3.) Voter Satisfaction and Confidence, adopted by the Election Stakeholders Group.

The Election Stakeholders Group recommends the Assembly adopt a resolution requesting the Alaska State Legislature introduce and support a bill allowing for ranked choice voting. The bill would amend AS 29.26.060(c) to read as follows:

Sec. 29.26.060. Runoff elections.

(a) Unless otherwise provided by ordinance, a runoff election shall be held if no candidate receives over 40 percent of the votes cast for the office of

(1) mayor; or

(2) member of the governing body or school board if candidates run for a designated seat.

(b) Unless otherwise provided by ordinance, if candidates for the governing body or school board run at large, a runoff election for a seat shall be held if no candidate receives a number of votes greater than 40 percent of the total votes cast for all candidates divided by the number of seats to be filled.

(c) Unless otherwise provided by ordinance, a runoff election shall be held within three weeks after the date of certification of the election for which a runoff is required, and notice of the runoff election shall be published at least five days before the election date. Unless otherwise provided by ordinance t[T]he runoff election shall be

between the two candidates receiving the greatest number of votes for the seat.

This amendment would allow municipalities the flexibility to conduct runoff elections according to local preference.

The ESG recommends the KPB Assembly further research and explore the solution of Ranked Choice Voting for the election of the Borough Mayor rather than continuing to conduct separate runoff elections which are costly and typically receive lower voter turnout than the regular election. Ranked Choice Voting would allow for an immediate runoff to select the prevailing candidate.

Recommendation #4 – Voter Pamphlet

Recommendation #4 is consistent with and reinforced by guiding principles, 2.) Efficiency and Conservation of Public Resources and 3.) Voter Satisfaction and Confidence, adopted by the Election Stakeholders Group.

The Election Stakeholder Group recommends including information in each ballot package which directs the voter to a website with voter information, candidate profiles and proposition summaries. The information provided would also specify locations at which hard copies of the voter pamphlet could be obtained. In addition, hard copies of the voter pamphlet could be mailed directly to a voter upon request.

Paper copies of the voter pamphlet should include candidate profiles, proposition summaries and additional voter information and be made available at each of the AVCs. AVC employees would be educated and prepared to assist voters in the navigation of the election website.

Recommendation #5 – Appointed Service Area Boards

Recommendation #5 is consistent with and reinforced by guiding principle, 2.) Efficiency and Conservation of Public Resources, adopted by the Election Stakeholders Group.

The Election Stakeholders Group recommends amending KPB Titles 2, 4 and 16 – Service Areas to provide that all KPB service area boards are appointed instead of elected (draft ordinance attached for consideration).

It is rare for a service area board race to be contested at an election. In addition, there have been many years when no candidate files for the seat at all and ultimately the seat is filled by appointment after the election is certified.

Recommendation #6 – Statements Advocating for Approval or Rejection of Propositions

Recommendation #6 is consistent with and reinforced by guiding principles, 2.) Efficiency and Conservation of Public Resources and 3.) Voter Satisfaction and Confidence, adopted by the Election Stakeholders Group.

The Election Stakeholders Group recommends the Assembly amend KPB 4.10.110 by deleting Section B which provides for the inclusion of statements advocating voter approval or rejection of propositions in the voter pamphlet. Recommendation #4 suggests streamlining the voter pamphlet to reduce waste and cost. Amending this section of code would further support that reduction. Additionally, the current inclusion of the statements may be contributing to voter confusion.

The information provided and disseminated by the borough should be that of a factual nature. Public funds should not be used to further the message of an outside group, and the official voter information pamphlet is an inappropriate place to allow members of the public to advocate for or against a proposition. In today's technical environment there are multiple ways to effectively and efficiently spread a message without cost to the tax payers of the borough.

Additionally, the administration of this code provision has proven to be difficult and identifying possible authors of statements has proven to be problematic. Historically, statements have been submitted for inclusion in the voter pamphlet and those statements are not vetted or verified by the borough and therefore may include misleading information.

This provision of code was enacted in 2007 and has only been utilized a handful of times and typically only when there is a voter initiative or referendum proposition on the ballot.

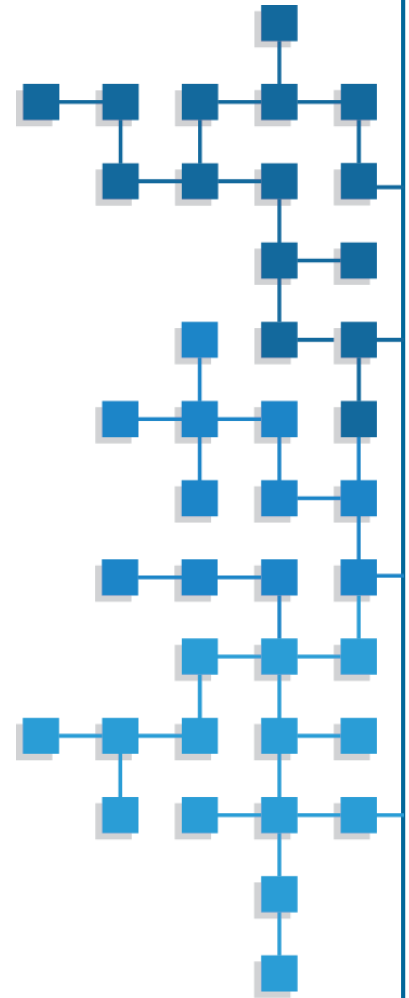
Additional Recommendations

The ESG recommends the KPB seek support from and partners with the cities within the borough to conduct all local elections by mail. Further, we recommend cost sharing with the cities within the borough for election equipment, an extensive and comprehensive communication/education plan and administration of all future elections. The ESG promotes the collaboration between the KPB and the cities within the KPB to develop legislation and administrative practices for the administration of local elections.

Vote by Mail Feasibility Study

Kenai Peninsula Borough

April 29, 2020



Developed by Dennis Wheeler and Kami Fitch



Table of Contents

1.0 Background and Purpose.....	1
1.1. Key Differences Between Poll-based Elections and Vote by Mail Elections	1
1.2. Out of Scope	1
2.0 Assessment and Recommendations	2
2.1. Overall Assessment.....	1
2.2. Prepare for Vote by Mail	1
2.2.1. Update Legislative and Administrative Rules to Support Vote by Mail	1
2.2.2. Acquire a Mail Sorter Solution	3
2.2.3. Prepare Election Center Site	7
2.2.4. Develop an Automated Method for Assigning Ballot Styles.....	9
2.2.5. Collect Initial Set of Reference Signatures.....	12
2.3. Prepare Election	13
2.3.1. Education and Outreach.....	13
2.3.2. Identify “Undeliverable” Voters Before the Election	14
2.3.3. Design Envelopes.....	15
2.3.4. Obtain and Process Voter List.....	18
2.4. Print and Mail Ballot Packages	21
2.4.1. Print Ballots.....	21
2.4.2. Print Envelopes.....	21
2.4.3. Build Ballot Packages (Including Inserts)	21
2.4.4. Mail Ballot Packages to Voters.....	22
2.4.5. Re-issue Ballot Packages (Temporary Addresses and Replacement Ballots).....	22
2.4.6. City Participation.....	23
2.5. Voter Support	23
2.5.1. Call Center	23
2.5.2. Vote Centers.....	24
2.6. Process Returned Envelopes	26
2.6.1. Pick Up Returned Envelopes.....	26

2.6.2. Scan and Sort Returned Envelopes 29

2.6.3. Verify Signatures 31

2.6.4. “Cure” Ballot Return Envelopes..... 32

2.6.5. Open Ballot Return Envelopes/Prepare Ballots for Scanning..... 32

2.7. Store Election Records 33

 2.7.1. Providing Election Information to the State 33

 2.7.2. Dispose of Records 34

2.8. Staffing Requirements 34

3.0 Summary of Estimated Costs 35

 3.1. Assistive Technology Cost Comparison..... 37

 3.2. Total Recurring Cost Estimate 37

Appendix A: Sample Layout of Records Center 38

1.0 Background and Purpose

The Kenai Peninsula Borough (KPB) currently holds poll-based elections (except for 6 small precincts that are done as vote by mail). KPB is looking at changing to an all vote by mail format for future elections. This feasibility study is intended to assess KPB's ability to transition to vote by mail, what tasks would be required, and to provide high-level estimates of costs.

1.1. Key Differences Between Poll-based Elections and Vote by Mail Elections

The primary differences between poll-based elections and vote by mail elections are two-fold: the transactions of ballot delivery to the voter and ballot return by the voter.

In a poll-based election, these transactions occur predominantly at the voter's polling location and happen largely on a single day: Election Day. The unmarked ballots are sent out to the polls, the voters appear at the polls and vote, and the ballots are scanned at the polls. The scanner results are delivered to the Election Center in a variety of ways. These days, they mostly arrive on the memory cards pulled from the scanners.

In a vote by mail hybrid, ballots are delivered to the voter's mailing address, the voter can vote at home, and then deliver the ballot back by mail or by dropping it off in a secure drop box or at designated vote centers. The voter typically has a few weeks to vote and return the ballot. Returned ballots are processed and scanned at a central location. This process is not a new concept, including for KPB, as it is just a more streamlined and wide-spread form of absentee voting by mail, which has been around for a very long time.

While the differences between poll-based elections and vote by mail elections come down to these two main aspects, these create a number of points where processes need to change to support vote by mail on a large scale. This study focuses on these aspects.

1.2. Out of Scope

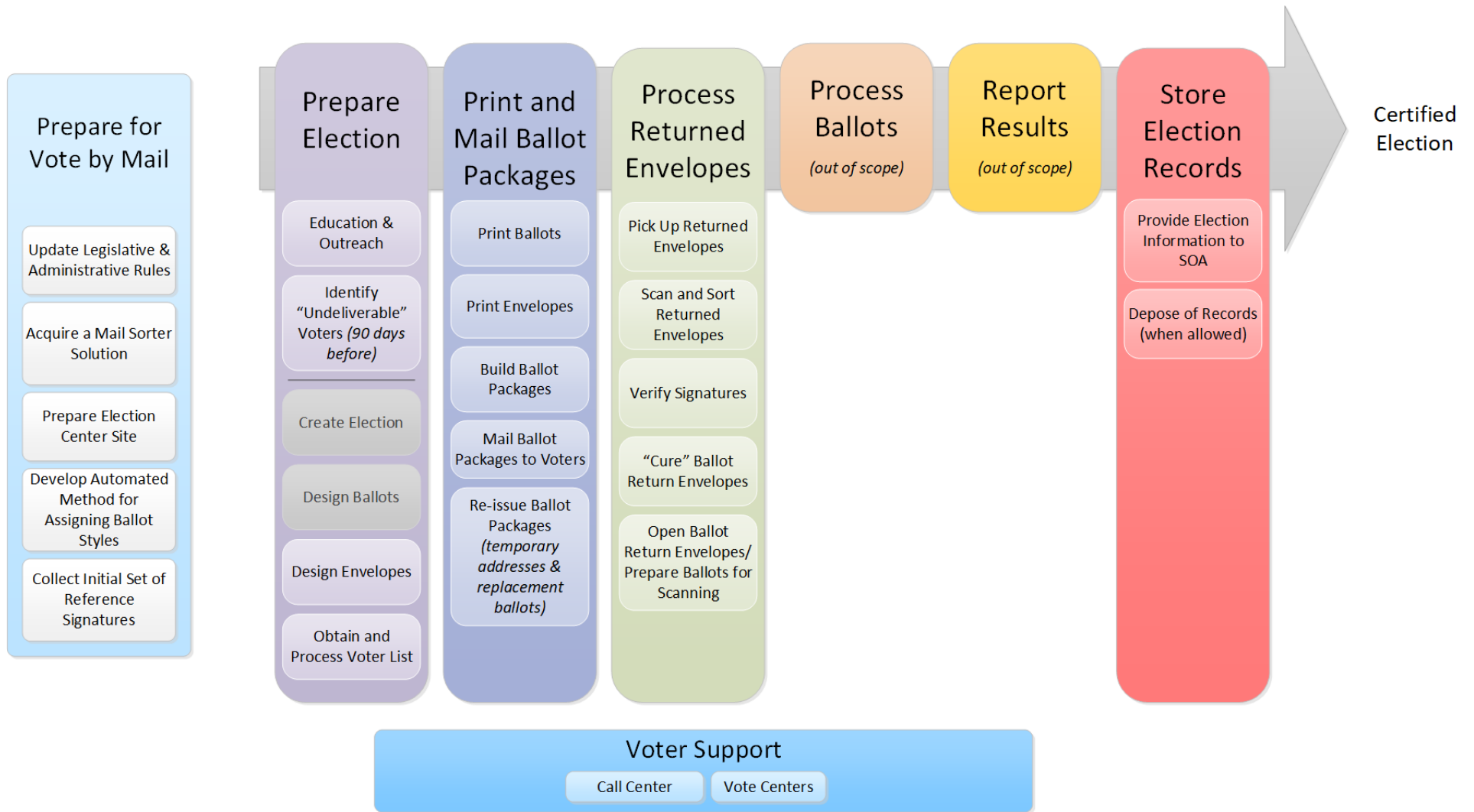
The following items are considered out of scope for this study:

- Tasks completed using KPB's existing Election Management System (e.g., ballot creation, scanning, and tabulation), except for recommendations related to preparing the ballots to be scanned and the timing of scanning ballots as these aspects are different with vote by mail.

- Detailed and definitive cost estimates. While we have provided estimates, which are based on general assumptions and include some sampling of known vendors, more precise estimates would require that KPB make a number of business decisions.

2.0 Assessment and Recommendations

This section discusses various aspects of a vote by mail election in greater detail, describing various aspects that KPB will need to consider or prepare for and making recommendations. We have organized the information around the general workflow of a vote by mail election, as illustrated by the diagram on the following page.



2.1. Overall Assessment

Based on our review, we believe that KPB will be able to successfully transition to area-wide vote by mail elections. However, to be successful, KPB should complete a number of significant tasks before making this change, as identified in Section 2.2: Prepare for Vote by Mail. In addition, in the lead-up to its first vote by mail election, KPB will have many decisions to make, a variety of equipment to purchase, and procedures to define or change.

The transition to vote by mail will also require a significant amount of initial investment to acquire the equipment and other materials needed to support vote by mail. Within this study, we have provided estimates (either in dollars or hours as appropriate) to give KPB a rough idea of costs. In most cases, we've estimated towards the high end to allow for a discussion of what a maximum cost might look like. But we would expect KPB and its cities will be able to leverage current resources to bring these costs down as they navigate and implement voting by mail. Keep in mind these estimates are a rough order of magnitude and are based on many assumptions. **Actual costs may vary greatly depending on choices KPB makes and market rates at the time.**

Given the amount of work required to transition to vote by mail elections, we believe that KPB can only make this change in time for the October 2020 election if they use manual processes for mail sorting and a simplified signature verification process or leverage the election equipment owned by the Municipality of Anchorage (MOA). Both of these options will introduce some complexity into the election process, with a net effect of slightly delaying final election results. This is manageable, especially if certain KPB Code changes are made, as recommended.

2.2. Prepare for Vote by Mail

Before completing its first vote by mail election, KPB will need to complete several one-time tasks in preparation.

2.2.1. Update Legislative and Administrative Rules to Support Vote by Mail

KPB is a second-class borough under State statutes, with 6 incorporated cities within its boundaries (Homer¹, Kachemak City, Kenai, Soldotna, Seldovia, and Seward).

Most borough and city codes will need to be modified to allow voting by mail. Although borough and city codes already include absentee by mail voting as an option, absentee voting as currently structured is too cumbersome for broad, area-wide use as it requires a voluntary,

¹ We understand Homer, Kachemak City, and Seldovia run their elections largely separately, but for purposes of this study, we will assume that they would choose to be included.

annual application process by each voter. Keeping this requirement would be very costly and unnecessary with a full vote by mail program. In addition, some codes may restrict when a voter can vote absentee by mail. For example, under current KPB code, a voter can only vote absentee if the voter is either in a precinct approved for voting by mail (KPB 4.50.015) or cannot reach the polls on election day (KPB 4.80.030).

Other election attributes of the current voting process should also either be changed (e.g., deadline dates) or eliminated (e.g., code sections that speak to voting at a polling location). With respect to deadlines, most current deadlines need to be reviewed with an eye towards ensuring there is sufficient time to complete all the steps needed² early enough that ballot packages can be sent 2-3 weeks before Election Day.

KPB should consider the following areas for code changes:

- Requirements of the ballot return envelope (overall design and appearance, flap/no flap, identifiers, signatures, etc.)—refer to Section 2.3.3: Design Envelopes for additional discussion
- Deadlines and other dates (e.g., notice of election, candidate declaration, candidate withdraw, opening of Vote Centers, and similar dates that might be affected by the longer process involved in preparing a vote by mail election)—refer to Section 2.2.1.1: Changes to Deadlines for additional discussion

Note: The preparation process for vote by mail is approximately 1-2 weeks longer than in a poll-based election.

- Date of runoff elections. Runoffs are often right on the heels of the regular election. This very short window should be increased by a week to accommodate creating and mailing the ballot packages. See AS 29.26.060(c)
- Exclusion of “undeliverable” addresses from the mailing list of voters—refer to Section 2.3.2: Identify “Undeliverable” Voters Before the Election for additional discussion.
- Drop box locations as an allowable method of receiving voted ballots—refer to Section 2.6.1.2: Drop Boxes for additional discussion
- Vote Centers to help voters (some aspects of this are already performed by locations used for absentee voting in person)—refer to Section 2.5.2: Vote Centers for additional discussion
- Rules for how a voter might correct their vote on the face of the ballot
- Rules for how a voter might cure their returned envelope and the deadline for doing so (e.g., if the voter forgot to sign their return envelope, can they cure it, and if so, how and when)—refer to Section 2.6.4: “Cure” Ballot Return Envelopes for additional discussion

² For example, designing and printing ballots, assigning ballot styles to the State voter list, and preparing ballot packages for each voter.

- Rules for accepting ballot return envelopes (matching signatures, voiding envelopes, etc.)—refer to Section 2.6.2: Scan and Sort Returned Envelopes for additional discussion
- Rules for when KPBB can begin scanning (but not tabulating) ballots³
- Any new or modified procedures that by law must be approved by the Assembly or city councils

Ideally, KPBB and the cities within it will adopt mirrored code provisions as much as possible to support streamlined and consistent rules on voting by mail.

2.2.1.1. Changes to Deadlines

A key decision KPBB will need to make is the target time between mailing the ballots to voters and Election Day. Typically, this voting period (i.e., the time between mailing and close of the election) is about 3 weeks⁴. Once this time period is decided, KPBB will need to work backwards to set other deadlines, making sure sufficient time is allowed for completing all the preparation tasks (refer to Section 2.3: Prepare Election for more details). Typically, the preparation process in a vote by mail election is approximately 1-2 weeks longer than a poll-based election. Because of the additional printing and processing required of KPBB's printing/mailing vendor in a vote by mail election, KPBB will need to work with this vendor to understand what is feasible for them when determining what deadlines/dates to update in the Code.

2.2.2. Acquire a Mail Sorter Solution

When doing a vote by mail election, a key decision is how to process returned ballot envelopes, which includes tasks such as the following:

- Identifying the ballot return envelopes in order to determine whether they are valid for the current election and to track which voters have returned ballot envelopes, ensuring that only one ballot is accepted from each voter
- Sorting ballot return envelopes into groups (e.g., by status, by precinct) based on KPBB's chosen requirements
- Verifying the voter's identity by validating the voter's signature on the ballot return envelope

³ Most jurisdictions using vote by mail begin scanning returned ballots before 8:00 PM on Election Day—but then tabulate results **only after** that deadline. By allowing scanning in advance, an initial set of results can be made available shortly after “polls close” on Election Day.

⁴ Currently, KPBB 4.50.015A.1 (which discusses permanent absentee locations) states that “ballots shall be sent to each registered voter in the precinct on or before the 15th day prior to the election.”

- Tracking the “cure” process when there is a problem with the voter’s ballot return envelope (i.e., allowing the voter an opportunity to resolve the problem so the ballot can be accepted)

Typically, government entities purchase a specialized election sorter to support this processing. In addition to doing basic sorting, these machines also include software for the tracking, reporting, and other functions necessary to support elections.

We made some preliminary inquiries with vendors about options that would be approximately the right size for KPB.⁵ Because these sorters are specially designed for elections, pricing for sorters that include signature verification software is typically well above \$100,000. While KPB may be able to get reduced pricing through a competitive bid process, KPB should expect to pay more than \$100,000 for a sorter (plus ongoing annual support and maintenance). In addition, sorters often require multiple months lead time before being ready for delivery. Therefore, if KPB wants vote by mail in October 2020, it needs to immediately engage in the procurement process, and it may be difficult to find a vendor who can deliver a sorter within that timeframe.

KPB could choose to purchase its own sorting equipment, but does have other options available, which would have lower up-front costs and quicker initial implementation:

1. **Process ballot return envelopes manually:** With this solution, the ballot return envelopes would not be mechanically sorted. Election workers would need to manually look up each voter to review the signatures, verify whether the voter had already returned a ballot, etc. If this approach were used, KPB would need a method to help with tracking, which might require building a custom software tool.

Manually processing ballot return envelopes is potentially feasible because of the relatively small number of voters in KPB (approximately 50,000). If the number of registered voters or voter turnout increases substantially, manual processing would become increasingly difficult.

2. **Use MOA’s sorter, at least in the first year:** MOA has indicated they are willing to assist other jurisdictions through use of their sorter and Election Center. **MOA is offering its facility and systems at no charge.** Because this sorter can run approximately 18,000 envelopes an hour, KPB could run the bulk of their envelopes and complete signature verification within 2-3 days. However, if KPB ran their envelopes in bulk at the end of the election, this would affect the policies and processes for giving voters an opportunity to cure any problems with their envelopes (e.g., no signature, no reference signature, unmatched signature—refer to Section 2.6.4: “Cure” Ballot Return Envelopes for additional information

⁵ Potential vendors include ES&S, Fluence Automation, Runbeck Election Services, and Pitney Bowes. Based on our tour of the facilities, any sorter KPB is likely to purchase would fit within the identified space. Generally, powers requirements for these sorters are not unusual and likely will not exceed a 50 Amp 220 circuit.

about “curing”). These are solvable issues, which could be partly addressed in appropriate Code changes.

The following table compares some aspects between the three alternatives:

	Purchase Equipment	Process Manually	Use MOA Equipment
Upfront Cost	Highest (> \$100,000)	Low to Medium (depending on tracking solution)	Low
Implementation Time	Longer (2020 unlikely)	Quicker (2020 possible)	Quicker (2020 possible)
Processing Location	KPB	KPB	MOA
Staffing Requirements	Lowest	Highest	Medium (staff in KPB and MOA)
Other Considerations		More time consuming More error prone	Most or all envelopes have to be transported to Anchorage Location of KPB staff

Because it is a better long-term solution, we recommend that KPB select and purchase an election sorter⁶. In the long run, KPB will be able to more easily manage elections by having a sorter located at the KPB Election Center.

In order to select the sorter that best meets their needs, KPB should begin the selection process by defining their requirements for the sorter and the software that comes with it. As part of this process, KPB will need to make decisions about potential system functions, including the following:

- Importing voter data and signatures, including updating voter data⁷
- Exporting voter data for use by the printer⁸ and Vote Centers

⁶ If KPB needs to do a vote by mail election in 2020, the new sorter will likely not be available, and KPB would need to use one of the alternative approaches for 2020.

⁷ Refer to Section 2.3.4: Obtain and Process Voter List for more information. In MOA’s experience, the printing and mailing vendors need initial voter information well in advance of when the State has final timely voter updates entered in the voter registration database. Therefore, KPB will need to process 2-3 versions of the voter list before ballot packages are mailed.

⁸ Because of there may be 2-3 versions of the voter list, the sorter may need include functionality for generating a file that shows just changes in the voter list. In addition, if KPB excludes some voters from being mailed a ballot package initially (e.g., those designated as

- Tracking the need for replacement ballots and/or temporary addresses
- Sorting ballot return envelopes, including conditions under which envelopes should be out-sorted (e.g., invalid ID, potential duplicate, etc.)
- Capturing digital images of envelope signatures and/or the entire envelope
- Verifying voter signatures, using either an automated process and/or a manual review
- When there is a problem with a ballot return envelope, supporting the “cure” process
- Providing voters with information about whether their ballot has been received
- Reporting and exporting information to support and validate ballot return envelope processing
- Exporting digital signature images for accepted envelopes (for loading to the State voter registration database for use as future reference signature images)

In addition, KPB will need to define their technical requirements for the sorter (e.g., processing speed, scalability, physical space, operating system/software, security, number of users who can simultaneously verify signatures/perform other functions on the equipment). During the selection process, KPB should evaluate the possible sorters against the defined requirements. Ideally, KPB will be able to see a demo of each sorter being considered (and its software) before making a final decision.

The sorter KPB selects will affect the details of many other aspects of the election. For example, the sorter may have specific requirements for the ballot return envelopes or the format of the imported voter list. In addition, how the sorter handles signature verification and curing envelopes will affect the specifics of KPB procedures in these areas.

Note: Additional factors and considerations with the sorter are referenced in subsequent sections.

When considering the costs for acquiring a sorter, KPB needs to factor in staff time required for the following activities:

- Defining requirements
- Evaluating and selecting potential solutions
- Working with the vendor to implement the sorter, which will include testing
- Developing policies and procedures for processes involving the sorter

These activities will likely require at least a few hundred hours of staff time.

Based on our tour of KPB facilities and our understanding of election sorters available, KPB’s facilities are adequate, and the requirements KPB is most likely to have are generally features available with sorters currently in the marketplace.

undeliverable), functionality to exclude voters from the output based on a set of criteria may also be needed.

2.2.3. Prepare Election Center Site

KPB has identified that their Election Center will be at the KPB central offices, with ballot tabulation being done in the main offices and envelope processing in the Records Center, which is in a different building. While the spaces identified should be adequate for the election, KPB should make changes to enhance security in these areas.

2.2.3.1. Alarms and Cameras

While KPB will be able to leverage the security features it already has in place, we recommend adding some additional security measures in the form of more cameras and alarms.

KPB should have a few cameras for viewing election processing, including in the envelope processing area and the ballot tabulation area. Ideally, the cameras will provide a feed to a monitor for public viewing when the public is not allowed to be in close proximity to the activity. The feeds for recording should record upon detecting motion, even in very low lighting, and have sufficient storage on a secure drive. In addition, the recording drive should have appropriate, separated backup.

We also recommend that both areas used for elections have door and window alarms that, if breached, provide appropriate instant notification. If not already available, the alarm system should log activation and deactivation by authorized personnel and provide the same instant notification. Notification should go to an authorized alarm company that can provide the appropriate response, as well as to the cell phones of appropriate KPB officials.

We estimate alarms and cameras will cost approximately \$10,000, although this estimate could change depending on how much existing KPB security equipment can be used.

2.2.3.2. Secure Storage

The Records Center should have one locking cage or special room in which ballot return envelopes that have been received but are not ready for opening can be stored. We estimate a cage of sufficient size would cost approximately \$3,000.

The main offices already have secure storage, which would be suitable for storing ballots. We believe no updates are required in that area, with the exception of “re-keying” a conference room or two for use during the election.

2.2.3.3. Onsite Access

One way to build and maintain voter confidence is to allow public access for viewing the process. Many jurisdictions provide access through a combination of video feeds, onsite tours, and public viewing areas within the election processing areas. We recommend KPB provide a reasonable level of access, while maintaining security and efficiency.

Although space is limited in the Records Center, public viewing of the envelope processing area can still be accommodated. However, KPB will probably need to impose a limit of no more than 5 persons at a time, depending on whether candidates and issue groups also have observers in the area. The public should be kept far enough from the computers being used for signature verification that voter information is not readily readable by visitors.

The ballot envelope opening area and ballot tabulation area within KPB's office will be smaller and would be best served with a wide-angle camera with a monitor available in a more public area within the KPB main office. This video could be part of the same feed for security.

Separation and security for public access can generally be well managed by requiring a sign-in and issuing colored lanyards to distinguish visitors, and then employing some simple barriers, such as stanchions with retractable belts.

Refer to Appendix A for sample layout.

2.2.3.4. Air Gapping Systems

Because of the sensitivity of information stored in election systems, we recommend that these systems be "air gapped," meaning that they are not connected to other networks⁹. By physically isolating this equipment and disabling any wireless capabilities, KPB will increase the security on these systems.

The Election Management System (i.e., the equipment for designing, scanning, and tabulating ballots) should always be air gapped and never accessed remotely by anyone. These systems typically complete a rigorous certification process, which also dictates how any updates to these computers are handled.

For the sorter system, KPB could choose to allow the vendor's technicians to access it remotely through a secure firewall, so that they can support KPB on an "as-needed" basis. We recommend that KPB have rules and security in place to prevent unauthorized access to the system. Depending on the sorter selected, this may include the following:

- Physically disconnecting any wired access available to the vendor (and others) at appropriate times (e.g., during an election cycle)
- Having strong password/log in requirements and setting rules for expiring passwords and accounts
- Disabling USB and similar data ports, especially on machines that may have more than one user

⁹ Typically the systems themselves include multiple computers/other pieces of equipment, which are networked together. However, this is a local network only.

- Buying equipment without wireless capabilities or disabling these features (this includes printers or similar accessories that might have wireless features)

KPB will need to bring some data into and out of air gapped systems (e.g., importing the voter list to the sorter, generating a list of voters for the printing/mailing vendor, etc.). Typically, these transfers are done using encrypted USB drives that are kept in secure storage when not in use.

2.2.4. Develop an Automated Method for Assigning Ballot Styles

Being able to efficiently determine which ballot style each voter should receive is a key component of being able to move to vote by mail elections. Unfortunately, in local elections, state-defined precincts often get split between multiple ballot styles because boundaries for assembly districts, service areas, etc. do not always match the precinct boundaries. Therefore, determining the correct ballot style for a voter requires knowing where the voter lives in context to the area covered by each ballot style defined for an election.

The most efficient method for doing this assignment is to use mapping software, placing voters on the map based on the residential address provided in the State's voter list and overlaying the ballot style boundaries to determine which ballot style to assign. While this sounds easy, there are many complicating factors, such as

- Residential addresses in the State file may be structured differently from KPB address data, making it difficult to match them
- Precinct boundaries (which are defined by the State) are imprecise in the State maps and the textual descriptions in Statutes are sometimes vague or incorrect, causing parcels to sometimes be in the wrong precinct
- District or service area boundaries split some parcels

Therefore, any automated process will require manual review and intervention, with the amount required being dependent on the potential data discrepancies. Updates can be made to some datasets feeding an automated process, but in some cases, there are legal limitations to what is possible, meaning that KPB may need to make policy decisions on how to handle certain situations.

2.2.4.1. MOA's Process

To support assigning ballot styles to voters, MOA has developed a custom "GIS process" that uses Esri's ArcGIS software and Python scripts to automate the assignment of ballot styles¹⁰. The process uses the following data:

¹⁰ The computer used to run this process is a fairly basic Windows 10 computer, with the only special installations being Python and ArcGIS.

- **State voter list:** a CSV file provided by the State that lists all registered voters within MOA (or a subset of precincts if for a special election that is for a limited area), with all the data needed during the election, including voter ID, residential address, mailing address, status, and voter identifiers.
- **Address, street, and community data:** various datasets that are used by the process to place a voter on a map based on the residential address provided by the State.
- **Ballot style polygons:** geographic boundaries of where a particular ballot style should be used. These boundaries are created by MOA’s GIS department based on the contests included in the election (e.g., which assembly districts and service areas have contests on the ballot). Because MOA wants to report results by precinct, the precinct boundaries must also be considered as there are different ballot styles for each precinct—even if the contests on the ballots are identical. MOA’s Municipal Clerk identifies the ballot style ID (which is generated in the Election Management System as part of designing ballots) that should be associated with each ballot style polygon.

MOA’s process includes two steps: (1) placing voters on the map (geocoding) using a series of rules and (2) assigning a ballot style to those voters who could be geocoded. The process then outputs a file with the list of voters, including all voter data fields provided by the State, plus the assigned ballot style ID, in the format MOA’s sorter system can import.

When geocoding voters, there are always some voters that the GIS process cannot place on the map. These are typically caused by

- Inaccuracies in the State residential addresses (either typos which the State will correct when notified or mistakes made by the voter when completing the voter registration form)
- Differences in how the State formats its addresses vs. how MOA formats them
- Incomplete residential addresses
- Variances between the address the voter uses and the official MOA address for a location

The MOA Municipal Clerk reviews these unmapped voters to determine whether, based on a set of rules, the address can be “overridden” for sake of placing the voter on the map (e.g., if there is a difference in how the State formats an address vs. MOA, an override can be entered to put the address in the MOA’s format so the voter can be geocoded). Even with this manual processing, there are some voters whose location cannot be accurately determined; these voters are left “unmapped” and do not have a ballot style assigned, which means they do not have a ballot package sent to them¹¹. For MOA, less than 1% of voters are unmapped and the number of these has decreased each year.

¹¹ These voters can go to a Vote Center to get a ballot or can contact MOA to request a ballot. In both cases, the voter must identify where they live so the appropriate ballot style can be provided.

After voters have been geocoded and ballot styles have been assigned, the Municipal Clerk reviews data about the number of voters assigned each ballot style and the precinct assigned to each of those voters. This process can identify problems with the ballot style boundaries, errors in the ballot style ID assigned to an area, discrepancies with precinct boundaries or assignments, and issues with the geocoding process¹². The Municipal Clerk reviews these issues and makes adjustments as appropriate (e.g., to the ballot style polygons, etc.).

Fixing issues in either step triggers rerunning the process, and this cycle repeats until the Municipal Clerk is confident in the accuracy of the final file produced. While the automated GIS processing does not take long to run, the manual review and resolution of issues can be time consuming, particularly for the first State file processed during an election cycle¹³.

2.2.4.2. Recommendations

We recommend that KPB request a copy of MOA's Python scripts and then modify them to meet KPB's needs. Using MOA's scripts as a starting point should minimize the amount of effort required to create these processes. Changes will be required, particularly with the geocoding processes, because KPB's GIS data will likely be structured/named differently. KPB may also need to modify the format of the file output, based on the sorter solution KPB chooses. In addition, KPB will need to decide whether any changes are needed to which data elements about voters are included in the State file.

Because the output of this process is foundational to an effective vote by mail election, the process will need to be carefully vetted to ensure it is working as expected. Therefore, we recommend that KPB perform a trial run of the GIS processes (at least the geocoding portion), before the first vote by mail election starts, in order to validate the process and identify any data issues.

The first usage of the GIS process will likely identify a number of issues that need to be addressed, either in the GIS datasets, with the script, or in defining rules around manual intervention. Doing this outside of the pressures of election deadlines will make it easier to do the thorough assessment needed.

Without reviewing KPB's datasets, it is difficult to estimate the amount of time required to update the Python scripts. However, we believe it would be in the range of 30-40 hours (of a GIS analyst), plus additional time to carefully review the outputs and make logic or data updates.

¹² Issues with geocoding that are identified at this stage are typically a few odd cases. For example, MOA has a trailer court that is split between two precincts. The geocoding process looks at the street number, but not the specific trailer space. Therefore, the process places all voters at that address in the same location, but some are in a different precinct. This can be adjusted through the override process so the voters receive the correct ballot style.

¹³ The first file takes the longest because it includes ~11 months of voter changes. In addition, any problems with the ballot style polygons will be identified in during this first run.

2.2.5. Collect Initial Set of Reference Signatures

In a vote by mail election, the voter's identity is typically verified by validating the voter's signature on the ballot return envelope against a set of previously verified reference signatures for that voter.

The State of Alaska maintains the voter registration database and has an ongoing and growing repository of verified signatures. Therefore, over time KPB will be able to rely on an ever growing and refreshed set of reference signatures that are gathered by the State and submitted to the State by KPB after an election.

However, it is likely that the State currently has too few signatures of KPB voters to efficiently conduct a vote by mail election. While a vote by mail election could still be done if there are too few signatures, in this scenario KPB would need to manually intervene to verify a high percentage of ballot return envelopes. This intervention will typically require one of the following:

1. Asking the voter to provide identification as part of the "cure" process, which is at best cumbersome and time consuming, and at worst impossible. In addition, this process is contrary to the efficiencies envisioned for vote by mail.
2. Contacting the State of Alaska, which can, almost 100% of the time, find and send a verified signature that is on file (paper or microfiche) but not in its database. The State has cooperatively provided this service for MOA, but a large number of requests to the State during the election could be problematic for the State and would slow down the process for KPB.

Note: Because KPB elections occur in the Fall, within the same timeframe that the State is preparing for and conducting its own elections, there may be limits on what assistance the State is able to provide. KPB will want to discuss this with the State in advance.

Alternatively, we recommend that KPB do a signature gathering project before its first vote by mail election, which will minimize number of voters without reference signatures. To begin, KPB should complete a gap analysis to determine how many reference signatures the State has for KPB voters in its voter registration database. Unless the State has a significant percentage of voter signatures, KPB should then complete a project to scan signatures from old pollbooks and provide them to the State to build up their database of verified signatures.

The project would consist of disassembling and scanning the pollbooks from prior elections, using software to parse out each signature, saving each signature image with a voter ID identifier, and converting the image into a format the State can use. MOA used custom-built software to support this process; if KPB is able to use MOA's software, it would save a good bit of time and money.

To do the signature gathering using MOA's software, KPB will need a scanner in which pages can be fed in bulk as well as a Windows 10 computer with Python (application uses a SQLite database and a small stand-alone .NET application and Python scripts). While there are no minimum specifications for the computer, its specifications can significantly affect the speed at which scanned pollbook pages are processed.

MOA scanned pollbooks from 4 years as well as absentee applications and other forms. This effort took place over approximately 4 months, with extensive hours by election workers plus approximately 80 hours from someone comfortable working with databases, troubleshooting, etc.

Because KPB pollbooks will be smaller than MOA's, the amount of time required should be significantly less than MOA's experience. However, processing will probably take at least 40 hours for each year of pollbooks and potentially more.

2.3. Prepare Election

2.3.1. Education and Outreach

Educating voters about vote by mail before the election and answering questions during the election are important steps in building voter confidence and comfort with what vote by mail is and how they can vote and securely return their ballots. We recommend the following forms of voter engagement, as also recommended by the Election Stakeholders Group.

- **Face-to-face Engagements.** In the age of coronavirus this may be more of a logistical challenge, but a great way to educate voters is by presenting an overview of vote by mail, with Q&A time, at public gatherings such as community council meetings; chamber meetings; and meetings of the League of Women Voters, Rotary, and similar civic groups. KPB should also offer to present at other meetings (if invited), such as Republican or Democratic Party meetings, and to be guests on local radio talk shows. Some of the toughest critics ask the best questions and can become supporters.

Facility tours are another highly recommended way to engage with the voters. They get to see that the actual processing of envelopes and ballots is straightforward, transparent, and secure.

- **Election Website.** KPB should revamp its elections webpage to include vote by mail resources, such as frequently asked questions, forms, instructions, and perhaps a video or two.
- **Pamphlets.** A pamphlet is a nice-to-have option for handing out to voters and others at meetings, but these are expensive. While it might be worthwhile to have them in the first

year, it may make sense to produce an inexpensive two-sided card. Hand these out whenever possible and also have these available at KPB and city hall public counters.

- **Advertising on the Radio.** A limited number of radio stations have reasonably good Borough coverage, so we encourage radio advertising, especially if you can secure these as free public announcements.

TV advertising is not particularly effective because there are just too many options for viewers, and it is very expensive. Therefore, we do not recommend that KPB pursue any TV ads.

- **Social Media.** KPB and the cities should agree on some consistent messaging about voting by mail and provide that content on Facebook pages. In addition, use a single Twitter account to disseminate election messaging leading up to the election. A critical component to effective social media usage is being timely in responding to messaging, especially to comments that contain misinformation or questions.

2.3.2. Identify “Undeliverable” Voters Before the Election

To give voters an extended opportunity to engage in voting, State law provides for a long process and time period before the State Division of Elections can “purge” or remove a voter from the voter registration database. During part of this period, many voters end up in a status of “UN” or “Undeliverable,” which essentially means that the mailing address information in the State’s database may no longer be valid for the voter because the mail has been returned to the State as “undeliverable.” In addition, there are likely many other voters not yet identified as being undeliverable in the voter registration database but for whom the mailing address is no longer valid. Based on MOA’s experience, the number of voters meeting one of these criteria within KPB could be upwards of 20% of registered voters¹⁴.

In a poll-based election, the voter’s status as undeliverable is less important as the voter is still eligible to vote and just shows up at the precinct. However, in a vote by mail election, mailing ballots to these undeliverable voters will increase costs as ballot packages that cannot be delivered are printed and mailed. KPB can reduce their printing and mailing costs by defining policies around who is mailed a ballot package in an election, as discussed in Section 2.2.1: Update Legislative and Administrative Rules to Support Vote by Mail.

IMPORTANT: The voters would still be eligible to vote and may vote by requesting a ballot—these voters just wouldn’t be mailed a ballot package initially as it would likely be returned by the Post Office. After appropriate verifications, KPB can meet a voter’s request for a ballot by

¹⁴ MOA, which has more than 200,000 registered voters, has seen tens of thousands of “undeliverables” each year.

mailing it (to an updated mailing address) or by having the voter come into a Vote Center (refer to Section 2.5.2: Vote Centers).

In combination with that policy, we recommend that KPB use a pre-election mailing to proactively identify voters who are undeliverable so that the State can update that information in the voter registration database before the KPB election cycle begins. With this process, KPB would mail all registered voters a “Notice of Election” postcard approximately 90 days prior to an election.

The postcard provides information about the upcoming election and may include the residence address on file, as well as information about how voters can update their information with the State. Subject to agreement with the State, any postcards returned as “undeliverable” can be provided to the State, and the State updates its records to show these voters as being undeliverable¹⁵.

Sending postcards does incur printing and mailing costs. However, postcards are much cheaper than ballot packages, so the savings from proactively identifying voters who will be undeliverable (and therefore not sending them a ballot package) should more than offset the postcard costs. In addition, since the postcards can be forwarded (unlike the ballot packages), they become a reminder to voters (for whom forwarding is still active) to update their information with the State, before the election.

By taking steps to minimize the ballot packages sent to voters with known bad addresses, KPB will

- Avoid wasting money on ballot packages that can’t be delivered
- Avoid putting ballots into the mail stream that won’t be used (or might be the subject of illegal voting attempts by other persons at the address)
- Avoid the administrative burden of processing, storing, and later destroying these undelivered ballots

2.3.3. Design Envelopes

For a vote by mail election, KPB will need to design 3 envelopes:

1. Outer ballot package envelope
2. Ballot return envelope
3. Secrecy envelope or sleeve

¹⁵ To make it easier for the State, MOA developed a process in which they run returned postcards through the sorter and generate reports that show voter IDs as barcodes so the State can more quickly update their records. KPB will likely want to develop a similar process so that the State can make updates to their records quickly. KPB should coordinate with the State in advance to ensure the State has sufficient resources at the needed time.

KPB's current envelopes may not need significant design changes but should be reviewed. Both the outer ballot package envelope and the ballot return envelope must meet USPS Election Mail standards. The USPS has a group specifically authorized and trained to approve envelope designs. Most print vendors that do election mail are familiar with the standards and can help KPB meet the standards.

The ballot return envelope design is especially important in communicating with the voter as well as in supporting envelope processing by election workers. This envelope should have the following features:

- **Text and color to identify it as KPB election mail.** This helps the voters and the election workers to quickly identify the mail. Strategic placement of the color on the envelope helps election workers sort and properly orientate the mail for feeding into the sorter.
- **Text providing useful information to the voter**, such as the deadline for the election (e.g., "Please return your ballot by 8 p.m. Election Day October 6, 2020") or other reminders.
- **Voter's name**, which is helpful to election workers needing to look up a voter or find a particular envelope.
- **A unique identifier in a location and format that can be read by the sorter.** This identifier is a number assigned to the voter that is specific to the election and is not used with any other voter or subsequent election. The identifier is often referred to as the ballot envelope ID and is typically printed as a barcode on the envelope. This ID number is scanned by the sorter system for use in tracking/verifying which voters have returned a ballot and in determining how to sort the envelopes (e.g., "good" envelopes sort into the appropriate bin; "bad" envelopes are out-sorted for further investigation by election staff).

Note: If KPB wants to include "I voted" stickers in the ballot packages, these can be affixed to the secrecy envelope/sleeve for removal by the voter. Including this sticker will increase printing/mailing costs.

2.3.3.1. Inclusion and Security of Personal Identifiers on Ballot Return Envelopes

A key element of vote by mail is ensuring the ballot returned was voted by the right person. Verifying this typically requires that the voter provide some "proof" of their identity.

Currently, KPB requires the ballot return envelope for mailed ballots to have

- At least one personal identifier, such as birthdate, voter ID, or last 4 of the Social Security Number
- Voter's signature
- The attesting signature of a qualified witness (KPB Code 4.120.010D)

Of these, we recommend that KPB continue requiring the voter's signature, which would be verified against a set of known signatures for that voter. While having an attesting signature

would provide an additional, reasonable assurance of the voter's identity, requiring this could disenfranchise voters who are unable to find a witness.

We strongly discourage having personal identifiers included on the envelope, even if hidden by a flap on the envelope. We believe the risk of this information being stolen/misused outweighs the justification for requiring it¹⁶.

We understand KPB is concerned about signatures being visible on the ballot return envelopes. A flap that covers the signature may be required (depending on the opinion of KPB's legal staff) or may be included to increase voter confidence.

Note: If KPB chooses to continue requiring personal identifiers such as SSN or birthdate, having a flap becomes more critical—if not mandatory—because of the sensitivity of the information.

While some jurisdictions use a flap, many do not¹⁷, and having a flap adds expense that may not be justified. We recommend avoiding it, if possible, for the following reasons:

- **Additional printing costs.** Larger closure flaps can be more expensive because they involve more paper content and, in some designs, more adhesive.
- **Additional costs for processing returned envelopes.** Because mail sorter systems are designed to scan signatures as part of the sorting process, KPB would either have to manually remove the flaps prior to sorting or its sorter would have to have the hardware/software to remove the flap during processing. If doing it manually, KPB would need additional staff to support this effort. If done mechanically, the sorter cost will be higher (as a ballpark, likely more than \$30,000, plus increased ongoing maintenance costs). In addition, requiring this functionality may limit which sorters meet KPB's requirements.

The primary voter concern behind having the flap is that the voter's signature could be stolen while the envelope is in the mail stream and used for identity theft. While this is possible, we are not aware of any circumstance where it has happened, and the risk appears to be very low. For voters concerned about this, the best alternative is to use a secure drop box provided by KPB or to drop the envelope off at a Vote Center (refer to Section 2.6.1.2: Drop Boxes and Section 2.5.2: Vote Centers for more information).

2.3.3.2. Including Prepaid Postage on Ballot Return Envelopes

The Election Stakeholders Group report contains a reference to "prepaid postage" for the ballot return envelopes. Having postage pre-paid is an obvious convenience for voters, some of whom

¹⁶ K&H, a major West Coast ballot package printer (and the vendor for MOA), serves about 20 million vote-by-mail voters. None of the jurisdictions they work with put SSN numbers or birthdate on the envelope.

¹⁷ K&H has less than 10% use a flap to hide signatures.

are in more remote locations where quickly getting postage is not as easy. However, in addition to the added expense to KPB, there may be some additional drawbacks.

KPB currently supplies postage pre-paid envelopes for its 6 vote by mail precincts. We recommend this policy be changed in an area-wide vote by mail model. However, if KPB wants to explore providing pre-paid envelopes for the entire election, it should first have conversations with the USPS to see what its most current offerings are for election mail.

Our current understanding is that not all postage pre-paid mail routinely gets a postmark. If a ballot's timeliness is dependent on a postmark (as it is under current Code), using prepaid postage increases the risk that some ballots will be rejected as untimely as the postmark may not be on some ballot return envelopes.

In addition, we also understand that some types of postage pre-paid mail are not treated by USPS the same as first class priority mail, meaning this form of mail may be slower to go through USPS processes. This may also affect the timeliness of receipt by KPB, causing the rejection of some ballots.

Given that the majority of voters wait until the final days of the election to submit their ballots, we recommend that KPB avoid mailing options that might both delay return and give no indication to election officials as to when the envelope was actually mailed. We recommend that voters provide their own postage or use the other available return options.

2.3.4. Obtain and Process Voter List

Each election, the list of eligible voters is pulled from the State's voter registration database. This information changes frequently as new voters register, existing voters update their information (e.g., name, address, house district, precinct) or status (e.g., move out of state), or the State purges voters who haven't participated in many years.

Under State statutes/regulations, voters can register or change their information up to 30 days before Election Day. Because this deadline is based on when the voter's update was postmarked, the State may receive timely updates for approximately 5 days after the deadline. Therefore, KPB will not have a final list of eligible voters until about 3 weeks before Election Day, right about the time that KPB likely wants to mail ballot packages to voters. This can create timing issues for printing and mailing ballot packages as the vendors will need more lead time. Therefore, KPB will need to work with the printing/mailing vendor to understand their deadlines for the voter list based on KPB's date for mailing ballot packages and the expected volume (and factor these into the deadlines defined in Code—refer to Section 2.2.1: Update Legislative and Administrative Rules to Support Vote by Mail).

We also recommend that KPB coordinate with the State in advance in terms of

- What voter data KPB needs in the file

- The file type
- Timing of the file(s)
- Method for transferring the files (refer to Section 2.3.4.1: Transferring Voter Data)

Note: As long as the format will meet KPB’s needs, it will likely be easiest if KPB can use the same voter file definition as MOA.

As an example of how the voter list process could work, the following table describes MOA’s procedure at a high level (refer also to Section 2.2.4: Develop an Automated Method for Assigning Ballot Styles for a more detailed description of what is done). To meet the printing/mailing schedules and ensure all voters get ballots, MOA gets the voter list 3 times from the State for each election.

State File	Timing	Process/Output
#1	~2 weeks before printer’s deadline for the initial file; typically around the time ballot designs are complete, as ballot styles must be known first	MOA runs the automated process to assign ballot styles to each voter, which produces a list of voters that is loaded to the sorter. The sorter produces a list of eligible voters who will be mailed ballot packages, which is given to the printing vendor so they can begin preparing ballot packages.
#2	~1-2 days before printer’s deadline for the final file (often 3-5 business days before mailing)	<p>MOA runs the automated process to assign ballot styles to each voter, which produces a list of voters that is loaded to the sorter. The sorter produces</p> <ul style="list-style-type: none"> • A list of information for new or changed voters since the original file • A list of “yanks” (i.e., voters in the original list who should no longer be mailed ballot package based on changes to the voter’s record in the second State file) <p>These lists are provided to the printing vendor, who finishes preparing ballot packages and mails them.</p>

State File	Timing	Process/Output
#3	~1 day before mailing date (this delivery also includes reference signature files)	MOA runs the automated process to assign ballot styles to each voter, which produces a list of voters that is loaded to the sorter. The sorter produces the list of new/changed voters since the second State file. MOA prepares and mails ballot packages for these voters.

How many State files KPB will need will depend on the printing/mailing vendor’s requirements. In addition, KPB may choose to have the vendor do the final mailing instead of processing it internally, depending on the vendor’s capacity and how quickly KPB wants those ballots mailed.

If KPB uses a process similar to MOA’s, we estimate the following staff time will be required for processing the State file (although this will vary based on number of ballot styles, number of new/changed voters, etc.):

Activity	1 st File	2 nd File	3 rd File
Preparing Ballot Style Polygons (GIS staff and Election staff)	15-30 hours	N/A	N/A
Geocoding and assigning ballot styles (Election staff)	12-16 hours	6-10 hours	4-8 hours

2.3.4.1. Transferring Voter Data

KPB will need a method to obtain the voter files and signature images from the State and to share voter information with the printer. The files will include confidential information—such as voter ID, date of birth—and must be transferred and stored securely. In addition, because timelines are often tight, data transfers largely need to be “same day” so current KPB’s method of using a CD may no longer be sufficient. MOA currently has an SFTP site that is used for transferring data with the State, and MOA’s printing/mailing vendor hosts an SFTP site used for exchanging data with them.

Note: For MOA, using SFTP for transferring reference signature files is getting more problematic with each election as the number of files increases each year, so it takes many hours to upload and download the .zip file containing them. KPB has about a quarter of the voters that MOA does, so KPB should have fewer difficulties.

2.4. Print and Mail Ballot Packages

KPB already has a vendor for printing ballots and mailing its ballot packages to the absentee voters. However, KPB will need to determine whether it can expand the existing contract to include mailing to all eligible voters or whether it will need to go out to competitive bid. Assuming it can continue with the current contract, KPB will need to determine if the current vendor can meet the requirements, described below. Total estimated costs, at \$42,000, are based on 50,000 packages at known pricing from one vendor¹⁸.

2.4.1. Print Ballots

The vendor needs to be able to print more than 50,000 ballots capable of being scanned on KPB's ballot scanners, all in a short timeframe.

Note: Some Election Management System vendors require that a printer be certified to print ballots for use on their equipment.

Ballots may be two-sided and of varying lengths. In addition, ballots may be serialized and have detachable stubs.

The process is very similar to what is currently being done, but ballots generally need to be ready earlier than in the current poll-based elections. Ballots may cost around \$.30 each.¹⁹

2.4.2. Print Envelopes

The print vendor will need to be able to print both outer envelopes and ballot return envelopes, along with secrecy sleeves and any other inserts. Envelopes may include more than one color and will have both "static" information (e.g., instructions and KPB's return address) and variable information (e.g., voter name and address and the ballot package ID).

The vendor has to print envelopes to minimum standards so that the envelopes are readable, especially the ballot package ID which needs to be read by a scanner on the sorter.

Envelopes can be ordered and printed well before an election, as long as KPB or the printer has sufficient storage space. Estimated printing is approximately \$.07 for each envelope (outer, return, secrecy) and \$.02 for the "I voted" sticker.

2.4.3. Build Ballot Packages (Including Inserts)

The print vendor needs to accurately manage the data provided by KPB and properly assemble the ballot packages so each voter gets exactly the right ballot, with the appropriate inserts. The

¹⁸ Prices will likely vary between vendors and also based on size of orders.

¹⁹ Our estimated total price used 1 ballot per voter. This does not account for the additional costs of ballots for city elections.

types of envelopes used can add other complexities. For example, if a windowed outer envelope is used, voter information is only printed on the ballot return envelope. However, if non-windowed envelopes are used, voter information must be printed on both the outer envelope and the ballot return envelope, meaning that the printer must ensure that the two envelopes within a ballot package are for the same voter.

Because of some of the complexity around building the ballot packages, the print vendor needs to have a high level of quality control. In addition, the vendor must have sufficient on-site security during the entire period that ballots and voter data are at the printer's facilities. Finally, the vendor needs a well thought out and executable disaster recovery plan.

Ballot package assembly is estimated at \$.30 per package.

2.4.4. Mail Ballot Packages to Voters

With a vote by mail election, there is an initial "mail drop" on a day designated by KPB in which ballot packages are put in the mail stream for all eligible voters (who meet any KPB criteria for being set a ballot package in this initial mailing).

Note: "Replacement" ballot packages may be subsequently sent to voters upon request. Refer to Section 2.4.5: Re-issue Ballot Packages (Temporary Addresses and Replacement Ballots) for additional information.

Mailing costs will be depending on factors such as weight of the ballot package and how many are mailed. We estimate costs at approximately \$.41 per piece, or \$20,500 for 50,000 ballot packages.

2.4.5. Re-issue Ballot Packages (Temporary Addresses and Replacement Ballots)

Throughout an election, voters may need

- A ballot package mailed to a different address (e.g., voter is traveling or the voter's mailing address on file with the State is wrong and it's past the deadline for updating)
- A replacement ballot mailed (e.g., previous one was not received, ballot was fouled in some manner, ballot was not mailed because the voter is designated as being "undeliverable" but the voter says the address is good)

KPB will need to have processes in place for documenting and fulfilling these requests. As part of this, KPB will need to make decisions such as

- Will KPB produce and mail the ballot packages or will the printing/mailing vendor do so?
- At what point in time will KPB stop mailing ballot packages (i.e., because the package is unlikely to arrive before Election Day)?

How temporary addresses and replacement ballots are handled will also be affected by the capabilities of the sorter solution that KPB selects.

2.4.6. City Participation

If the cities want to participate with KPB in a vote by mail election, we recommend that KPB require that each voter is sent a single ballot package with appropriate city and Borough ballots for that voter. Having separate ballot packages (one for KPB and one for the city) will significantly increase complexity in managing the election while also increasing printing, mailing, and staffing costs. In addition, a requirement to have multiple ballot packages would likely limit which sorting solutions might work for KPB.

As mentioned above, each ballot return envelope is labeled with a unique ID for the election, which helps ensure that a voter doesn't submit more than one ballot. Issuing multiple ballot packages for a single voter and having the sorter properly identify potential duplicates might not be supported in a feasible way by sorting systems. As an example, the MOA sorting solution only supports a voter having one active ID in an election, and once one ballot return envelope with that ID is received, any subsequent ballot return envelopes with that ID are out sorted as duplicates. With MOA's system, to support multiple ballot packages per voter, KPB would have to create multiple elections and then switch between them during processing (since only one election can be active at a given time). This would have the net result of multiplying the amount of effort required as it's the equivalent of having multiple simultaneous elections.

Other potential problems with having multiple ballot packages per voter include the following:

- Voters will make mistakes and put the wrong ballots in the wrong return envelopes, creating more work for election officials and more opportunity for errors.
- Voters will return all the ballots in one of the two return envelopes, creating more work for election officials and more opportunity for errors.
- Signatures would need to be adjudicated for each ballot return envelope, increasing the amount of time required. In addition, if one envelope is accepted and another gets flagged for a potential issue, it could cause voter anxiety and confusion.
- All processes and systems—from the call center to Vote Centers to issuing replacement ballots—would have to support multiple ballot packages per voter, which is more complex and could ultimately lead to voter confusion.

2.5. Voter Support

2.5.1. Call Center

During an election, voters will have questions about many things, including the process, when they will receive their ballots, how to get a replacement ballot, whether their ballot has been

received by KPB, etc. KPB should have a designated phone number for elections²⁰, which is published in all media and communications. In the first year of vote by mail, plan to have 2 people staffing the Call Center. In subsequent elections, staffing can be reduced to one person or the operations could be absorbed by the Clerk's Office staff.

The Call Center should open about 4 weeks before Election Day and, depending on call volume, remain open for a few days after Election Day. Center staff need to have good training and a readily available script on how to answer most questions, so that the messaging is consistent and accurate.

The Call Center does not need elaborate equipment: desks, computers, and phones should be sufficient. Ideally, the KPB phone system already has calling features that are useful, such as a helpful customizable hold message, call rolling, and the option to leave a message.

While talking with voters, Call Center staff must be able to look up information about the voter and whether that voter's ballot has been received, so they can answer inquiries. Whether ballot receipt information is real time (i.e., Call Center staff are connected to the sorter's database) or point-in-time (e.g., updated once per day with updates from the sorter) will depend on several factors, including physical space limitations, noise levels (sorters can be noisy), and the relative importance of having real-time information available.

Note: Some sorter systems include functionality for allowing voters to look up online whether their ballots have been received. This functionality may have additional costs and require more security measures for the sorter system.

If point-in-time information is sufficient and the Call Center is disconnected from the primary sorter, staff will need a tool for looking up voters²¹. This tool would need to get updated with information about processed ballot return envelopes on a regular basis.

2.5.2. Vote Centers

Vote Centers provide a location for voters to go if they didn't receive a ballot, need a replacement ballot because they fouled their original ballot, need other assistance, or want to drop off a ballot.

When a voter is given a ballot at a Vote Center, the voter is also given a secrecy sleeve and a ballot return envelope—just as the voter would have received with a mailed ballot package. The voter places the voted ballot in the secrecy sleeve and ballot return envelope, and it is processed on the sorter, just like ballots returned in drop boxes or in the mail. In addition, voted

²⁰ There doesn't appear to be an election-specific phone number on the KPB election webpages, unless it is added/activated closer to each election.

²¹ MOA has a stand-alone Access database for use by the Call Center.

ballots printed by ADA-compliant machines available at each Vote Center will be placed in a ballot return envelope for processing, just like all other ballots.

In order to support voters, Vote Centers must be able to

- Verify whether a person is a registered voter in KPB (or whether the voter must vote a questioned ballot)
- Identify the appropriate ballot style for the voter based on the voter's residential address
- Provide the appropriate ballot to voters who request one, along with a secrecy sleeve and a ballot return envelope that includes the ballot envelope ID the sorter solution can read
- Secure voted ballots until they are taken to the central processing location
- Secure election materials

While there is technology available that would allow Vote Centers to have access to real-time data from the centralized system, this increases security requirements and is not vital in Alaska, especially since voters must be registered 30 days in advance of Election Day (so voter information does not change).

However, without real-time access, KPB will need to provide a static copy of the voter information at the Vote Centers. MOA has opted to do this type of offline model and has created a stand-alone Access database that is installed on each laptop used at Vote Centers. This Access database, which is loaded with voter data once at the beginning of the election, allows Vote Center staff to look up a voter, verify the voter's identity using personal identifiers, determine the appropriate ballot style, and print a barcode label that is placed on the ballot return envelope so that the sorter can identify the ballot return envelope as being for a particular voter.

For the ballots, KPB can keep a preprinted stock of ballots (of a variety of styles) at the Vote Centers, with which styles and the number of each being based on the Vote Center location and likely demand for a particular ballot style in that location. In addition, KPB could use "ballot on demand" printers, which allows them to print a ballot of any style at the Vote Center.

We recommend KPB have 5 Vote Centers, in the following locations:

- Borough Office
- Homer
- Kenai
- Seldovia
- Seward

Each Vote Center should have 2 laptops²² and 1 Dymo label printer. In addition, Vote Centers at the Borough Office, Homer, and Kenai should have an Okidata²³ ballot printer.

Note: KPB is planning on having one ADA compliant voting machine at each Vote Center. If these machines can be used by any voter, regardless of need, KPB may not need the Okidata printers for printing ballots on demand. Alternatively, KPB could discuss using MOA's Okidata printers, at least in the first year, to save some money and to see if both the printers and the ADA machines are needed, without actually buying printers outright.

KPB may also want to have printed maps at the Vote Centers to assist in determining the appropriate ballot styles to those voters for whom this couldn't be identified when processing the voter list (refer to Section 2.2.4: Develop an Automated Method for Assigning Ballot Styles).

Assuming KPB purchases new equipment for the Vote Centers, we estimate a total equipment cost of approximately \$20,000, which includes some contingency for additional equipment such as tables, power cords/strips, secure boxes for voted ballots, miscellaneous supplies, etc.

Vote Centers should open about a week prior to Election Day, although it may be useful to have one location (e.g., the Borough Office) open earlier to help voters who have special needs. On Election Day, Vote Centers should stay open until the election ends at 8:00 PM.

Each Vote Center should have 3 staff members present (refer to Section 2.8: Staffing Requirements for estimated staffing costs). It may be possible for city officials to provide staffing for some of the Vote Centers. All staff working at a Vote Center should be trained at the same time to ensure that they have received consistent instructions.

2.6. Process Returned Envelopes

2.6.1. Pick Up Returned Envelopes

2.6.1.1. Mail Pick-up

KPB staff may already be familiar with the process for picking up mail from the Post Office, given its ongoing vote by mail program.

²² We recommend two, in case there is a failure on one. While laptops have the convenience of being more portable, KPB could substitute desktops with monitors, if desired or if it would save money. The computers can be relatively low end, with the exact requirements being determined by what tool KPB uses for workers to look up voters, etc.

²³ There may be other, less expensive ballot-on-demand printers, but the Okidata printers are known to work well and are used by both the State and MOA.

Assuming USPS is not delivering to KPB and that KPB wants the election mail to be separate from other KPB mail, KPB should use a separate address only for election mail. USPS will then segregate this mail from other KPB mail.

If pre-arranged, KPB can send a 2-person team to pick up election mail from USPS on a routine schedule.

Note: KPB must provide the names of authorized individuals to USPS as they allow only named individuals to pick up mail.

Especially if KPB gives voters an opportunity to “cure” their ballot return envelopes, KPB should pick up mail each day of the voting period, starting the day after ballot packages have been mailed and ending when KPB stops accepting ballot return envelopes (i.e., when envelopes are deemed “too late,” even if they had been postmarked in time).

2.6.1.2. Drop Boxes

Outdoor secure drop boxes are an important convenience for voters. If properly designed and located, they provide a great way for voters to easily return their ballots at any hour and, in some cases, without even having to get out of their vehicles.

Locations and Property Owner Approval. Drop boxes should be placed in locations with good lighting, traffic flow that avoids congestion and accommodates persons with disabilities, routine snowplowing, and (when practical) security cameras. In larger jurisdictions, places like government offices, schools, and larger retail often have these features²⁴. High schools work very well because they typically have all the needed features and (with certain exceptions) low traffic volumes over most of the day.

When placing drop boxes, curbside locations are great because they can offer both walk-up and drive-up service, but KPB may want to avoid scenarios where the box is in a right of way it does not control.

We suggest close consideration be given to placing drop boxes in the following locations:

Community	Possible Dropbox Locations
Anchor Point	Anchor Point Senior Center (Mile .25 Milo Fritz Road)
Homer	Homer City Hall (491 E. Pioneer) or Homer High School
Homer (east)	Kachemak Community Center (59906 Bear Creek Drive)
Nikiski	Nikiski Middle/High School or Nikiski Pool

²⁴ Based on MOA’s experience, Post Offices are not willing to have drop boxes.

Ninilchik	Kenai Peninsula Fair Grounds (16200 Sterling Highway) or Ninilchik School (15735 Sterling Hwy)
City of Kenai	Kenai City Hall (210 Fidalgo Ave.) or Kenai High School
Seward	Seward City Hall (5th and Adams) or Seward High School
Soldotna	Borough Offices (144 N. Binkley Street) or Soldotna High School <i>Note: Soldotna should likely have two locations</i>
Sterling	Funny River Community Center (35850 Pioneer Access)

KPB must work with location owners early because the owners will want to have control over where the drop box is placed and will want to work out any liability concerns with KPB (these discussions will need to include the KPB risk manager). Resolving liability concerns is a little harder when dealing with private property owners (e.g., churches, retail locations) but is generally not a significant issue with government/school district locations.

Sizing and Price. Boxes need to be sturdy and tamper proof, preferably anchored to the ground or so heavy as to be an unattractive target for theft. In locations where daily checks are not warranted, larger boxes, such as MOA has, may be a good choice.

Assuming KPB purchases drop boxes from the same vendor and of the same style as MOA, each drop box would cost approximately \$3,000-\$3,500 each, plus shipping (which will be relatively high because of their size and weight).

KPB could also place smaller, tabletop ballot boxes inside the various Borough and City Clerk Offices.

Emptying Drop Boxes. How frequently KPB checks drop boxes will depend on the size of the box and the estimated number of voters who may use it. Most drop boxes should be checked at least once a day²⁵ and have the ballots removed. Removing ballots daily minimizes the risk of damage from vandals and potential issues with ambient moisture.

For security/chain of custody reasons, drop boxes should be checked by a team of 2, not unlike when transporting ballots to and from a polling location. A typical box can be checked, emptied, and re-sealed in approximately 5-10 minutes.

²⁵ On Election Day, more heavily used drop boxes should be checked in the morning as well as at 8:00 PM when the election ends.

Note: Because checking drop boxes doesn't take long (other than travel time), a single team can check multiple drop boxes. However, on Election Day, all drop boxes need to be locked simultaneously at 8:00 PM. Therefore, at that time, KPB will need one team for each drop box.

Where possible, ballots from drop boxes should be delivered to the Election Center for processing on the same day they are picked up. However, for more remote locations, daily delivery to the Election Center may not be practical, and ballots may be stored inside a secure facility, such as in the various city offices (Homer, Seldovia, Seward) until they can be transported to the Election Center.

If KPB institutes a “cure opportunity” (refer to Section 2.6.4: “Cure” Ballot Return Envelopes), how timely envelopes are received at the Election Center becomes very important as KPB will want to identify issues and notify voters as quickly as possible. To support “curing,” KPB may need to get creative, particularly for the locations located further away from the Election Center. For example, KPB could

- Encourage voters to vote early so there is more time to cure.
- Encourage voters to add their phone or email to the ballot return envelope so KPB can call them if there is an issue.

Note: KPB would need to include places for this information when designing the ballot return envelope.

- Contract with commercial services that can provide daily delivery. If this is done, the envelopes should be boxed and locked, with a tamper evident seal that includes a tracking code.

2.6.2. Scan and Sort Returned Envelopes

Most election mail sorting is done in a two-step process.

The first step validates the envelope, separating ineligible from eligible envelopes. Ineligible envelopes include those that

- Are too damaged to be run through the sorter
- Are something other than a return ballot envelope for this election
- Have been voided
- Are for a voter who has already returned a ballot (refer also to Section 2.6.2.1: Which Ballot Counts if a Voter Returns Multiple?)

Note: Some sorters also include functionality that will out-sort envelopes that are too thick or too thin.

The eligible envelopes are those that are ready for signature verification (refer to Section 2.6.3: Verify Signatures for more information).

After signature verification is complete, the second step sorts the verified envelopes based on those that have “good” signatures and those that were flagged as having an issue, such as no signature, no matching signature, or missing any other required information (witness, identifier, etc.).

One option generally available with sorters is to have this second step sort the “good” envelopes by precinct. However, since KPB’s new Election Management System can report results by precinct, sorting the envelopes by precinct is not required. A decision to simply sort to “good” bins would save on cost and configuration of the system as well as administration of the envelopes. Therefore, we recommend that KPB not sort envelopes by precinct.

2.6.2.1. Which Ballot Counts if a Voter Returns Multiple?

Voting more than once in any election is, of course, illegal. However, although rare, it is not uncommon for a few voters in a vote by mail election to return than one ballot return envelope. Some very small percentage of this number might be a deliberate attempt at fraud, but most instances are voters who sincerely forget they have previously voted. Here are two common occurrences:

- The voter is mailed a ballot but goes to a Vote Center and votes there. The voter also sends back the mailed ballot either before or after voting at the Vote Center.
- The voter is mailed a ballot to their home address, but then travels and asks to be mailed a ballot at the temporary address. Occasionally, if the timing of when they are each location “works out,” and the voter votes and returns both ballots.

Mail sorter systems are designed to catch circumstances where the voter has attempted to vote twice, which is another reason for the unique ballot ID identifier on each ballot return envelope. However, each jurisdiction needs to decide which ballot counts if a voter returns multiple.

We recommend that KPB set its rules to count the voter’s first ballot return envelope received for the following reasons:

- **Timeliness of reporting results:** With “first one counts,” KPB can process envelopes and scan (but not tabulate) ballots prior to all ballot return envelopes being received. With a different rule, KPB would have to hold all envelopes until after the election closes (not knowing if a second one might come in), which would greatly delay results.
- **Discourage attempts to vote twice:** Counting the first ballot received removes the incentive and greatly discourages voters from trying to vote again.
- **Simplifies explanations:** “First one counts” is very easy to explain and for voters to understand.

If a voter returns more than one ballot, subsequent voting attempts should be reported to either the local police or State Troopers for investigation. In addition, we recommend sending a letter to the voter reminding them that they cannot legally vote twice.

2.6.2.2. Notifying External Entities of Who Has Voted

KPB may want to produce a daily report that lists the voters for whom KPB has received a ballot return envelope, based on information from the sorter system.

Note: This only identifies who returned an envelope; it doesn't provide any information about how the person voted.

Candidates and issue groups often appreciate getting this information as they then know to no longer target voters who have already voted—and voters likely also appreciate getting fewer political ads and robocalls.

If KPB provides this information, they will need to include the voter identifier that the State includes on the voter lists it distributes members of the public who request them. This identifier is different from the voter ID.

2.6.2.3. Securing Envelopes

As mentioned in Section 2.2.3.2: Secure Storage, ballot return envelopes will need to be secured in the Records Center when not being actively processed.

2.6.3. Verify Signatures

KPB may choose to verify signatures using

- An automated process where the sorter software compares signatures
- A manual process where election officials verify signatures, typically having 2 officials review each signature
- A combination of the two

Note: A decision on whether to use automated signature verification should be made when selecting a sorter solution to ensure that the sorter meets KPB's requirements.

We recommend at least one signature review step be done by an election official, rather than leaving it entirely to the software. Doing signature verification entirely manually is also a viable alternative and may give voters a greater confidence in the process, knowing that each signature is being reviewed by two individuals. Many jurisdictions, including MOA and King

County (WA)²⁶, use such manual processes, where each signature is reviewed by two different election officials trained in signature verification.

When manual verification is done, officials are trained each year in signature verification before the election. MOA's training is done by the Washington State Patrol (their version of the AK State Troopers), with the trainer coming to Anchorage each year. KPB could potentially participate in that training or bring the WSP official to KPB for training at a reduced cost, if they shared some of the travel expenses with MOA. However, the downside of this is the timing difference between MOA's election and KPB's election.

2.6.4. "Cure" Ballot Return Envelopes

Sometimes there are issues with ballot return envelopes, such as the voter forgets to sign or to provide other required information or KPB cannot determine a signature match. We recommend that KPB implement a process in which voters are notified of these issues and given an opportunity to "cure" the problem, so that their ballots can be counted.

Note: Based on MOA's and King County's experience, after the first election, only about 1% of votes cast require this "cure" process.

The voter could be contacted by form letter, called, or emailed (if phone number or email are included on the ballot return envelope). Regardless of the contact method, KPB would explain the problem and give the voter a chance to fix it, as long as the voter responds before the deadline for curing.

In order to avoid disenfranchising voters, we recommend voters be allowed to cure up to the day of the public session of canvas (currently the Monday following the election, KPB 4.90.020). For example, a voter who drops off a ballot on election night could expect to get a notification within a day or two and be able to respond prior to the deadline.

When voters are allowed to "cure" their envelopes, it becomes increasingly important that KPB pick up and process ballot return envelopes as quickly as possible so that notifications can be given to voters in a timely manner. The faster a voter is notified of an issue, the longer the period of time the voter has to resolve that issue so that the ballot can be counted.

2.6.5. Open Ballot Return Envelopes/Prepare Ballots for Scanning

After ballot return envelopes have been successfully verified (i.e., are a "good" envelope on the second run through the sorter), the envelopes can be opened and the ballots removed. The process will likely be the same as KPB uses for its current vote by mail precincts.

²⁶ A short video of King County's process is here:
<https://www.kingcounty.gov/depts/elections/education-and-outreach/take-a-tour.aspx>

Typically, the envelopes will be run through an envelope opening machine, which slices a thin strip off the envelope so that contents can be easily removed. Ballot return envelopes are then given in batches to 3-member envelope opening teams who

1. While keeping the envelope “face down” to hide the voter’s name, remove the security sleeve (with the ballot inside) from the ballot return envelope, separating the ballot from the return ballot envelope. The return ballot envelopes are then set aside so that the ballot is no longer associated with any information that would identify which voter cast that ballot.
2. Separate the ballot from the security sleeve.
3. Open and flatten the ballot. If there are obvious potential issues with the ballot that would cause it to not be scanned, it can be set aside to be facsimiled.

Envelope opening teams take steps to ensure that all envelopes have been emptied and that all ballots are accounted for. KPB will need to define the procedures that the opening teams will follow.

Once this process is complete, ballots are ready to be scanned. KPB will need to securely store these ballots in their main office. We are anticipating a conference room will be “re-keyed” during the election and used for secure storage.

2.6.5.1. Timing of Scanning Ballots

As mentioned earlier, KPB will need to decide when to scan ballots. Note that this is just scanning them—tabulation of results should never be done until after the election closes at 8:00 PM on Election Day. While KPB could wait to scan ballots until after 8:00 PM on Election Day, this will delay delivery of results as it will take time to scan the ballots. Therefore, we recommend that KPB define how far in advance scanning can begin. This timing varies by jurisdiction, with some allowing it to begin only the day before or on Election Day. We recommend that KPB allow scanning to begin at least a couple days before Election Day to give greater flexibility in staff assignments.

2.7. Store Election Records

2.7.1. Providing Election Information to the State

When an election is complete, KPB will need to provide the State with the following information:

- Which voters returned a ballot
- Signature images from the ballot return envelopes of voters whose signatures were verified

Providing the State with the signature images will help build the reference signature library for KPB voters. For these files, KPB will need to provide the images as TIFF, and the files will need to be named with the voter ID.

2.7.2. Dispose of Records

In a vote by mail election, KPB will have more election records to dispose. These will include the return ballot envelopes as well as the electronic records from the sorter system and other tools used during the election. KPB will need to update their procedures to ensure that all appropriate information is disposed of.

2.8. Staffing Requirements

KPB currently hires approximately 130 people during an election cycle in order to staff all of its polling locations. In a vote by mail election, the number of staff required will be substantially lower.

Peak staffing levels will start about a week before Election Day, around the time Vote Centers open, drop boxes are being checked, envelopes are being processed, and ballots scanned (but not tabulated!). The table below shows what **peak** staffing might look like, with the following caveats:

- Choices KPB makes will affect actual numbers.
- Clerk’s Office staff for KPB and the cities are not considered in the counts; various Clerk’s Office staff may fill some of these roles, reducing the count.
- The table shows counts by functions, but many people can perform more than one function, flexing from one position to another within a day, depending on the volume of envelopes and ballots to process on that day. Therefore, the table’s counts **do not** equate to total number of people required.

As an example of staff flexing, a 2-member team picks up the mail from USPS and checks the drop boxes in the Kenai/Soldotna area, then sorts and runs those envelopes through the sorter. Meanwhile, another 2-member team performs signature verification on the previous day’s envelopes and then moves on to an envelope opening team.

Location/Function	Total	Time ²⁷	Cost ²⁸
Vote Centers (5 centers, 3 people each)	15	1 week + 1 hour training	\$8,610
Drop Box Team	2	2 hours/day for 3 weeks	\$840

²⁷ 8 hour days, 5 days a week, unless otherwise specified

²⁸ Based on \$14 per hour

Location/Function	Total	Time ²⁷	Cost ²⁸
Election Center Envelope Sorter Process	2	3 weeks	\$3,360
Signature Verification	3	3 weeks	\$5,040
Review and Resolution	1	3 weeks	\$1,680
Envelope Opening Teams (2 teams, 3 people each)	6	1 week	\$3,360
Call Center	2	4 weeks	\$4,480
Ballot Scanning and Adjudication	2	1 week	\$1,120
Total	33		\$28,490.00

In addition, for at least 3-4 months before the first vote by mail election is started, KPB should have a staff member dedicated to preparing KPB for vote by mail. This individual would preferably be experienced in elections and also have a high proficiency with and lack of fear in using software and computers. This individual would spearhead a lot of the vote by mail implementation and would be doing tasks such as the following:

- Working with vendors
- Learning to be a “super user” on acquired equipment and software
- Being involved in user acceptance testing on the equipment and software
- Creating templates and drafting letters, sheets, and other documentation in Word, Excel, etc. for use by election officials
- Coordinating staffing schedules
- Helping with ordering supplies
- Completing other sundry things that are needed when launching vote by mail

3.0 Summary of Estimated Costs

Below are the estimated costs as described in this Study. **These may not be all costs and actual costs may vary greatly depending on choices KPB makes and market rates at the time.** For example, KPB staff time (Clerk’s office, GIS staff) associated with the election are not included but, especially in the first vote by mail election, the hours will be substantially higher than would be required in a normal election and may require that KPB hire additional staff or contract work out. In addition, these estimates assume that KPB will leverage custom tools that MOA had built and that most of these will not require changes for KPB.

Beyond the general “miscellaneous” costs that will come with setting up a new process, KPB may wish to hire a project manager for the project and be sure to have adequate staffing levels in its own GIS department and Clerk’s Office. These costs would be modified by any use of

current resources, as well as by the results of competitive bidding and decisions about the timing, structure, and requirements adopted to implement vote by mail.

Item	Study Section	Estimate (yr 1)	Recurring
Mail Sorter and First Year Licensing	2.2.2	\$150,000	\$30,000
Alarms/Cameras	2.2.3.1	\$10,000	
Records Center cage	2.2.3.2	\$3,000	
GIS enhancements	2.2.4.2	\$6,000	
Pollbook scanning	2.2.5	\$3,000	
Education and Outreach	2.3.1	\$15,000	\$3,000
Postcard (Undeliverables) – printing & mailing	2.3.2	\$4,000	\$4,000
Ballot package set up, printing, assembly, and Q/A	2.4	\$42,000	\$42,000
"I voted" sticker	2.4.2	\$1,000	\$1,000
Ballot package postage	2.4.4	\$20,500	\$20,500
Vote Center equipment	2.5.2	\$20,000	
Drop Boxes	2.6.1.2	\$35,000	
Temporary Election Workers	2.8	\$28,490	\$28,490
Total		\$337,990	\$128,990

One measure of cost comparison can be the cost per voter, focusing on the number of voters who actually cast ballots. If we assume the KPB approved budget for elections includes all costs (which we acknowledge does not include the cities), then the cost per voter, using 2019 budget and turnout, is \$10.72 per voter (\$113,910/10,622 voters).

If you assume a vote by mail election increases voter participation, using the percent increase in turnout between the last MOA poll-based election and its most recent vote by mail election²⁹, the estimated cost per voter may be determined as follows:

- MOA 2017 - 49,370 ballots cast for a 23.2% turnout
- MOA 2020 - 71,268 ballots cast for a 30.68% turnout
- $(21,898 / 49,370) \times 100 = 44.4\%$ increase
- $10,622 \times 44.4\% = 4,716$ potential “new” KPB voters, for an estimated turnout of 15,338

²⁹ Using unofficial results as of April 15, 2020. These years are an “apples-to-apples” comparison as both years were Assembly election years for MOA. Year with mayoral elections usually have a higher turnout.

Our estimate of \$128,990 in recurring costs divided by the 15,338 voters equals \$8.41 per voter, a potential reduction of \$2.31 per vote cast.

3.1. Assistive Technology Cost Comparison

KPB is currently subject to an agreement with the State of Alaska Commission for Human Rights, which requires KPB to explore and implement options for providing assistive technology to visually impaired voters. One option is to implement voting by mail, along with providing ADA compliant voting machines in Voting Centers. Another option is to buy or lease these ADA voting machines for every polling location. Both options require purchasing a new centralized ballot tabulation system that supports the ADA machines.

The following table compares the estimated costs associated with these two options.

Note: ADA machines\software costs are based on July 2019 vendor quote. Actual costs may be different.

	Vote By Mail	Poll-Based
Estimated 1st year Election Cost	\$337,990 ³⁰	\$113,910 ³¹
Add 5 ADA machines\software for Voting Centers	\$197,804	\$0
Add 30 ADA machines\software for polling locations	\$0	\$337,144
Total	\$535,794	\$451,054³²

3.2. Total Recurring Cost Estimate

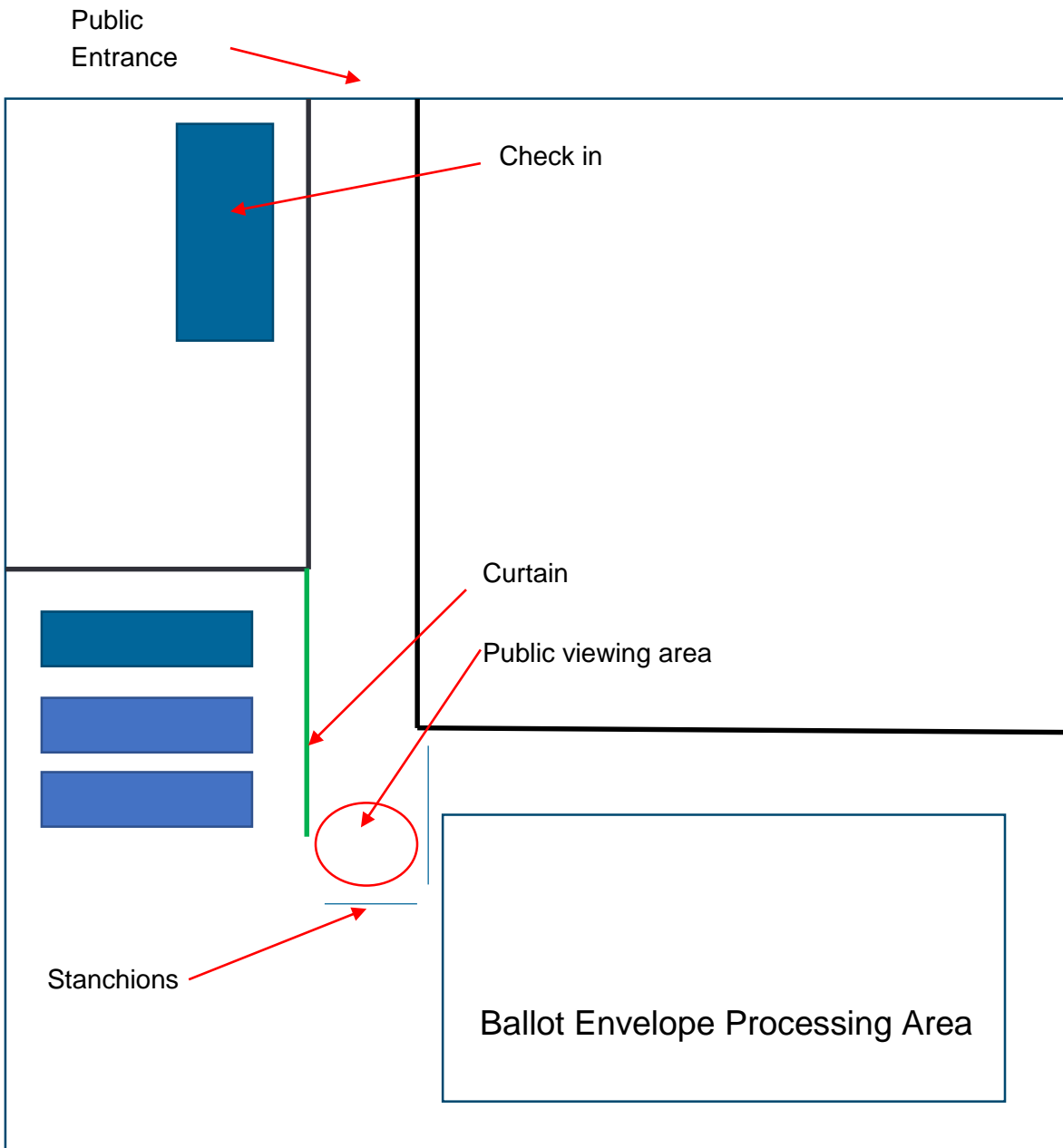
Year 2	<u>Vote by Mail</u>	<u>Poll-Based</u>
Recurring	\$128,990	\$113,910
Annual ADA hardware/software licensing and warranty	\$27,580	\$36,640
Totals	\$156,570	\$150,550

³⁰ Estimated “year one” vote by mail cost (see above for breakdown and caveats)

³¹ KPB 2019 election budget

³² Subsequent year costs are approximately \$8,712 higher for poll-based voting for the licensing and warranty on the 24 additional ADA machines.

Appendix A: Sample Layout of Records Center





Sponsored by: Council Member Peterkin

CITY OF KENAI

ORDINANCE NO. 3127-2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, REPEALING AND REPLACING KENAI MUNICIPAL CODE TITLE 6- ELECTIONS, TO PROVIDE CLARITY, PROCESS IMPROVEMENTS, AND IMPROVE VOTER ACCESSIBILITY THROUGH VOTE BY MAIL ELECTIONS.

WHEREAS, state statutes provide that local governing bodies establish the procedures governing local elections; and,

WHEREAS, it is in the best interest of the City to provide for clear processes in its elections; and,

WHEREAS, the City has realized efficiencies in its election processes by sharing election resources such as election workers with the Kenai Peninsula Borough (KPB); and,

WHEREAS, KPB entered into a conciliation agreement with the Alaska Human Rights Commission which specified that the KPB would have an ADA compliant election process in place by the end of 2020; and,

WHEREAS, it is prudent for the City to also have ADA compliant election processes in place; and,

WHEREAS, the KPB Assembly established the Election Stakeholders Group (“ESG”) through the direction and adoption of Resolution 2019-006, which included community members and members from many local governments in the KPB, including City Manager Ostrander, Mayor Gabriel, Council Member Peterkin and City Clerk Heinz from the City; and,

WHEREAS, the ESG researched ways to increase voter participation by developing sustainable election processes that maximize accessibility and inclusivity; and,

WHEREAS, ensuring security of the voting system, including hardware, software, accountability procedures, and the voter registration database and maintaining integrity in the system by adopting internal controls, including signature verification, to ensure all valid votes are counted were among guiding principles adopted by the ESG; and,

WHEREAS, after holding many public meetings throughout 2019 the ESG issued a final report with six specific recommendations regarding potential changes to KPB code and election processes which are intended to achieve guiding principles adopted by the ESG; and,

WHEREAS, recommendation number 1 of the ESG was for the KPB assembly to transition the election process from the current polling site structure to a vote by mail hybrid structure (VBMS); and,

WHEREAS, recent catastrophic events including disaster declarations related to local floods, fires

and a global public health pandemic reinforce the need to implement a VBMS election process that will allow for greater flexibility and voter participating when events make it impractical or impossible to vote at a traditional polling site; and,

WHEREAS, in response to the current statewide emergency disaster, Governor Dunleavy signed Senate Bill 241 in to law which, among other things, authorizes elections to be conducted by mail during the emergency disaster; and,

WHEREAS, on _____, the KPB Assembly adopted KPB Ordinance No. 2020-24 providing for vote by mail elections.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, as follows:

Section 1. Repealing and Re-enacting Title 6 of the Kenai Municipal Code: That Kenai Municipal Code, Title 6 - Elections is hereby repealed and re-enacted as follows:

[CHAPTER 6.05
VOTING QUALIFICATIONS AND PROCEDURES

SECTIONS:

- 6.05.010 QUALIFICATIONS FOR VOTERS.
- 6.05.020 REGISTRATION.
- 6.05.030 PRECINCT AND POLLING PLACE.
- 6.05.040 PRECINCT BOARD.
- 6.05.050 COMPENSATION OF ELECTION PERSONNEL.
- 6.05.060 WATCHERS.
- 6.05.070 CITY CLERK TO SUPERVISE CITY ELECTIONS.
- 6.05.080 CITY CLERK TO PREPARE AND FURNISH BALLOTS.
- 6.05.090 BALLOT BOXES, VOTING BOOTHS.
- 6.05.100 NOTICE OF ELECTIONS—REGULAR AND SPECIAL.
- 6.05.110 CONDUCTING AN ELECTION—CANVASSING RETURNS.
- 6.05.120 ESTABLISHMENT OF CANVASSING BOARD AND PROCEDURES.
- 6.05.130 TIE VOTES.
- 6.05.140 ABSENTEE VOTING.
- 6.05.145 ABSENTEE VOTING IN PERSON.
- 6.05.150 ABSENTEE VOTING—APPLICATION.
- 6.05.160 ABSENTEE VOTING—BALLOTS.
- 6.05.170 ABSENTEE VOTING—BY MAIL.
- 6.05.180 VOTING—AUTHORIZED.
- 6.05.190 VOTING—BOARDS.
- 6.05.200 VOTING DEVICES AND MACHINES.
- 6.05.210 VOTING—TESTS AND SECURITY.
- 6.05.220 RECOUNT OF VOTES—APPLICATION.
- 6.05.230 APPEAL TO THE COURTS AFTER RECOUNT.
- 6.05.240 ELECTION CONTESTS.
- 6.05.250 RULES AND REGULATIONS.
- 6.05.260 CITY ELECTION TIME.
- 6.05.270 OFFENSES AND PENALTIES.
- 6.05.280 RECORD RETENTION.
- 6.05.300 VOTING BY MAIL, BALLOTS, BALLOT REVIEW, BALLOT ENVELOPES.
- 6.05.310 CASTING BALLOTS.

- 6.05.320 NOTICE OF ELECTION, ELECTION DATE, PUBLIC NOTICE.
- 6.05.330 ABSENTEE VOTING OFFICIAL AND DUTIES.
- 6.05.335 ABSENTEE VOTING—BY ELECTRONIC TRANSMISSION.
- 6.05.340 STORING BALLOTS.

6.05.010 QUALIFICATIONS FOR VOTERS.

PERSONS WHO HAVE THE QUALIFICATIONS FOR VOTERS PRESCRIBED BY THE CITY CHARTER, SECTION 10-6, THE STATE CONSTITUTION, ARTICLE V, SECTIONS 1 AND 2, AND STATE LAW, SHALL BE QUALIFIED TO VOTE IN CITY ELECTIONS IF THEY ARE REGISTERED AS PROVIDED IN THIS TITLE. (KC 6-1)

6.05.020 REGISTRATION.

(A) THE ELECTION JUDGES SHALL KEEP AN ORIGINAL REGISTER ON WHICH EACH VOTER SHALL, BEFORE RECEIVING A BALLOT, SIGN THE VOTER'S NAME AND EITHER COMPLETE OR CORRECT BOTH THE VOTER'S RESIDENCE AND MAILING ADDRESSES. A RECORD SHALL BE KEPT ON THE REGISTER OF THE NAME OF EACH PERSON WHO OFFERED TO VOTE, BUT WAS REFUSED, AND A BRIEF STATEMENT OF THE BASIS OF THE REFUSAL. THE SIGNING OF THE REGISTER CONSTITUTES A DECLARATION BY THE VOTER THAT THE VOTER IS QUALIFIED TO VOTE.

(B) VOTERS MAY BE IDENTIFIED FROM SUCH REASONABLE SOURCES AS STATE VOTER REGISTRATION LISTS, BEING KNOWN TO THE ELECTION JUDGES AS RESIDENTS OF THE CITY OF KENAI, OR BY SUCH OTHER IDENTIFICATION AS IS ACCEPTED CUSTOMARILY FOR SCHEMES OF "PRE-REGISTRATION" QUALIFICATIONS.

(C) REGISTERS SIGNED BY VOTERS ON ELECTION DAY SHALL BE KEPT WITH THE RECORDS OF THAT ELECTION.

(D) AS USED IN THIS TITLE, "REGISTER" SHALL MEAN THE COMPUTER PRINTOUT ENTITLED "STATE OF ALASKA PRECINCT REGISTER" (OR ANY FORM SUBSEQUENTLY SUBSTITUTED THEREFOR) SUPPLIED BY THE DIVISION OF ELECTIONS OF THE STATE OF ALASKA FOR USE IN EACH PRECINCT.

(KC 6-9; ORDS. 193, 803)

6.05.030 PRECINCT AND POLLING PLACE.

(A) THE CITY OF KENAI SHALL BE COMPOSED OF SUCH ELECTION PRECINCTS AS MAY BE SET UP OR MODIFIED BY THE DIRECTOR OF ELECTIONS OF THE STATE OF ALASKA FOR ALL CITY ELECTIONS, BOTH REGULAR AND SPECIAL. THE POLLING PLACES WILL BE AS DESIGNATED BY THE STATE OF ALASKA, DIVISION OF ELECTIONS.

(B) CHANGES OF THE POLLING PLACES MAY BE ACCOMPLISHED BY THE COUNCIL BY MOTION, RESOLUTION, OR ORDINANCE.

(KC 6-12,13; ORDS. 159, 803, 1182)

6.05.040 PRECINCT BOARD.

(A) THERE SHALL BE ELECTION BOARDS FOR THE PRECINCTS IN THE CITY COMPOSED OF THREE (3) OR MORE JUDGES APPOINTED BY THE CITY COUNCIL. THE JUDGES SHALL BE QUALIFIED VOTERS OF THE CITY. THE CITY COUNCIL MAY DESIGNATE ONE OF THE JUDGES CHAIR OF THE BOARD, AND THE CHAIR SHALL BE PRIMARILY RESPONSIBLE FOR THE ADMINISTRATION OF THE ELECTION IN THE PRECINCT. THE CITY COUNCIL MAY ALSO APPOINT FROM AMONG THE QUALIFIED VOTERS OF THE CITY ONE (1) OR TWO (2) CLERKS WHERE IT DEEMS THEIR SERVICES ARE NECESSARY. THE CITY CLERK, AS THE ELECTION SUPERVISOR, MAY APPOINT NOT MORE THAN FOUR (4) ELECTION CLERKS FROM AMONG THE QUALIFIED VOTERS

OF THE CITY AT ANY POLLING PLACE WHERE THEY ARE NEEDED TO CONDUCT AN ORDERLY ELECTION AND TO RELIEVE THE ELECTION JUDGES OF UNDUE HARDSHIP IF HE OR SHE THINKS THEY ARE NEEDED AND IF THE CITY COUNCIL AUTHORIZES IT.

(B) ALL CITY ELECTION PERSONNEL SHALL BE APPOINTED WITHOUT REGARD TO THEIR MEMBERSHIP IN ANY POLITICAL PARTY.

(C) ALL ELECTION JUDGES AND CLERKS, BEFORE ENTERING UPON THEIR DUTIES, MUST SUBSCRIBE TO THE OATH REQUIRED OF ALL PUBLIC OFFICERS BY THE CONSTITUTION OF THE STATE OF ALASKA IN THE MANNER PRESCRIBED BY THE CLERK. IF ANY APPOINTED ELECTION OFFICIAL IS NOT ABLE OR REFUSES TO SERVE ON ELECTION DAY, THE CLERK MAY APPOINT A REPLACEMENT FOR THAT OFFICIAL.

(D) CANDIDATES SHALL NOT SERVE AS ELECTION OFFICIALS. CERTAIN FAMILIAL RELATIONSHIPS MAY NOT EXIST BETWEEN A CANDIDATE AND A PRECINCT ELECTION JUDGE, ELECTION CLERK, OR MEMBER OF A BALLOT COUNTING TEAM IN REGULAR OR SPECIAL ELECTIONS. THOSE FAMILIAL RELATIONSHIPS ARE:

- (1) MOTHER, MOTHER-IN-LAW, STEPMOTHER;
- (2) FATHER, FATHER-IN-LAW, STEPFATHER;
- (3) SISTER, SISTER-IN-LAW, STEPSISTER;
- (4) BROTHER, BROTHER-IN-LAW, STEPBROTHER;
- (5) SPOUSE; OR
- (6) PERSON SHARING THE SAME LIVING QUARTERS.

(E) IF THE ELECTION SUPERVISOR KNOWS OR LEARNS ANY OF THESE RELATIONSHIPS EXIST, THE PRECINCT ELECTION JUDGE, ELECTION CLERK, OR MEMBER OF THE BALLOT COUNTING TEAM SHALL BE NOTIFIED AND THE PERSON REPLACED.

(KC 6-12,13; ORDS. 159, 2108-2005)

6.05.050 COMPENSATION OF ELECTION PERSONNEL.

(A) THE CITY SHALL PAY ALL NECESSARY EXPENSES RELATING TO THE CONDUCT OF EACH CITY ELECTION, INCLUDING THOSE OF SECURITY POLLING PLACES, AND SHALL PROVIDE BALLOT BOXES, BALLOTS, VOTING BOOTHS OR SCREENS, NATIONAL FLAGS, AND OTHER SUPPLIES AND ANY WAGES TO ELECTION OFFICIALS UNLESS OTHERWISE PROVIDED BY THIS CODE.

(B) THE CITY SHALL PAY EACH ELECTION BOARD MEMBER AND CANVASS BOARD MEMBER AN HOURLY RATE FOR TIME SPENT AT HIS OR HER ELECTION DUTIES, INCLUDING THE RECEIVING OF INSTRUCTIONS AND POSTING OF NOTICES. THE ELECTION SUPERVISOR SHALL SET THE HOURLY COMPENSATION TO BE PAID FOR TIME SPENT BY ELECTION OFFICIALS AT A RATE COMPARABLE TO THAT PAID BY THE STATE FOR STATE ELECTIONS. THE CLERK SHALL RETAIN A RECORD FOR AUDITING AND PAYMENT OF ELECTION EXPENSES, INCLUDING THE COST OF GIVING NOTICE, RENTING POLLING PLACES, PAYING ELECTION OFFICIALS, SECURITY BALLOT BOXES, BOOTHS AND OTHER ELECTION NECESSITIES.

(KC 6-14; ORD. 2108-2005)

6.05.060 WATCHERS.

ANY CANDIDATE FOR ELECTIVE CITY OFFICE MAY APPOINT A WATCHER FOR THE PRECINCT. STATE LAW RELATING TO WATCHERS IN STATE ELECTIONS SHALL GOVERN WATCHERS IN CITY ELECTIONS INSOFAR AS IT IS APPLICABLE. (KC 6-15)

6.05.070 CITY CLERK TO SUPERVISE CITY ELECTIONS.

THE CITY CLERK, UNDER DIRECTION OF THE CITY COUNCIL AND IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER, IS THE ELECTION SUPERVISOR FOR AND SHALL ADMINISTER ALL CITY ELECTIONS. (KC 6-16; ORD. 2108-2005)

6.05.080 CITY CLERK TO PREPARE AND FURNISH BALLOTS.

(A) THE CITY CLERK SHALL PREPARE AND FURNISH ALL OFFICIAL BALLOTS IN CITY ELECTIONS. THE PROVISIONS OF STATE LAW RELATING TO THE PREPARATION AND FURNISHING OF BALLOTS IN STATE ELECTIONS SHALL GOVERN THE PREPARATION AND FURNISHING OF BALLOTS IN CITY ELECTIONS INsofar AS THEY ARE APPLICABLE AND ARE NOT IN CONFLICT WITH THE CITY CHARTER OR ORDINANCE; AND THE CITY CLERK SHALL PERFORM THE FUNCTIONS IN REGARD THERETO PRESCRIBED BY LAW FOR THE DIRECTOR OF ELECTIONS IN REGARD THERETO IN STATE ELECTIONS INsofar AS IT IS APPROPRIATE.

(B) AT THE TIME OF PREPARING, THE BALLOTS MAY BE INSPECTED BY ANY CANDIDATE WHOSE NAME IS ON THE BALLOT, OR BY HIS OR HER AUTHORIZED AGENT, AND ANY DISCOVERED MISTAKE SHALL BE CORRECTED IMMEDIATELY.

(C) THE CITY CLERK SHALL PROVIDE TINTED SAMPLE BALLOTS, OATHS OF OFFICE OF JUDGES, QUESTIONED OATHS, TALLY SHEETS WHEN REQUIRED, INSTRUCTIONS TO VOTERS, WARNING NOTICES, AND OTHER FORMS AND SUPPLIES REQUIRED FOR CITY ELECTIONS; AND HE OR SHE SHALL GIVE THE DUPLICATE REGISTRATION INDEX AND AN ADEQUATE SUPPLY OF OFFICIAL BALLOTS, SAMPLE BALLOTS, AND ALL OTHER NECESSARY SUPPLIES AND MATERIALS TO THE CHAIRS OF THE PRECINCT ELECTION BOARDS IN ADEQUATE TIME BEFORE A CITY ELECTION.

(KC 6-17; ORDS. 803, 941, 1652-95, 2108-2005)

6.05.090 BALLOT BOXES, VOTING BOOTHS.

THE CITY CLERK SHALL PROVIDE SUITABLE BALLOT BOXES AND AN ADEQUATE NUMBER OF VOTING BOOTHS OR SCREENS. REGULATIONS MADE BY THE DIRECTOR OF ELECTIONS, RELATING TO POLLING PLACES, BALLOT BOXES, VOTING BOOTHS, SCREENS, FLAGS, AND SUPPLIES FOR STATE ELECTIONS, SHALL GOVERN THESE MATTERS IN RELATION TO CITY ELECTIONS INsofar AS THEY ARE APPLICABLE AND ARE NOT SUPERSEDED BY ORDINANCE. (KC 6-18; ORD. 803)

6.05.100 NOTICE OF ELECTIONS—REGULAR AND SPECIAL.

(A) AT LEAST TEN (10) DAYS BEFORE EVERY CITY ELECTION, REGULAR OR SPECIAL, THE CITY CLERK SHALL CAUSE TO BE PUBLISHED BY POSTING ON THE OFFICIAL CITY BULLETIN BOARD IN OR ON THE CITY ADMINISTRATION BUILDING AND IN TWO (2) OTHER PLACES IN THE CITY, OR IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE CITY, A NOTICE OF SUCH ELECTION. THE NOTICE SHALL INCLUDE, BUT IS NOT LIMITED TO, THE FOLLOWING:

- (1) THE DATE OF THE ELECTION;
- (2) TIME DURING WHICH THE POLLING PLACE WILL BE OPEN;
- (3) THE LOCATION OF THE POLLING PLACE;
- (4) OFFICES TO WHICH CANDIDATES ARE TO BE ELECTED (IF ANY);
- (5) AND THE SUBJECTS OF THE PROPOSITIONS AND QUESTIONS WHICH ARE TO BE SUBMITTED TO THE VOTERS AT THE ELECTION (IF ANY).

(B) FAILURE TO PUBLISH SUCH A NOTICE OF AN ELECTION SHALL NOT AFFECT THE VALIDITY OF THE ELECTION OR OF THE VOTE FOR ANY CANDIDATE OR ON ANY PROPOSAL; BUT, IF CAUSED BY THE CITY CLERK, SHALL CONSTITUTE FAILURE TO PERFORM HIS OR HER OFFICIAL DUTIES.

(C) IN ADDITION TO THE ABOVE NOTICE, THE CITY CLERK SHALL PUBLISH IN FULL EVERY CHARTER AMENDMENT, EVERY ORDINANCE, AND EVERY OTHER QUESTION WHICH IS TO BE SUBMITTED AT AN ELECTION, EXCEPT A REFERRED ORDINANCE WHICH WAS PUBLISHED IN FULL AFTER PASSAGE, NOT MORE THAN FOUR (4) WEEKS

AND AT LEAST TWO (2) WEEKS BEFORE THE ELECTION IN ACCORDANCE WITH THE CITY CHARTER, SECTIONS 1-7(4) AND 10-8.

(KC 6-19)

6.05.110 CONDUCTING AN ELECTION—CANVASSING RETURNS.

ALASKA STATUTES, CHAPTERS 15.15 THROUGH 15.20 AND ANY AMENDMENTS THERETO, SHALL APPLY TO THE CITY ELECTIONS INsofar AS THEY DO NOT CONFLICT WITH SPECIFIC CITY ORDINANCES. THE PRECINCT ELECTION BOARDS SHALL DELIVER TO THE CITY CLERK ONE (1) COPY OF THE CERTIFICATE WITH THE RESULTS OF THE VOTE IN THE PRECINCT, THE REGISTERS SIGNED BY PERSONS VOTING, ALL BALLOTS CAST, ALL BALLOTS IMPROPERLY MARKED, DAMAGED OR UNLAWFULLY EXHIBITED, AND ALL OATHS, AFFIRMATIONS AND AFFIDAVITS TO THE COUNCIL AS PROVIDED BY KMC 6.05.130. THE CHAIR OF EACH PRECINCT ELECTION BOARD SHALL RETAIN POSSESSION OF A DUPLICATE COPY OF THE RESULTS, WHICH COPY MAY BE DESTROYED BY EACH CHAIR TWENTY (20) DAYS AFTER THE ELECTION UNLESS THE CITY CLERK OR THE CITY COUNCIL REQUESTS ITS DELIVERY. (ORDS. 193, 803, 881, 1788-98, 2556-2011)

6.05.120 ESTABLISHMENT OF CANVASSING BOARD AND PROCEDURES.

(A) PURSUANT TO THE PROVISIONS OF SECTION 10-9 OF THE CHARTER OF THE CITY OF KENAI, THERE IS HEREBY ESTABLISHED A CANVASSING BOARD FOR THE CANVASSING OF ALL CITY ELECTIONS; REGULAR AND SPECIAL, AND TO ASCERTAIN AND DECLARE THE RESULTS THEREOF, AS FOLLOWS:

(1) THE CITY CLERK IS HEREBY DESIGNATED AS THE CHAIR OF THE CANVASSING BOARD.

(2) THE CANVASSING BOARD SHALL CONSIST OF THE CITY CLERK, CHAIR OF EACH PRECINCT ELECTION BOARD WITHIN THE CITY, AND UP TO FIVE (5) ADDITIONAL JUDGES SELECTED FROM AMONG THE QUALIFIED VOTERS OF THE CITY. IN THE EVENT ANY SUCH APPOINTED MEMBER OF THE BOARD IS ABSENT FROM THE CITY, ILL, OR OTHERWISE UNABLE TO ATTEND AT THE TIME SET FOR CANVASSING THE BALLOT, THE CITY CLERK IS HEREBY AUTHORIZED TO APPOINT ANOTHER ELECTION JUDGE FROM THE SAME PRECINCT TO SUBSTITUTE FOR THE APPOINTED MEMBER.

(B) THE CANVASSING BOARD SHALL MEET IN PUBLIC SESSION ON THE TUESDAY FOLLOWING EVERY CITY ELECTION, REGULAR OR SPECIAL, AT 8:30 A.M. AND, IF NECESSARY, CONTINUE THROUGH THE FOLLOWING DAY AND SHALL PROMPTLY PROCEED TO CANVASS THE RETURNS OF SAID ELECTION, MAKING DECISIONS AS TO VALIDITY OF QUESTIONED BALLOTS, COUNTING ABSENTEE BALLOTS, AND ASCERTAINING AND DECLARING THE RESULTS OF SAID ELECTION. THE CANVASS OF THE BALLOT VOTE COUNTED BY THE PRECINCT ELECTION BOARDS SHALL BE ACCOMPLISHED BY REVIEWING THE TALLIES OF THE RECORDED VOTE TO CHECK FOR MATHEMATICAL ERROR BY COMPARING TOTALS WITH THE PRECINCT'S CERTIFICATE OF RESULTS. ALL OBVIOUS ERRORS FOUND BY THE ELECTION CANVASS IN THE TRANSFER OF TOTALS FROM THE PRECINCT TALLY SHEETS TO THE PRECINCT CERTIFICATE OF RESULTS SHALL BE CORRECTED BY THE CANVASSING BOARD. A MISTAKE THAT HAS BEEN MADE IN PRECINCT RETURNS, AND THAT IS NOT CLEARLY AN ERROR IN THE TRANSFER OF THE RESULTS FROM THE TALLIES TO THE CERTIFICATE OF RESULTS, EMPOWERS THE CANVASSING BOARD TO RECOMMEND A RECOUNT OF THE RESULTS OF THE PRECINCT OR PRECINCTS FOR THAT PORTION OF THE RETURNS IN QUESTION.

(C) IN ORDER TO BE COUNTED, ABSENTEE BALLOTS THAT ARE MAILED MUST BE MAILED ON OR BEFORE THE DATE OF THE ELECTION, AND IF THE ENVELOPE

CONTAINING THE BALLOT IS POSTMARKED, THE POST MARK DATE MUST BE ON OR BEFORE THE DATE OF ELECTION, AND SAID BALLOT MUST BE RECEIVED IN THE CITY OF KENAI'S MAIL BY NOON ON THE SEVENTH (7TH) DAY AFTER THE ELECTION. BALLOT ENVELOPES RECEIVED BY UNITED STATES POSTAL SERVICE WITHOUT A POSTMARK SHALL BE COUNTED, PROVIDED THE BALLOT ENVELOPE MEETS ALL OTHER REQUIREMENTS (SIGNATURES, REGISTRATION, ETC.) AND THE RECEIPT BY THE CITY INDICATES THE BALLOT WAS MAILED ON OR BEFORE THE DATE OF THE ELECTION AND THE BALLOT WAS RECEIVED IN THE CITY OF KENAI'S MAIL BY NOON ON THE SEVENTH (7TH) DAY AFTER THE ELECTION.

(D) THE CITY CLERK, AS CHAIR OF THE CANVASSING BOARD, SHALL REPORT THE RESULTS OF THE ELECTION TO THE CITY COUNCIL AS THE FIRST ORDER OF BUSINESS FOLLOWING THE ROLL CALL AT THE NEXT REGULAR COUNCIL MEETING FOLLOWING THE MEETING OF THE CANVASSING BOARD.

(KC 6-12; ORDS. 707, 1652-95, 2108-2005, 2488-2010, 2556-2011)

6.05.130 TIE VOTES.

IN CASE OF FAILURE TO ELECT BECAUSE OF A TIE VOTE, THE COUNCIL SHALL IMMEDIATELY PROCEED TO RECOUNT THE VOTES. IF THERE IS STILL A FAILURE TO ELECT BECAUSE OF A TIE AFTER COMPLETION OF THE RECOUNT, THE ELECTION SHALL BE DETERMINED FAIRLY BY LOT FROM AMONG THE CANDIDATES TYING, IN A MEETING OF THE COUNCIL AND UNDER ITS DIRECTION, IN ACCORDANCE WITH THE CITY CHARTER, SECTION 10-4. (KC 6-22)

6.05.140 ABSENTEE VOTING.

ANY QUALIFIED VOTER WHO MAY SECURE AND CAST AN ABSENTEE BALLOT IN A STATE ELECTION MAY SECURE AND CAST AN ABSENTEE BALLOT IN A CITY ELECTION. THE CITY CLERK SHALL SUPERVISE ABSENTEE VOTING, AND SHALL ISSUE NECESSARY INSTRUCTIONS REGARDING THE PROCEDURE FOR ABSENTEE VOTING TO QUALIFIED APPLICANTS FOR ABSENTEE BALLOTS. THE CITY CLERK SHALL PROVIDE THE ABSENTEE BALLOTS, THE SECRECY ENVELOPES FOR THE BALLOTS, AND THE POSTAGE-PAID RETURN ENVELOPES THEREFOR, AND ANY OTHER FORMS AND SUPPLIES REQUIRED FOR THE USE OF ABSENTEE VOTERS. (KC 6-23; ORD. 2488-2010)

6.05.145 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, OR THE VOTER MAY APPLY TO THE BOROUGH CLERK'S OFFICE OR ABSENTEE VOTING OFFICIAL IN HIS OR HER AREA DURING REGULAR OFFICE HOURS.

(B) ON RECEIPT OF AN APPLICATION IN PERSON FOR AN ABSENTEE BALLOT AND EXHIBITION OF PROOF OF IDENTIFICATION AS REQUIRED IN THIS TITLE, THE CLERK SHALL ISSUE THE BALLOT TO THE APPLICANT.

(C) 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 DATE OF HIS OR HER SIGNATURE. THE ELECTION OFFICIAL SHALL THEN ACCEPT THE BALLOT.

(D) 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 (3). EXHIBITED, IMPROPERLY MARKED, OR DAMAGED BALLOTS SHALL BE DESTROYED. THE NUMBERS OF ALL BALLOTS DESTROYED SHALL BE NOTED ON THE BALLOT STATEMENT.

(E) EACH ABSENTEE VOTING OFFICIAL SHALL KEEP A RECORD OF THE NAMES AND THE SIGNATURES OF VOTERS WHO CAST ABSENTEE BALLOTS BEFORE HIM OR HER AND THE DATES ON WHICH THE BALLOTS WERE CAST.

(ORD. 1799-98)

6.05.150 ABSENTEE VOTING—APPLICATION.

ANY QUALIFIED VOTER WHO IS ENTITLED TO SECURE AND CAST AN ABSENTEE BALLOT MAY APPLY TO THE CITY CLERK IN PERSON, BY A PERSONAL REPRESENTATIVE, BY MAIL, OR BY ELECTRONIC TRANSMISSION, FOR AN ABSENTEE BALLOT. AN APPLICATION FOR AN ABSENTEE BALLOT RECEIVED BY THE CITY BY MAIL OR ELECTRONIC TRANSMISSION SHALL INCLUDE THE NAME OF THE APPLICANT AND BOTH THE LOCATION, I.E., ELECTRONIC, FACSIMILE, OR MAILING ADDRESS TO WHICH THE ABSENTEE BALLOT IS TO BE RETURNED AND HIS OR HER FULL RESIDENTIAL ADDRESS IN THE CITY. THE DATES FOR MAKING SUCH APPLICATIONS FOR ABSENTEE BALLOTS IN CITY ELECTIONS SHALL BE NOT LESS THAN SEVEN (7) DAYS PRIOR TO THE ELECTION. THE CITY CLERK SHALL FOLLOW THE PROCEDURE PRESCRIBED BY STATE LAW FOR ELECTION OFFICIALS IN DETERMINING WHETHER AN APPLICANT IS ENTITLED TO SECURE AND CAST AN ABSENTEE BALLOT. (KC 6-24; ORDS. 1652-95, 2556-2011)

6.05.160 ABSENTEE VOTING—BALLOTS.

VOTERS CASTING ABSENTEE BALLOTS SHALL MARK THE BALLOT, PLACE THE BALLOT IN THE SECRECY ENVELOPE AND THEN PLACE THE SECRECY ENVELOPE WITH THE MARKED BALLOT INSIDE THE POSTAGE-PAID RETURN ENVELOPE, AND RETURN THE DOCUMENTS TO THE CITY CLERK IN THE SAME MANNER AND UNDER THE SAME REGULATIONS, AS NEARLY AS MAY BE, AS REQUIRED BY LAW IN STATE ELECTIONS. (KC 6-25; ORD. 2488-2010)

6.05.170 ABSENTEE VOTING—BY MAIL.

(A) A QUALIFIED VOTER MAY APPLY FOR AN ABSENTEE BALLOT BY MAIL IF THE APPLICATION IS POSTMARKED NOT EARLIER THAN THE FIRST OF THE YEAR IN WHICH THE ELECTION IS TO BE HELD NOR LESS THAN SEVEN (7) DAYS BEFORE AN ELECTION. A VOTER MAY REQUEST HIS OR HER NAME BE PLACED ON PERMANENT ABSENTEE BY MAIL STATUS. 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) AFTER RECEIPT OF AN APPLICATION BY MAIL, THE CITY CLERK SHALL SEND THE ABSENTEE BALLOT AND OTHER ABSENTEE VOTING MATERIAL TO THE APPLICANT BY FIRST CLASS MAIL. THE MATERIALS SHALL BE SENT AS SOON AS THEY ARE READY FOR DISTRIBUTION. THE POSTAGE PAID RETURN ENVELOPE SENT WITH THE MATERIALS SHALL BE ADDRESSED TO THE CITY CLERK.

(C) 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 OATHS, MAY PROCEED TO MARK THE BALLOT IN SECRET, TO PLACE THE BALLOT IN THE SECRECY ENVELOPE, TO PLACE THE SECRECY ENVELOPE IN THE POSTAGE PAID ENVELOPE, AND TO SIGN THE VOTER'S CERTIFICATE ON THE BACK OF THE

POSTAGE-PAID RETURN ENVELOPE IN THE PRESENCE OF AN OFFICIAL LISTED IN THIS SUBSECTION WHO SHALL SIGN AS ATTESTING OFFICIAL AND SHALL DATE HIS OR HER SIGNATURE. IF NONE OF THE OFFICIALS LISTED IN THIS SUBSECTION ARE REASONABLY ACCESSIBLE, AN ABSENTEE VOTER SHALL HAVE THE BALLOT WITNESSED BY A PERSON OVER THE AGE OF EIGHTEEN (18) YEARS.

(D) 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 OR SHE SHALL USE A MAIL SERVICE AT LEAST EQUAL TO FIRST CLASS AND MAIL THE BALLOT NOT LATER THAN THE DAY OF THE ELECTION TO THE CITY CLERK. THE BALLOT ENVELOPE MUST BE POSTMARKED ON OR BEFORE MIDNIGHT OF ELECTION DAY AND RECEIVED BY THE CITY CLERK NO LATER THAN NOON ON THE SEVENTH DAY AFTER THE ELECTION. BALLOT ENVELOPES RECEIVED AFTER THAT TIME SHALL NOT BE OPENED BUT SHALL BE MARKED "INVALID," WITH THE DATE OF RECEIPT NOTED THEREON, AND SHALL BE PRESERVED WITH OTHER BALLOTS OF THE ELECTION.

(E) THE CITY 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 OR HER IDENTITY.

(F) THE CITY 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 CITY CLERK AND THE DATES ON WHICH THE BALLOT WAS EXECUTED AND POSTMARKED.

(ORDS. 2488-2010, 2556-2011)

6.05.180 VOTING—AUTHORIZED.

THE ELECTION OFFICIAL MAY PROVIDE FOR VOTING AT ONE (1) OR MORE VOTING PLACES FOR ONE (1) OR MORE QUESTIONS OR OFFICES ON A BALLOT. (ORDS. 881, 1788-98)

6.05.190 VOTING—BOARDS.

THE ELECTION OFFICIAL SHALL APPOINT A RECEIVING BOARD AND A DATA PROCESSING CONTROL BOARD, EACH CONSISTING OF THREE (3) MEMBERS. THE ELECTION OFFICIAL SHALL APPOINT A CHAIR OF EACH BOARD AND ADMINISTER THE OATH PRESCRIBED FOR ELECTION JUDGES TO BOTH CHAIR WHO SHALL ADMINISTER THE OATH TO THE REMAINING MEMBERS OF THEIR RESPECTIVE BOARDS. A VACANCY ON A BOARD SHALL BE FILLED BY THE ELECTION OFFICIAL. (ORDS. 881, 1788-98)

6.05.200 VOTING DEVICES AND MACHINES.

(A) VOTING DEVICES AND MACHINES WILL BE USED FOR ALL REGULAR AND SPECIAL ELECTIONS UNLESS DETERMINED NOT TO BE PRACTICAL BY THE CLERK. THE LAWS OF THE STATE CONCERNING VOTING DEVICES AND MACHINES ARE INCORPORATED IN THIS CHAPTER AS IF FULLY SET OUT IN THIS CHAPTER EXCEPT FOR PROVISIONS IN CONFLICT WITH THIS CHAPTER.

(B) THE ELECTION OFFICIAL SHALL DESIGNATE THE COMPUTERS TO BE USED IN COUNTING THE BALLOTS AND MAY NEGOTIATE AND CONTRACT WITH THE KENAI PENINSULA BOROUGH OR A PRIVATE COMPUTER SERVICE FOR THE NEEDED COMPUTER SERVICES.

(ORDS. 881, 941, 1788-98)

6.05.210 VOTING—TESTS AND SECURITY.

NO LATER THAN ONE (1) WEEK BEFORE THE ELECTION, THE COMPUTER VOTE COUNTING PROGRAM MUST BE TESTED IN THE PRESENCE OF, AND TO THE SATISFACTION OF, THE DATA PROCESSING CONTROL BOARD. (ORDS. 881, 1788-98)

6.05.220 RECOUNT OF VOTES—APPLICATION.

(A) ANY DEFEATED CANDIDATE OR ANY TEN (10) QUALIFIED VOTERS, WHO BELIEVE THAT A MISTAKE HAS BEEN MADE BY AN ELECTION OFFICIAL OR BY THE COUNCIL IN COUNTING THE VOTES IN ANY ELECTION, MAY MAKE AN APPLICATION IN WRITING TO THE COUNCIL FOR A RECOUNT OF THE VOTES FROM THE PRECINCT FOR ANY PARTICULAR OFFICE OR ON ANY PARTICULAR QUESTION. THE APPLICATION MUST BE FILED WITH THE MAYOR, THE CITY CLERK, OR IN THE OFFICE OF THE CITY CLERK WITHIN TWENTY-FOUR (24) HOURS, EXCLUDING ANY SATURDAY, SUNDAY, OR HOLIDAY AFTER THE COUNCIL DECLARES THE RESULTS OF THE VOTE BEING QUESTIONED. IN CASE OF A TIE VOTE BETWEEN TWO (2) OR MORE CANDIDATES, THE COUNCIL SHALL RECOUNT THE VOTES WITHOUT AN APPLICATION THEREFOR.

(B) THE PERSON OR PERSONS APPLYING FOR A RECOUNT SHALL DEPOSIT ONE HUNDRED DOLLARS (\$100.00) IN CASH, BY CERTIFIED CHECK, OR BY BOND WITH SURETY APPROVED BY THE COUNCIL, EXCEPT IN THE CASE OF A TIE VOTE FOR CANDIDATES (WHEN NO DEPOSIT SHALL BE REQUIRED). IF ON THE RECOUNT A CANDIDATE OTHER THAN THE CANDIDATE WHO WAS FIRST DECLARED ELECTED IS DECLARED ELECTED, OR IF THE RESULT OF THE VOTE ON A QUESTION IS REVERSED, OR IF THE VOTE ON RECOUNT IS DETERMINED TO BE FOUR PERCENT (4%) OR MORE IN EXCESS OF THE VOTE REPORTED AFTER THE FIRST CANVASS FOR THE CANDIDATE APPLYING FOR THE RECOUNT OR IN FAVOR OF THE OPPOSED TO THE QUESTION STATED IN THE APPLICATION, THE DEPOSIT SHALL BE REFUNDED; OTHERWISE, IT SHALL BE PLACED IN THE GENERAL FUND OF THE CITY.

(C) THE COUNCIL SHALL BEGIN THE RECOUNT WITHIN FORTY-EIGHT (48) HOURS AFTER RECEIVING THE APPLICATION, EXCLUDING ANY SATURDAY, SUNDAY, OR HOLIDAY, SHALL PROCEED WITH IT AS FAST AS PRACTICABLE, AND, SHALL DECLARE THE RESULTS THEREOF. THE CITY CLERK SHALL PROMPTLY ISSUE ANOTHER ELECTION CERTIFICATE IF A CHANGE IN THE RESULTS REQUIRE IT.

(KC 6-27; ORD. 2108-2005)

6.05.230 APPEAL TO THE COURTS AFTER RECOUNT.

ANY CANDIDATE OR A MAJORITY OF THE PERSONS WHO REQUESTED A RECOUNT WHO HAVE REASON TO BELIEVE THAT AN ERROR HAS BEEN MADE IN THE RECOUNT INVOLVING ANY CANDIDATE OR QUESTION, MAY APPEAL TO THE SUPERIOR COURT IN ACCORDANCE WITH APPLICABLE COURT RULES GOVERNING APPEALS IN CIVIL MATTERS. THE FILING OF THE APPEAL AND THE PROCEEDINGS SHALL BE, AS NEARLY AS MAY BE, AS IN CASE OF SUCH AN APPEAL MADE AFTER A RECOUNT IN A STATE ELECTION. (KC 6-28)

6.05.240 ELECTION CONTESTS.

ANY DEFEATED CANDIDATE OR TEN (10) QUALIFIED VOTERS, BY ACTION BROUGHT IN THE SUPERIOR COURT, MAY CONTEST THE ELECTION OF ANY PERSON OR THE APPROVAL OR REJECTION OF ANY QUESTION UPON THE SAME GROUNDS AND IN THE SAME MANNER, AS NEARLY AS MAY BE, AS IN ELECTION CONTESTS ARISING OUT OF STATE ELECTIONS. THE CITY CLERK SHALL PROMPTLY ISSUE ANY NEW ELECTION CERTIFICATE REQUIRED TO REFLECT THE JUDGMENT OF THE COURT. (KC 6-29)

6.05.250 RULES AND REGULATIONS.

RULES AND REGULATIONS MADE BY THE DIRECTOR OF ELECTIONS PURSUANT TO LAW REGULATING STATE ELECTIONS SHALL ALSO APPLY TO CITY ELECTIONS INSOFAR AS THEY ARE APPLICABLE. THE CITY CLERK SHALL HAVE THE POWERS AND DUTIES PRESCRIBED FOR THE DIRECTOR OF ELECTIONS IN SAID RULES AND REGULATIONS, WITH REGARD TO CITY ELECTIONS, INSOFAR AS IT WOULD BE APPROPRIATE IN CITY ELECTIONS. (KC 6-31; ORD. 803)

6.05.260 CITY ELECTION TIME.

NOTHING IN THIS CHAPTER SHALL PROHIBIT HOLDING A CITY ELECTION ON THE SAME DAY AND BY THE SAME ELECTION PERSONNEL AS A STATE, BOROUGH, OR OTHER PUBLIC ELECTION, OR SUBMITTING A CITY QUESTION AT SUCH AN ELECTION, AS AUTHORIZED BY THE CITY CHARTER, SECTION 10-8. (KC 6-32)

6.05.270 OFFENSES AND PENALTIES.

(A) IT IS UNLAWFUL FOR ANY PERSON, FIRM, OR CORPORATION TO DO ANY OF THE FOLLOWING ACTS, AND ANY PERSON, FIRM, OR CORPORATION WHO DOES ANY OF THE FOLLOWING ACTS SHALL BE GUILTY OF A VIOLATION:

- (1) DIRECTLY OR INDIRECTLY USES OR THREATENS TO USE FORCE, COERCION, VIOLENCE, RESTRAINT, INFLICTS, OR THREATENS TO INFLICT DAMAGE, HARM, OR LOSS UPON OR AGAINST ANY PERSON TO INDUCE OR COMPEL THE PERSON TO VOTE OR REFRAIN FROM VOTING FOR ANY CANDIDATE IN ANY ELECTION OR FOR ANY ELECTION PROPOSITION OR QUESTION.
- (2) GIVES OR PROMISES TO GIVE, OR OFFERS ANY MONEY OR VALUABLE THING TO ANY PERSON, WITH THE INTENT TO INDUCE HIM OR HER TO VOTE FOR OR RESTRAIN HIM OR HER FROM VOTING FOR ANY CANDIDATE AT ANY ELECTION OR ANY ELECTION PROPOSITION OR QUESTION.
- (3) KNOWINGLY PRINTS OR CIRCULATES, OR CAUSES TO BE WRITTEN, PRINTED, OR CIRCULATED, ANY LETTER, CIRCULAR, BILL, PLACARD, POSTER, OR OTHER PUBLICATION RELATING TO ANY ELECTION OR TO ANY CANDIDATE AT ANY ELECTION OR TO ANY ELECTION PROPOSITION OR QUESTION WITHOUT THE SAME BEARING ON ITS FACE THE NAME AND ADDRESS OF THE AUTHOR, PRINTER, AND PUBLISHER THEREOF.
- (4) WRITES, PRINTS, OR CIRCULATES, OR WHO SHALL CAUSE TO BE WRITTEN, PRINTED, OR CIRCULATED, ANY LETTER, CIRCULAR, BILL, PLACARD, OR POSTER, OR WHO CAUSES ANY PAID ADVERTISEMENT TO BE PLACED IN A NEWSPAPER OR ANY OTHER PUBLICATION, OR WHO PAYS OR CONTRIBUTES TO THE PAYMENT FOR ANY SUCH ADVERTISEMENT, OR WHO MAKES ANY RADIO BROADCAST, WILLFULLY KNOWING THE LETTER, CIRCULAR, BILL, PLACARD, POSTER, PUBLICATION, PAID ADVERTISEMENT, OR RADIO BROADCAST TO CONTAIN ANY FALSE STATEMENT, CHARGE, OR COMMENT RELATING TO ANY CANDIDATE TO ANY ELECTION OR TO ANY ELECTION PROPOSITION OR QUESTION.
- (5) HAS IN HIS OR HER POSSESSION OUTSIDE OF THE VOTING ROOM ANY OFFICIAL BALLOT, PROVIDED THAT THIS SHALL NOT APPLY TO ELECTION OFFICIALS OR OTHER PROPERLY AUTHORIZED PERSONS HAVING SUCH POSSESSION IN LINE OF DUTY.
- (6) MAKES OR KNOWINGLY HAS IN HIS OR HER POSSESSION ANY COUNTERFEIT OF AN OFFICIAL BALLOT.
- (7) REFUSES TO ALLOW AN EMPLOYEE REASONABLE TIME OFF FOR THE PURPOSE OF VOTING WHEN THE EMPLOYEE DOES NOT HAVE A REASONABLE

AMOUNT OF TIME TO VOTE BEFORE OR AFTER WORK, OR WHO, AFTER ALLOWING THE TIME OFF, DEDUCTS THE TIME FROM THE COMPENSATION OF THE EMPLOYEE.

(8) BEING AN ELECTION OFFICIAL WHILE THE POLLS ARE OPEN, OPENS ANY BALLOT RECEIVED FROM A VOTER AT AN ELECTION, OR MARKS A BALLOT BY FOLDING OR OTHERWISE SO AS TO BE ABLE TO RECOGNIZE IT, OR OTHERWISE ATTEMPTS TO LEARN HOW ANY VOTER MARKED HIS OR HER BALLOT, OR ALLOWS THE SAME TO BE DONE BY ANY OTHER PERSON.

(9) WRITES, PRODUCES, OR ASSISTS IN WRITING OR PRODUCING ANY PUBLISHED LETTER, CIRCULAR, POSTER, BILL, PUBLICATION, OR PLACARD, KNOWING THAT IT CONTAINS ANY FALSE STATEMENT OR FALSE CHARGE REFLECTING ON THE CHARACTER, MORALITY, OR INTEGRITY OF ANY CANDIDATE AT ANY ELECTION.

(10) VOTES OR ATTEMPTS TO VOTE IN THE NAME OF ANOTHER PERSON OR IN ANY NAME OTHER THAN HIS OR HER OWN.

(11) BY FORCE, THREAT, INTIMIDATION, OR OFFER OF REWARD, INDUCES OR ATTEMPTS TO INDUCE ANY ELECTION OFFICIAL TO FAIL IN HIS OR HER DUTY.

(12) WILLFULLY CHANGES OR CAUSES TO BE CHANGED ANY OFFICIAL ELECTION DOCUMENTS, INCLUDING BALLOTS, TALLIES, AND RETURNS, OR ATTEMPTS TO DO THE SAME.

(13) WILLFULLY DELAYS OR CAUSES TO BE DELAYED THE ELECTION RETURNS, OR ATTEMPTS TO DO SO.

(14) WILLFULLY VOTES OR ATTEMPTS TO VOTE MORE THAN ONCE AT THE SAME ELECTION.

(15) SIGNS ANY NAME OTHER THAN HIS OR HER OWN TO A PETITION PROPOSING AN INITIATIVE, REFERENDUM, OR RECALL, OR KNOWINGLY SIGNS HIS OR HER NAME MORE THAN ONCE FOR THE SAME PROPOSITION OR QUESTION AT ONE (1) ELECTION, OR SIGNS THE PETITION KNOWING THAT HE OR SHE IS NOT A QUALIFIED VOTER.

(16) HAVING BEEN CONTRACTED OR EMPLOYED BY THE CITY TO PRINT OR REPRODUCE IN ANY MANNER ANY OFFICIAL BALLOT, WILLFULLY APPROPRIATES TO HIM OR HERSELF, OR GIVES OR DELIVERS TO, OR KNOWINGLY PERMITS TO BE TAKEN BY ANYONE OTHER THAN A PERSON AUTHORIZED BY THE CITY CLERK, ANY OFFICIAL BALLOTS, OR KNOWINGLY PRINTS, REPRODUCES, OR CAUSES TO BE PRINTED OR REPRODUCED ANY OFFICIAL BALLOTS IN ANY OTHER FORM OR WITH ANY OTHER CONTENT THAN THAT PRESCRIBED BY THE CHARTER, ORDINANCE, OR AS DIRECTED BY THE CITY CLERK.

(17) WILLFULLY MAKES A FALSE AFFIDAVIT OR SWEARS FALSELY UNDER ANY OATH REQUIRED IN CONNECTION WITH ANY ELECTION OR REGISTRATION FOR VOTING OR FALSELY AFFIRMS IN LIEU OF SO SWEARING.

(18) WILLFULLY FAILS TO PERFORM ANY ELECTION DUTY OR KNOWINGLY DOES ANY UNAUTHORIZED ACT WITH THE INTENT TO AFFECT THE ELECTION OR ITS RESULTS.

(19) WILLFULLY PERMITS, MAKES, OR ATTEMPTS TO MAKE ANY FALSE COUNT OR REPORT OF THE ELECTION RETURNS.

(20) BEING AN ELECTION OFFICIAL, WILLFULLY CONCEALS, WITHHOLDS, WRONGFULLY CHANGES, MUTILATES, OR DESTROYS THE ELECTION RETURNS, OR ATTEMPTS TO DO SO.

(B) ANY PERSON, FIRM, OR CORPORATION WHO IS GUILTY OF A VIOLATION AS DEFINED HEREINABOVE SHALL BE PUNISHED UPON CONVICTION THEREOF AS PROVIDED FOR MISDEMEANORS IN KMC 13.05.010.

6.05.280 RECORD RETENTION.

(A) THE CERTIFICATE OF RETURNS OF THE CANVASSING BOARD SHALL BE MAINTAINED PERMANENTLY, AND DESCRIPTIONS OF ELECTION BOUNDARIES, PRECINCTS, AND POLLING PLACES SHALL BE MAINTAINED UNTIL THEY ARE REVISED.

(B) OTHER ELECTION RECORDS SHALL BE MAINTAINED FOR THE PERIOD SET FORTH BELOW:

FINANCIAL DISCLOSURE FORM	SIX YEARS
CANDIDATE AFFIDAVIT OF EXPENSE AND CONTRIBUTIONS	FIVE YEARS
ELECTION REGISTERS	FOUR YEARS
NOMINATING PETITIONS	THREE YEARS
DECLARATION OF CANDIDACY	THREE YEARS
REJECTED BALLOTS	ONE YEAR, UNLESS ELECTION CONTESTED
CERTIFICATES OF ELECTION RETURN REPORTS	PERMANENTLY

(C) THE CITY CLERK SHALL INFORM THE CITY COUNCIL PRIOR TO DESTRUCTION OF ANY RECORDS, SPECIFYING THE TYPE OF RECORD AND THE DATE OF THE ELECTION TO WHICH IT RELATES.

(ORDS. 2488-2010, 2556-2011)

6.05.300 VOTING BY MAIL, BALLOTS, BALLOT REVIEW, BALLOT ENVELOPES.

(A) THE CITY CLERK MAY CONDUCT A SPECIAL ELECTION BY MAIL.

(B) WHEN THE CLERK CONDUCTS A SPECIAL ELECTION BY MAIL, THE CLERK SHALL SEND A BALLOT TO EACH PERSON WHOSE NAME APPEARS ON THE OFFICIAL VOTER REGISTRATION LIST PREPARED UNDER AS 15.07.125 FOR THAT ELECTION. THE CLERK SHALL SEND THE BALLOT TO THE ADDRESS STATED ON THE OFFICIAL REGISTRATION LIST UNLESS THE VOTER HAS NOTIFIED THE CLERK IN WRITING OF A DIFFERENT ADDRESS TO WHICH THE BALLOT SHOULD BE SENT. THE CLERK SHALL SEND BALLOTS BY FIRST CLASS, NONFORWARD-ABLE MAIL ON OR BEFORE THE TWENTY-SECOND (22ND) DAY BEFORE THE ELECTION.

(C) THE CLERK SHALL REVIEW BALLOTS VOTED UNDER THIS SECTION UNDER PROCEDURES ESTABLISHED FOR THE REVIEW OF ABSENTEE BALLOTS.

(D) THERE SHALL BE A SMALL BLANK ENVELOPE AND A POSTAGE-PAID RETURN ENVELOPE SUPPLIED TO EACH BY-MAIL VOTER. THE POSTAGE-PAID RETURN ENVELOPE SHALL HAVE PRINTED ON IT AN AFFIDAVIT BY WHICH THE VOTER SHALL

DECLARE THE VOTER'S QUALIFICATION TO VOTE, FOLLOWED BY PROVISION FOR ATTESTATION BY ONE (1) ATTESTING WITNESS, WHO IS AT LEAST EIGHTEEN (18) YEARS OF AGE. SPECIFIC INSTRUCTIONS FOR VOTING A BY-MAIL BALLOT AND A LIST OF THE APPOINTED ABSENTEE VOTING OFFICIALS, THEIR HOURS AND LOCATIONS, SHALL BE MAILED TO EACH VOTER WITH THE BALLOT.
(ORDS. 1800-98, 2488-2010)

6.05.310 CASTING BALLOTS.

(A) UPON RECEIPT OF A MAIL-IN BALLOT, THE VOTER SHALL CAST HIS OR HER BALLOT IN THE MANNER SPECIFIED IN KMC 6.05.140 THROUGH 6.05.160. IF THE BALLOT IS CAST IN THE CLERK'S OFFICE, THE CLERK SHALL RETAIN IT FOR DELIVERY TO THE CANVASSING BOARD. IF THE BALLOT IS CAST IN ANOTHER LOCATION, THE VOTER SHALL RETURN IT BY MAIL TO THE CLERK IMMEDIATELY FOR DELIVERY TO THE CANVASSING BOARD.

(B) A VOTER WHO DOES NOT RECEIVE A MAIL-IN BALLOT MAY CAST HIS OR HER BALLOT IN PERSON AS SPECIFIED IN KMC 6.05.145.

(C) A VOTER MAY RETURN THE MAIL-IN BALLOT TO THE CITY CLERK AS PROVIDED IN KMC 6.05.160.

(ORD. 1800-98)

6.05.320 NOTICE OF ELECTION, ELECTION DATE, PUBLIC NOTICE.

(A) THE NOTICE OF ELECTION CALLING FOR THE ELECTION MUST STATE THAT THE ELECTION IS TO BE CONDUCTED BY MAIL AND THAT THERE WILL BE NO POLLING PLACE OPEN FOR REGULAR IN-PERSON VOTING ON ELECTION DAY. IN A BY-MAIL ELECTION, ELECTION DAY IS THE DEADLINE BY WHICH A VOTER'S BALLOT MUST BE RECEIVED BY THE CLERK.

(B) FOR EACH ELECTION CONDUCTED BY MAIL, THE PUBLIC NOTICE WILL BE GIVEN AS SET FORTH IN KMC 6.05.100.

(ORD. 1800-98)

6.05.330 ABSENTEE VOTING OFFICIAL AND DUTIES.

(A) THE CITY CLERK, OR DESIGNEE, SHALL ACT AS ABSENTEE VOTING OFFICIAL.

(B) THE DUTIES OF THE ABSENTEE VOTING OFFICIAL SHALL BE AS FOLLOWS:

(1) PROVIDE ABSENTEE VOTING IN PERSON ON ANY DATE, INCLUDING THE DAY OF THE ELECTION, AND ABSENTEE VOTING THROUGH A PERSONAL REPRESENTATIVE ON ANY DATE, INCLUDING THE DAY OF THE ELECTION, AND HAVE UNTIL THE DAY OF THE ELECTION TO RETURN THE BALLOTS;

(2) SIGN A VOTER'S BY-MAIL OATH AND AFFIDAVIT ENVELOPE AS AN AUTHORIZED ATTESTING OFFICIAL, EXCEPT THAT THE ABSENTEE VOTING OFFICIAL MAY NOT ATTEST HIS OR HER OWN BALLOT;

(3) ACCEPT RECEIPT OF A BY-MAIL VOTER'S HAND-DELIVERED VOTED BALLOT, WHICH HAS BEEN SWORN TO, ATTESTED AND SEALED IN THE BY-MAIL RETURN ENVELOPE;

(4) PROVIDE GENERAL VOTER ASSISTANCE, INCLUDING, BUT NOT LIMITED TO, ASSISTANCE TO A QUALIFIED VOTER WHO CANNOT READ, MARK THE BALLOT, OR SIGN HIS OR HER NAME, AND PROVIDING REPLACEMENT BALLOTS TO VOTERS WHO HAVE IMPROPERLY MARKED OR DAMAGED THEIR BALLOTS;

(5) DATE-STAMP ALL BALLOTS RECEIVED;

(6) PROVIDE FOR THE SECURITY AND SAFEKEEPING OF ALL BALLOTS RECEIVED AND PRESENT THOSE BALLOTS TO THE CLERK FOR CANVASSING.

(ORD. 1800-98)

6.05.335 ABSENTEE VOTING—BY ELECTRONIC TRANSMISSION.

(A) A QUALIFIED VOTER MAY APPLY TO THE CITY CLERK FOR AN ABSENTEE BALLOT TO BE SENT TO THE VOTER BY ELECTRONIC TRANSMISSION. SUCH APPLICATION MUST BE MADE BY THE VOTER NOT LESS THAN THE DAY IMMEDIATELY PRECEDING THE ELECTION. ABSENTEE BALLOTS WILL BE TRANSMITTED ELECTRONICALLY TO THE LOCATION (FACSIMILE NUMBER, E-MAIL ADDRESS, OR SIMILAR DESIGNATION) DESIGNATED IN THE APPLICATION. IF NO LOCATION IS DESIGNATED, AND IF THE APPLICATION IS RECEIVED NO LATER THAN SEVEN (7) DAYS PRIOR TO THE ELECTION, THE BALLOT WILL BE MAILED IN THE MANNER PROVIDED IN KMC 6.05.140 FOR DELIVERING ABSENTEE BALLOTS BY MAIL. THE CLERK WILL PROVIDE REASONABLE CONDITIONS FOR TRANSMITTING ABSENTEE BALLOTS ELECTRONICALLY.

(B) THE VOTER MAY RETURN THE BALLOT BY MAIL OR BY ELECTRONIC TRANSMISSION. AN ELECTRONICALLY-TRANSMITTED BALLOT SHALL CONTAIN A COPY OF THE BALLOT TO BE USED AT THE ELECTION IN A FORM SUITABLE FOR TRANSMISSION. A PHOTOCOPY OF THE COMPUTERIZED BALLOT CARD TO BE USED BY PERSONS VOTING IN PERSON AT THE POLLING PLACES IS ACCEPTABLE.

(C) AN ABSENTEE BALLOT THAT IS COMPLETED AND RETURNED BY THE VOTER BY ELECTRONIC TRANSMISSION MUST:

(1) CONTAIN 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." FOLLOWED BY THE VOTER'S SIGNATURE AND DATE OF SIGNATURE; AND

(2) BE ACCOMPANIED BY A STATEMENT EXECUTED UNDER OATH AS TO THE VOTER'S IDENTITY; THE STATEMENT UNDER OATH MUST BE WITNESSED BY ONE (1) UNITED STATES CITIZEN WHO IS EIGHTEEN (18) YEARS OF AGE OR OLDER.

(D) THE VOTER MAY RETURN THE BALLOT BY MAIL. THE BALLOT MUST BE MARKED, ATTESTED, AND RETURNED IN ACCORDANCE WITH KMC 6.05.170(D) IF THE VOTER RETURNS THE BALLOT BY MAIL.

(E) IF THE VOTER RETURNS THE BALLOT BY ELECTRONIC TRANSMISSION, THE VOTER MUST COMPLY WITH THE SAME DEADLINES AS FOR VOTING IN PERSON ON OR BEFORE THE CLOSING HOUR OF THE POLLS.

(F) WHEN A COMPLETED ABSENTEE BALLOT IS RECEIVED BY THE CITY THROUGH ELECTRONIC TRANSMISSION, THE CLERK WILL NOTE THE DATE OF RECEIPT ON THE ABSENTEE BALLOT APPLICATION LOG AND, IF THE BALLOT IS RECEIVED ON ELECTION DAY, THE TIME OF RECEIPT. THE CLERK WILL THEN:

(1) REMOVE THE BALLOT PORTION OF THE TRANSMISSION FROM THE PORTION THAT IDENTIFIES THE VOTER;

(2) PLACE THE BALLOT PORTION IN A SECRECY SLEEVE;

(3) SEAL THE SECRECY SLEEVE IN AN OUTER ENVELOPE OF THE TYPE USED FOR ABSENTEE BALLOTS RETURNED BY MAIL, AND SEAL THAT ENVELOPE;

(4) ATTACH THE VOTER IDENTIFICATION PORTION TO THE OUTER ENVELOPE; AND

(5) FORWARD THE OUTER SEALED ENVELOPE TO THE CANVASSING BOARD FOR REVIEW.

(G) AN ELECTRONICALLY-TRANSMITTED BALLOT SHALL BE COUNTED IN THE SAME MANNER AS OTHER ABSENTEE BALLOTS, EVEN THOUGH THIS PROCEDURE MAY REVEAL TO ONE (1) OR MORE ELECTION OFFICIALS THE MANNER IN WHICH A

PARTICULAR ABSENTEE VOTER CAST HIS OR HER BALLOT. HOWEVER, IT SHALL BE UNLAWFUL TO DISPLAY AN ELECTRONIC BALLOT IN A MANNER REVEALING THE WAY IN WHICH A PARTICULAR VOTER CAST HIS OR HER BALLOT TO ANY PERSON OTHER THAN THE CITY CLERK, A MEMBER OF THE CLERK’S STAFF, AN INFORMATION TECHNOLOGIES TECHNICIAN RETAINED BY THE CITY, AN ELECTION OFFICIAL IN THE COURSE OF HIS OR HER DUTIES, OR AN ATTORNEY ADVISING THE CLERK ON LEGAL QUESTIONS CONCERNING THE BALLOT.

(ORDS. 2108-2005, 2556-2011)

6.05.340 STORING BALLOTS.

THE CLERK SHALL PROVIDE FOR THE SECURE STORAGE OF THE MAIL-IN BALLOTS RECEIVED FROM THE VOTERS AND BY-MAIL OFFICIALS UNTIL THE DATE SET BY THE CLERK FOR THE COUNTING OF THE BALLOTS. (ORD. 1800-98)

CHAPTER 6.10
FILING FOR OFFICE

SECTIONS:

- 6.10.010 NOMINATING PETITIONS.
- 6.10.020 SUFFICIENCY OF PETITION—NEW PETITION.
- 6.10.030 WITHDRAWAL OF CANDIDACY.
- 6.10.040 PETITION AND STATEMENT TO BE PRESERVED.

6.10.010 NOMINATING PETITIONS.

(A) ANY QUALIFIED PERSON MAY HAVE HIS OR HER NAME PLACED ON THE BALLOT FOR THE ELECTION AS A CANDIDATE FOR MAYOR OR COUNCIL BY FILING WITH THE CITY CLERK, BETWEEN AUGUST 1ST, AND AUGUST 15TH, A SWORN STATEMENT OF HIS OR HER CANDIDACY. IF AUGUST 15TH IS NOT A REGULAR CITY WORKDAY, THE FILING PERIOD SHALL BE EXTENDED TO THE CLOSE OF BUSINESS OF THE NEXT REGULAR CITY WORKDAY. SUCH SWORN STATEMENT SHALL BE ACCOMPANIED BY A NOMINATING PETITION SIGNED BY TWENTY (20) OR MORE REGISTERED, QUALIFIED CITY VOTERS AS REQUIRED BY THE CITY CHARTER, SECTION 10-3.

(B) NO VOTER SHALL SIGN MORE THAN ONE (1) PETITION EXCEPT THAT A VOTER MAY SIGN AS MANY NOMINATING PETITIONS FOR COUNCILMEMBERS AS THERE ARE VACANCIES TO BE FILLED; AND IF A VOTER SIGNS MORE PETITIONS THAN HEREBY AUTHORIZED, HIS OR HER SIGNATURE SHALL BE VOID EXCEPT AS TO THE AUTHORIZED NUMBER OF PETITIONS FIRST FILED.

(C) NOMINATION PETITIONS SHALL BE SUBSTANTIALLY IN THE FOLLOWING FORM:

NOMINATING PETITION

WE, THE UNDERSIGNED TWENTY (20)
 ELECTORS OF THE CITY OF KENAI, HEREBY
 NOMINATE AND SPONSOR
 _____, WHOSE ADDRESS
 IS _____, FOR THE
 OFFICE OF _____, TO BE
 VOTED FOR AT THE ELECTION TO BE HELD
 ON _____; AND WE INDIVIDUALLY
 CERTIFY THAT OUR NAMES PRESENTLY
 APPEAR ON THE ROLLS OF REGISTERED
 VOTERS OF THE CITY OF KENAI, AND THAT
 WE ARE QUALIFIED TO VOTE FOR A

CANDIDATE FOR AN ELECTIVE MUNICIPAL OFFICE, AND THAT WE HAVE NOT SIGNED ANY OTHER NOMINATING PETITION FOR THE PARTICULAR OFFICE THIS CANDIDATE SEEKS. CHECK TERM OF OFFICE CANDIDATE IS SEEKING: _____ ONE YEAR; _____ TWO YEARS; THREE YEARS.

(HERE PLACE LINES FOR SIGNATURES, ADDRESSES, AND DATES OF SIGNING.)

ACCEPTANCE OF NOMINATION

I HEREBY ACCEPT THE NOMINATION FOR _____ AND AGREE TO SERVE _____ YEARS IF ELECTED.

DATE FILED: _____ BY: _____

RECEIVED: _____

CITY CLERK SIGNATURE OF CANDIDATE

(KC 6-33; ORDS. 247, 803, 995; AMENDED DURING 11-17-01 SUPPLEMENT; ORDS. 2067-2004, 2562-2011)

6.10.020 SUFFICIENCY OF PETITION—NEW PETITION. WITHIN THREE (3) DAYS AFTER THE FILING OF THE STATEMENT OF CANDIDACY AND NOMINATING PETITION, THE CITY CLERK SHALL DETERMINE WHETHER THE NOMINATING PETITION IS SIGNED BY THE REQUIRED NUMBER OF REGISTERED VOTERS, AND SO NOTIFY THE CANDIDATE. IF INSUFFICIENT, THE CITY CLERK SHALL RETURN THE PETITION IMMEDIATELY TO THE CANDIDATE WITH A STATEMENT AS TO WHY THE PETITION IS INSUFFICIENT. WITHIN THE REGULAR TIME FOR FILING PETITIONS AND STATEMENTS OF CANDIDACY, A NEW PETITION AND STATEMENT OF CANDIDACY MAY BE FILED BY THE CANDIDATE. THE ABOVE NOTICE TO THE CANDIDATE AND THE RETURN OF AN INSUFFICIENT PETITION MAY BE IN PERSON, BY DELIVERY BY POLICE, OR BY MAIL. (KC 6-34; ORD. 803)

6.10.030 WITHDRAWAL OF CANDIDACY. ANY CANDIDATE FOR OFFICE MAY WITHDRAW HIS OR HER CANDIDACY AT ANY TIME BEFORE THE EXPIRATION OF THE TIME WHEN CANDIDATES MAY FILE STATEMENTS OF CANDIDACY, BY FILING A WRITTEN NOTICE OF WITHDRAWAL WITH THE CITY CLERK DURING SUCH TIME. (KC 6-35)

6.10.040 PETITION AND STATEMENT TO BE PRESERVED. THE PETITION AND STATEMENT OF CANDIDACY OF EACH CANDIDATE SHALL BE PRESERVED BY THE CITY CLERK UNTIL THE EXPIRATION OF THE TERM OF OFFICE FOR WHICH HE OR SHE WAS A CANDIDATE. (KC 6-36)

CHAPTER 6.20
INITIATIVE AND REFERENDUM

SECTIONS:

6.20.010 PROVISIONS OF CHARTER TO GOVERN.

6.20.010 PROVISIONS OF CHARTER TO GOVERN.
THE INITIATIVE AND REFERENDUM SHALL BE GOVERNED BY THE CITY CHARTER, SECTIONS 11-1 TO 11-5. THE PROVISIONS OF THIS CHAPTER OF THIS CODE SHALL GOVERN ELECTIONS AT WHICH INITIATED AND REFERRED PROPOSALS ARE SUBMITTED TO THE VOTERS, AS WELL AS OTHER ELECTIONS, INSOFAR AS THEY ARE APPLICABLE. (KC 6-37)

CHAPTER 6.30
RECALL

SECTIONS:

6.30.010 PROCEDURES AND GROUNDS.

6.30.010 PROCEDURES AND GROUNDS.
PROCEDURES AND GROUNDS FOR RECALL OF INCUMBENTS OF ELECTIVE OFFICES OF THE CITY SHALL BE SUCH AS MAY BE PRESCRIBED BY LAW, AS PROVIDED BY THE CITY CHARTER, SECTION 11-6. THE PROVISIONS OF THIS TITLE OF THIS CODE SHALL GOVERN RECALL ELECTIONS, AS WELL AS OTHER ELECTIONS, INSOFAR AS THEY ARE APPLICABLE. (KC 6-38)]

Chapter 6.05
General Provisions

6.05.010 – Scope of Title

This title governs all city elections in which voters of the City are entitled to vote.

6.05.020 – Powers and Duties of the Clerk

The clerk is the election supervisor for and shall administer all city elections.

6.05.030 – Definitions

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Ballot” means any document provided by the clerk or designee on which votes may be cast for candidates or propositions. When the term “ballot” is used in this title it shall mean the official ballot, except where the context clearly indicates it means the sample ballot or both types of ballots.

"City election" means any election:

1. To fill a city office;
2. Upon a proposition submitted to the voters under the ordinances of the City; or

3. That the city is required by law to administer.

"City office" means an elective office under the ordinances of the City.

"Clerk" and "City Clerk" mean the clerk of the City, any properly authorized assistant or designee.

"Day" means a calendar day including Saturday, Sunday and holidays.

"Election" includes a regular or special city election.

"Election official" means the clerk and members of all election boards.

"Election supervisor" means the clerk.

"Oath" includes affirmation on penalty of perjury.

"Precinct" means the geographical area for voting purposes that is defined by the Alaska State Legislature.

"Proposition" includes question.

"Publication" means a newspaper of general circulation or posting in public places.

"Qualified voter" means any person who has the qualifications required by this chapter and is not disqualified under Article V of the Alaska State Constitution.

"Regular election" means a general election to fill city offices as required by Alaska Statutes.

"Registration" or "registered" refers to the form of registration required by the state election code. For city elections, a person is registered if registered to vote in state elections in the precinct in which that person seeks to vote 30 days prior to the city election.

"Signature" includes any mark intended as a signature or subscription.

"Special election" means any election held at a time other than when a regular election is held.

"Swear" includes "Affirm".

"Total votes cast" means the total number of votes cast in each seat for candidates whose names are printed on the ballot plus votes properly cast for the same seat in the write-in position(s) of the ballot. Ballots which are counted as blank votes in a particular race and ballots which are counted as over votes in a particular race shall not be added into the total votes in determining the percentage of votes cast.

"Vote center" means any location designated by the clerk for the purpose of providing voter assistance that is not solely for casting votes for a specific precinct.

"Voter" means any person who presents himself for the purpose of registering to vote or voting, either in person or by absentee application or ballot.

6.05.040 – Severability

Should any provision of this title or its application to any person or set of circumstances be held invalid, the remainder of this title and its application to any persons or circumstances shall not be affected.

6.05.050 – Election Times.

- (a) Regular Election. Annually, on the first Tuesday of October, a regular election shall be held in the city for the election of vacant city offices and for the determination of other matters as may be placed on the ballot as authorized by the City Charter, Section 10-1.
- (b) Special Election. The council, by resolution or ordinance, may call a special election at any time at least 75 days prior to the date of the election. Unless the council has set a date for a required special election, the election supervisor shall call a special election when required by law or ordinance to place and initiative, referendum, recall, or other question before the voters.
- (c) Nothing in this chapter shall prohibit holding a city election on the same day and by the same election personnel as a State, Borough, or other public election, or submitting a city question at such an election, as authorized by the City Charter, Section 10-8.

6.05.060 – Votes Required for Election to Office.

- (a) Each city office shall be filled by the candidate receiving the greatest number of votes as authorized by the City Charter, Section 10-4.
- (b) Tie votes. In case of a failure to elect because of a tie vote, the council shall immediately proceed to recount the votes pursuant to KMC 6.45.010. If there is still a failure to elect because of a tie after completion of the recount, the election shall be determined fairly by lot from among the candidates tying, in a meeting of the Council and under its direction, in accordance with the City Charter, Section 10-4.

6.05.070 – Preservation of Election Ballots, Papers, and Materials.

The clerk shall preserve all precinct election certificates, tallies, registers, receipts for ballots, all voted ballots, and declarations of candidacy filed for one month after the election is certified, unless the election is contested. If the election is contested, these records shall be preserved for one month after the election contest is resolved and the election is certified. These materials may be destroyed after their retention period has lapsed unless their destruction is stayed by an order from the court. Certificates of the canvass board are to be preserved as permanent records.

6.05.080 – Election Expenses.

- (a) The City shall pay all necessary expenses relating to the conduct of each city election. Necessary expenses shall include those associated with conducting the election. The clerk shall retain a record for auditing and payment of election expenses.
- (b) The City shall pay each election official and canvass board member an hourly rate for time spent at his or her election duties, including the receiving of instructions. The election supervisor shall set the hourly compensation to be paid for time spent by election officials.

6.05.090 – Initiative, Referendum, and Recall.

- (a) The initiative and referendum shall be governed by the City Charter, Sections 11-1 to 11-5. The provisions of this chapter of this Code shall govern elections at which initiated and

referred proposals are submitted to the voters, as well as other elections, insofar as they are applicable.

- (b) As set forth by the City Charter, Section 11-6, All incumbents of elective offices of the City, including persons chosen to fill vacancies in such offices, shall be subject to recall from office by the qualified voters of the City. Procedures and grounds for recall shall be such as may be prescribed by law. The Council, by ordinance, may further regulate the recall insofar as such regulation is not in conflict with the State Constitution or law.

6.05.100 – Offenses and Penalties

(a) It is unlawful for any person, firm, or corporation to do any of the following acts, and any person, firm, or corporation who does any of the following acts shall be guilty of a violation:

(1) Directly or indirectly uses or threatens to use force, coercion, violence, restraint, inflicts, or threatens to inflict damage, harm, or loss upon or against any person to induce or compel the person to vote or refrain from voting for any candidate in any election or for any election proposition or question.

(2) Gives or promises to give, or offers any money or valuable thing to any person, with the intent to induce him or her to vote for or restrain him or her from voting for any candidate at any election or any election proposition or question.

(3) Knowingly prints or circulates, or causes to be written, printed, or circulated, any letter, circular, bill, placard, poster, or other publication relating to any election or to any candidate at any election or to any election proposition or question without the same bearing on its face the name and address of the author, printer, and publisher thereof.

(4) Writes, prints, or circulates, or who shall cause to be written, printed, or circulated, any letter, circular, bill, placard, or poster, or who causes any paid advertisement to be placed in a newspaper or any other publication, or who pays or contributes to the payment for any such advertisement, or who makes any radio broadcast, willfully knowing the letter, circular, bill, placard, poster, publication, paid advertisement, or radio broadcast to contain any false statement, charge, or comment relating to any candidate to any election or to any election proposition or question.

(5) Has in his or her possession outside of the voting room any official ballot, provided that this shall not apply to election officials or other properly authorized persons having such possession in line of duty.

(6) Makes or knowingly has in his or her possession any counterfeit of an official ballot.

(7) Refuses to allow an employee reasonable time off for the purpose of voting when the employee does not have a reasonable amount of time to vote before or after work, or who, after allowing the time off, deducts the time from the compensation of the employee.

(8) Being an election official while the vote centers are open, opens any ballot received from a voter at an election, or marks a ballot so as to be able to recognize it, or otherwise attempts to learn how any voter marked their ballot, or allows the same to be done by any other person.

(9) Writes, produces, or assists in writing or producing any published letter, circular, poster, bill, publication, or placard, knowing that it contains any false statement or false charge reflecting on the character, morality, or integrity of any candidate at any election.

(10) Votes or attempts to vote in the name of another person or in any name other than his or her own.

(11) By force, threat, intimidation, or offer of reward, induces or attempts to induce any election official to fail in his or her duty.

(12) Willfully changes or causes to be changed any official election documents, including ballots, tallies, and returns, or attempts to do the same.

(13) Willfully delays or causes to be delayed the election returns, or attempts to do so.

(14) Willfully votes or attempts to vote more than once at the same election.

(15) Signs any name other than his or her own to a petition proposing an initiative, referendum, or recall, or knowingly signs his or her name more than once for the same proposition or question at one (1) election, or signs the petition knowing that he or she is not a qualified voter.

(16) Having been contracted or employed by the City to print or reproduce in any manner any official ballot, willfully appropriates to him or herself, or gives or delivers to, or knowingly permits to be taken by anyone other than a person authorized by the City Clerk, any official ballots, or knowingly prints, reproduces, or causes to be printed or reproduced any official ballots in any other form or with any other content than that prescribed by the Charter, ordinance, or as directed by the City Clerk.

(17) Willfully makes a false affidavit or swears falsely under any oath required in connection with any election or registration for voting or falsely affirms in lieu of so swearing.

(18) Willfully fails to perform any election duty or knowingly does any unauthorized act with the intent to affect the election or its results.

(19) Willfully permits, makes, or attempts to make any false count or report of the election returns.

(20) Being an election official, willfully conceals, withholds, wrongfully changes, mutilates, or destroys the election returns, or attempts to do so.

(b) Any person, firm, or corporation who is guilty of a violation as defined hereinabove shall be punished upon conviction thereof as provided for misdemeanors in KMC 13.05.010.

Chapter 6.10 Voter Qualifications

6.10.010 – Voter Qualifications

A person is qualified to vote in a city election who:

- (a) Have the qualifications for voters prescribed by the City Charter, Section 10-6, the State Constitution, Article V, Sections 1 and 2, and State Law; and
- (b) Is registered to vote in state elections at a residence address within the City at least 30 days before the city election at which the person seeks to vote.

6.10.020 – Rules for Determining Residence of Voters.

For the purpose of determining residence for voting, the place of residence is governed by the following rules:

- (a) A person may not be considered to have gained a residence solely by reason of presence nor may a person lose it solely by reason of absence while in the civil or military service of this state or of the United States or by absence because of marriage to a person engaged in the civil or military service of this state or the United States, while a student at an institution of learning, while in an institution or asylum at public expense, while confined in public prison, while engaged in the navigation of waters of this state or the United States or of the high seas, while residing upon an Indian or military reservation, or while residing in the Alaska Pioneers' Home or the Alaska Veterans' Home.
- (b) The residence of a person is that place in which the person's habitation is fixed, and to which, whenever absent, the person has the intention to return. If a person resides in one place, but does business in another, the former is the person's place of residence. Temporary work sites do not constitute a dwelling place.
- (c) A change of residence is made only by the act of removal joined with the intent to remain in another place. There can only be one place of residence.

- (d) A person does not lose residence if the person leaves home and goes to another country, state, or place in this state for temporary purposes only and with the intent of returning.
- (e) A person does not gain residence in any place to which the person comes without the present intention to establish a permanent dwelling at that place.
- (f) A person loses residence in this city if the person votes in another in another city's or borough's election or another state's election, either in person or by absentee ballot, and will not be eligible to vote in this state again until qualifying under provisions of state law.
- (g) The term of residence is computed by including the day on which the person's residence begins and excluding the day of election.
- (h) The address of a voter as it appears on the official voter registration record is presumptive evidence of the person's voting residence. This presumption is negated only if the voter notifies the Division of Elections in writing of a change of voting residence.

6.10.030 - Notice of voter registration.

Before each election that is not a run-off election, the clerk shall post on the city website and publish at least twice in a newspaper of general circulation a notice of voter registration. The posting and first publication shall occur not less than 60 days before the election. The notice shall include the qualifications required to vote and the deadline for registering to vote in the election.

Chapter 6.15 Filing for Office

6.15.010 – Candidate Qualifications

A candidate for elective city office:

- (a) Shall have the qualifications required in City Charter, Section 2-1(b), as of the date of the declaration of candidacy.
- (b) Shall provide proof of qualifications for office as required by the clerk, and
- (c) Shall submit a nominating petition, on a form provided by the clerk, signed by twenty (20) or more registered qualified City voters, in accordance with City Charter, Section 10-3.

6.15.020 – Nomination and Declaration of Candidacy.

- (a) A candidate for council or mayor may have his or her name placed on the ballot for election as a candidate for Mayor or Council by filing with the clerk, between August 1st and August 15th, 4:30 p.m., a nominating petition with sufficient signatures and a sworn declaration of his or her candidacy, on a form or forms provided by the clerk, accompanied by the public financial disclosure statement required by KMC 1.85.010(a). If August 15th is not a regular City workday, then candidates shall have until noon on the first workday following to file their candidacy paperwork.
- (b) A nominating petition shall include:
 - 1. The full name of the candidate the petitioners are sponsoring; and
 - 2. The full residence address of the candidate; and
 - 3. The office for which the petitioners are nominating the candidate for; and
 - 4. The length of the term of office for which the petitioners are nominating the candidate for; and
 - 5. Certification that the petitioners' names appear on current voter registration rolls for the City of Kenai, are qualified to vote for a candidate for elective municipal office, and have not signed any other nominating petition for the particular office the named candidate seeks.

- (c) No voter shall sign more than one (1) petition except that a voter may sign as many nominating petitions for councilmembers as there are vacancies to be filled; and if a voter signs more petitions than hereby authorized, his or her signature shall be void except as to the authorized number of petitions first filed.
- (d) A declaration of candidacy shall include:
 - 1. The full name of the candidate and the manner in which he/she wishes his/her name to appear on the ballot; and
 - 2. The full residence and mailing address of the candidate; and
 - 3. The office for which the candidate declares; and
 - 4. A statement that the candidate is qualified for the office as provided by law; and
 - 5. Certification that the information contained in the declaration of candidacy is true and accurate; and
 - 6. The date and signature of the candidate; and
 - 7. Attestation and date by the clerk; and
 - 8. Any other information the clerk reasonably requires to determine whether the candidate is qualified for the office as provided by law.
- (e) Within three (3) days after the filing of the declaration of candidacy and nominating petition, the clerk shall determine whether the nominating petition is signed by the required number of registered voters, and so notify the candidate. If insufficient, the clerk shall return the petition immediately to the candidate with a statement as to why the petition is insufficient. Within the regular time for filing petitions and declarations of candidacy, a new petition and declaration of candidacy may be filed by the candidate. The above notice to the candidate and the return of an insufficient petition may be in person or by mail.

6.15.030 – Review of Candidate Qualifications.

- (a) In determining residence within the City, for the purposes of this chapter, the clerk shall apply the following rules:
 - 1. A person establishes residence within the city by:
 - (A) Actual physical presence at a specific location within the city; and
 - (B) Maintaining a habitation at the specific location;
 - 2. A person may maintain a place of residence at a specific location within the city while away from the location for purposes of employment, education, military service, medical treatment or vacation if the person does not establish residency at another location; and
 - 3. A qualified voter loses residence by voting in another city or borough or in another state's election.
- (b) The clerk shall determine whether each candidate is qualified as provided by law. At any time before the election the clerk may disqualify any candidate whom the clerk finds is not qualified. A candidate who is disqualified may request a hearing before the clerk. The hearing shall be held no later than 5 business days after the request unless the candidate agrees in writing to a later date.
- (c) Any person may question the eligibility of a candidate who has filed a declaration of candidacy by filing a complaint with the clerk. A complaint regarding the eligibility of a candidate must be received by the clerk not later than the close of business on the 10th calendar day after the filing deadline for the office for which the candidate seeks election.
- (d) The complaint must be in writing and include the name, mailing address, contact phone number, and signature of the person making the complaint, and a statement in 200 words or less specifying the grounds for the complaint, described in particular, on which the candidate's eligibility is being questioned.

- (e) The clerk will review only those issues cited in the complaint related to candidate qualifications established by this chapter.
- (f) Upon receipt of a complaint, the clerk will review any evidence relevant to the issues identified in the complaint which is in the custody of the municipal clerk's office including evidence provided with the complaint, the candidate's registration record, declaration of candidacy, and, in the discretion of the clerk, any other public record. Following review of all relevant evidence in the case, and within 20 days of receiving the complaint, the clerk will determine whether a preponderance of evidence supports or does not support the eligibility of the candidate. The process for issuing a final determination will be as follows:
1. The clerk will send notification in writing to the candidate whose eligibility is being questioned that a complaint has been received. The notification will include a copy of the complaint, supporting relevant evidence, a statement as to whether a preponderance of evidence reviewed as of that notice supports or does not support the eligibility of the candidate, and a request that the candidate provide a sworn response statement along with any relevant supporting evidence.
 2. The clerk must also notify the challenger that all relevant evidence must be submitted within 7 calendar days of the date of the clerk's notice to the candidate that a complaint has been filed. If the clerk receives additional evidence during this 7-day period, such evidence must be provided to the candidate with an opportunity to respond. Absent extraordinary circumstances, the clerk shall not consider evidence received after the challenger's deadline to submit evidence.
 3. The candidate's response statement and any supporting evidence must be received within 10 calendar days of the date of the clerk's notice to the candidate that a complaint has been filed. Absent extraordinary circumstances, the clerk shall not consider evidence received after the candidate's deadline to submit evidence.
 4. For purposes of this section, "extraordinary circumstances" must be specified in writing, documenting a serious circumstance or event beyond the control of the individual providing the late evidence.
 5. Following review of all relevant evidence in the case, and within 20 days of receiving the complaint, the clerk will issue a final determination based on a preponderance of evidence standard for review
 6. A final determination must be issued in writing within 20 days of the clerk receiving the complaint.
- (g) The clerk must send the final written decision to the person making the complaint and to the candidate. The clerk's decision shall be sent by certified mail and by electronic mail (email), if an email address is known. The determination of the clerk constitutes a final administrative decision. An appeal of the clerk's decision shall be filed with the State of Alaska Superior Court at Kenai, Alaska in conformance with the Rules of Appellate Procedure of the State of Alaska, Part VI.

6.15.040 – Correction, Amendments, and Withdrawal of Declaration of Candidacy.

- (a) Any candidate may withdraw their nomination at any time during the period for filing a nomination petition declaration of candidacy by appropriate written notice to the clerk. However, after the filing period has closed, no declaration may be corrected, amended or withdrawn.
- (b) A declaration of candidacy presented shall not be changed as to term of office. If a candidate desires to file for a different seat, the candidate shall request new forms from the clerk.

6.15.050 – Campaign Reporting.

All candidates for elective city office shall comply with the Alaska Public Offices Commission campaign reporting requirements in Alaska Statutes 15.13. The name of the candidate shall be placed on the ballot by the clerk only after the candidate has complied with this requirement.

6.15.060 – Prohibitions.

- (a) A person may not serve simultaneously as a member of the city council or mayor and as a member of the borough assembly or as borough mayor.
- (b) No elected official of the City may hold any other compensated city office or city employment or elected position in the state or federal government while in office.

6.15.070 – Notice of Vacancy.

At least ten days before nominations are open for each regular or special election, the clerk shall publish at least twice in a newspaper of general circulation, a notice of offices to be filled at the election and the procedure for filing a nomination petition and declaration of candidacy for the offices.

6.15.080 – Watchers.

Any candidate for elective city office may appoint a watcher for each vote center or counting center. State law relating to watchers in elections shall govern watchers in city elections insofar as it is applicable.

Chapter 6.20
Administration of Elections

6.20.010 – Election Notices.

- (a) Notice of Election. Before every city election, regular or special, the clerk shall cause to be published at least twice in a newspaper of general circulation, a notice of election. The clerk shall also post a notice of election on the official city bulletin board and in two (2) other public places in the city limits. The posting and first publication shall occur at least 20-days before an election. Each notice of election shall include:
 - 1. The type of election, whether regular or special;
 - 2. The date of the election;
 - 3. A statement that the election is to be conducted by mail and that there will be no precinct polling places open for the election on election day;
 - 4. The hours and locations the vote centers will be open;
 - 5. The offices to which candidates are to be elected;
 - 6. The subjects of propositions to be voted upon;
 - 7. Voter qualifications and instructions for registration; and
 - 8. Instructions for application for absentee voting.
- (b) Failure to publish such a notice of an election shall not affect the validity of the election or of the vote for any candidate or on any proposal; but, if caused by the clerk, shall constitute failure to perform his or her official duties.
- (c) In addition to the above notice, the clerk shall publish in full, every charter amendment, every ordinance, and every other question which is to be submitted at an election, except a referred ordinance which was published in full after passage, not more than four (4)

weeks and at least two (2) weeks before the election in accordance with the City Charter, Sections 1-7(4) and 10-8.

- (d) Notice of Bonded Indebtedness. Before a general obligation bond issue election, the clerk shall publish notice of total existing bonded indebtedness at least once a week for three consecutive weeks. The first notice shall be published at least 20-days before the date of the election. The notice must include:
1. The current total general obligation bonded indebtedness, including authorized but unsold bonds, of the City;
 2. The cost of the debt service on the current indebtedness; and
 3. The total assessed valuation within the city.

6.20.020 – Election Officials.

- (a) Before each election, the clerk, subject to approval by the council, shall appoint election officials.
- (b) If any appointed election official is not able or refuses to serve, the clerk may appoint a replacement for that official.
- (c) All election officials, before entering upon their duties, must subscribe to the oath required of all public officers by the Constitution of the State of Alaska in the manner prescribed by the clerk.
- (d) Candidates shall not serve as election officials. Certain familial relationships may not exist between a candidate and an election official in regular or special elections. Those familial relationships are:
1. Mother, mother-in-law, stepmother;
 2. Father, father-in-law, stepfather;
 3. Sister, sister-in-law, stepsister;
 4. Brother, brother-in-law, stepbrother;
 5. Spouse; or
 6. Person sharing the same living quarters.
- (e) If the clerk knows or learns that any of these relationships exist, the election official shall be notified and replaced.

6.20.030 – Ballot Form.

- (a) The ballot shall be designed with the position of names of the candidates set out in the same order in each section on each ballot used in that election. However, the order of placement of the names of the candidates for each office shall be randomly determined by the clerk.
- (b) The title of the office to be filled shall be followed by the printed names of the candidates for such office, below which shall be blank lines equal in number to the candidates to be elected to such office, upon which the voter may write the names of persons not listed on the ballot. The words "Vote for no more than _____" with the appropriate number replacing the blank, shall be placed before the list of candidates for each office. The names of the candidates shall be printed as they appear upon the declaration filed with the clerk, except that any honorary or assumed title or prefix shall be omitted. However, the candidate's name appearing on the ballot may include a nickname or familiar form of a proper name. The names of candidates shall be set out in order as provided in subsection A. of this section.
- (c) The propositions to be voted on shall follow the candidates for office or shall be on separate ballots, as the clerk may determine. The words "yes" and "no" shall appear below each proposition.

- (d) Each ballot shall bear the words "Official Ballot," and the date of the election.
- (e) A ballot shall be printed either on paper or on card stock as provided in this title.
- (f) The ballots shall be consecutively numbered.

6.20.040 – Ballot Preparation and Distribution.

- (a) The clerk shall have ballots printed for each election. The clerk may contract for the preparation and printing of ballots without competitive bidding.
- (b) The clerk shall possess the printed ballots at least 21 days before each regular election and at least 15 days before each special election. At that time, the ballots may be inspected by any candidate whose name is on the ballot, or by his or her authorized agent, and any discovered mistake shall be corrected immediately.
- (c) The clerk shall have sample ballots available to voters which are identical in form to the official ballot, and which are printed on colored paper and marked "sample." Sample ballots shall be made available at vote centers.

Chapter 6.25 Elections by Mail

6.25.010 – By-Mail Precincts.

- (a) All precincts within the City shall be designated as "by-mail" precincts. The procedures shall be as follows:
 - a. Ballots shall be sent to each registered voter in the precinct on or before the 21st day prior to the regular or special election
 - b. Voted ballots must be postmarked on or before midnight of Election Day and received by the clerk no later than the Tuesday following the election.
- (b) Voters wishing to vote in person may do so at designated vote center(s).

6.25.020 – Procedures for Conducting Elections by Mail.

- (a) The clerk shall mail by non-forwardable mail an official ballot package with a return identification envelope addressed to the Clerk's Office and a secrecy sleeve. The ballot, return envelope, and secrecy envelope shall be mailed no later than the 21st day before the date of a regular or special election and no later than the 15th day before the date of a runoff election. The ballot shall be sent to the address stated on the official registration list unless:
 - 1. The voter has notified the clerk in writing of a different address to which the ballot should be sent; or
 - 2. The address on the official registration list has been identified as being an undeliverable (UN) address or is in the condition of purge notice (PN).
- (b) On receipt of any ballot described in this section, the voter shall mark the ballot, sign the return identification envelope supplied with the ballot, and comply with the instructions provided with the ballot. The voter may return the marked ballot to the Clerk's Office by return mail or by depositing the ballot at any place of deposit designated by the clerk. The ballot must be returned in the identified envelope. A ballot must be received by the clerk or at a place of deposit designated by the clerk, not later than the end of the period determined under regulations established by the clerk.

Chapter 6.30

Absentee and Vote Center Voting.

6.30.010 – Administration of Absentee Voting.

The clerk shall provide general administrative supervision over the conduct of absentee voting. The clerk shall make available, instruction to absentee voters regarding the procedure for absentee voting.

6.30.020 – Designation of Absentee Voting Officials.

The clerk may appoint any person qualified to vote in state elections to act as absentee voting officials. The clerk shall supply adequate voting supplies and ballots to the absentee voting officials. After taking an oath in the form required of election officials, an absentee voting official may perform all the duties of an election official with respect to the issuance, witnessing and receipt of absentee ballots at such places and times as the clerk may designate. Each absentee voting official shall transmit the dated envelopes containing the marked ballots to the clerk in the manner set forth in the written instructions provided by the clerk. Upon receipt of the absentee ballots, the clerk shall hold the ballots in a secure location until they can be transferred to the canvass board along with the absentee in person registers and other election materials received from the absentee voting official.

6.30.030 – Eligibility.

Any qualified voter may vote at a vote center for the precinct in which the voter resides and is registered if the voter was unable to vote by mail whether inside the city or not.

6.30.040 – Fee Prohibited.

No person may receive a fee from the voter for attesting to any voter's certificate required in voting absentee.

6.30.050 – Materials for Absentee Voting.

The clerk shall provide ballots for use as absentee ballots for all precincts, and shall provide a small envelope in which the voter shall initially place the marked ballot, and shall provide a larger envelope, with the prescribed voter's certificate on the back, in which the smaller envelope with ballot enclosed shall be placed. The clerk shall provide the form of and prepare the voter's certificate on the back, in which the smaller envelope with ballot enclosed shall be placed. The clerk shall provide the form of and prepare the voter's certificate which shall include an oath, for use when required, that the voter is a qualified voter in all respects, a blank for the voter's signature, a certification that the affiant properly executed the marking of the ballot and identified themselves, blanks for the attesting official or witnesses, and a place for recording the date the envelope was sealed and witnessed.

6.30.060 – Vote Center Voting – In Person.

- (a) A qualified voter may apply in person for an absentee ballot at the office of the clerk during regular office hours, or the voter may apply to the borough clerk's office or election official during regular office hours.
- (b) On receipt of an application in person for an absentee ballot and exhibition of proof of identification as required in this title, the election official shall issue the ballot to the applicant.

- (c) 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 date of the signature. The election official shall then accept the ballot.
- (d) 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 voter improperly marks or otherwise damages a ballot, the voter may request, and the election official shall provide the voter 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.
- (e) Each election official shall keep a record of the names and the signatures of voters who cast absentee ballots before the election official and the dates on which the ballots were cast.
- (f) Fifteen minutes before the closing of the vote center, and at the time of closing the voter center, an election official shall announce both the designated closing time and the actual time at which the announcement is made. Failure to make the announcement at 15 minutes before closing time shall not in any way invalidate the election or extend the time for closing of the voter center. After closing, no person will be allowed to enter the voter center for purposes of voting. Every qualified voter present and in line at the time prescribed for closing the voter center may vote.
- (g) When the vote centers are closed and the last vote has been cast, the election official shall account for all ballots by completing a ballot statement containing, in a manner prescribed by the clerk, the number of official ballots supplied.

6.30.070 – Absentee Voting – By Mail.

- (a) A qualified voter may apply for an absentee ballot by mail if postmarked not earlier than the first of the year in which the election is to be held nor less than seven days before an election. A voter may request his name be placed on permanent absentee by mail status. 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) After receipt of an application by mail, the clerk shall send the absentee ballot and other absentee voting material to the applicant by first class mail. The materials shall be sent as soon as they are ready for distribution. The return envelope sent with the materials shall be addressed to the clerk.
- (c) 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 oaths, may 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's certificate on the back of the larger envelope in the presence of an official listed in this subsection who shall sign as attesting official and shall date his signature. If none of the officials listed in this subsection are reasonably accessible, an absentee voter shall have the ballot witnessed by a person over the age of 18 years.
- (d) 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 the most expeditious mail service and mail the ballot not later than the day of the election to the clerk. It must be postmarked on or before midnight of Election Day and received by the clerk no later than noon on the seventh day following the election. Ballot envelopes received after that time shall not be opened but shall be marked "invalid", with the date of receipt noted thereon, and shall be preserved with other ballot of the election.
- (e) 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 identity.

- (f) 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 and the dates on which the ballot was executed and postmarked.

6.30.080 – Absentee Voting – By Electronic Transmission.

- (a) A qualified voter may apply for an absentee ballot to be sent by electronic transmission. Such request must be made not less than the day immediately preceding the election. Absentee ballots will be electronically transmitted to the location designated in the application. If no location is designated, and if the request is received no later than seven days prior to the election, the ballot will be mailed in the manner provided in KMC 6.35.070 for absentee ballots by mail. The clerk will provide reasonable conditions for electronically transmitting absentee ballots.
- (b) A ballot electronically transmitted shall contain a copy of the ballot to be used at the election in a form suitable for transmission. A photocopy of the computerized ballot card to be used by persons voting in person at the vote center is acceptable.
- (c) An absentee ballot that is completed and returned by the voter by electronic transmission must:
1. Contain 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.", followed by the voter's signature and date of signature; and
 2. Be accompanied by a statement executed under oath as to the voter's identity; the statement under oath must be witnessed by one United States citizen who is 18 years of age or older.
- (d) The voter shall mark the ballot on or before the date of the election and shall use a mail service at least equal to first class and mail the ballot not later than the day of the election to the clerk. The ballot may not be counted unless it is received by noon on the 7th day after the election.
- (e) A voter who returns the absentee ballot by electronic transmission must comply with the same deadlines as for voting in person on or before the closing hour of the vote centers.
- (f) When a completed absentee ballot is received by electronic transmission, the clerk will note the date of receipt on the absentee ballot application log and, if the ballot is received on Election Day, the time of receipt. The clerk will then:
1. Remove the ballot portion of the transmission from the portion that identifies the voter;
 2. Place the ballot portion in a secrecy sleeve;
 3. Seal the secrecy sleeve in an outer envelope of the type used for absentee ballots returned by mail, and seal that envelope;
 4. Attach the voter identification portion to the outer envelope; and
 5. Forward the outer sealed envelope to the canvas board for review.
- (g) An electronically transmitted ballot shall be counted in the same manner as other absentee ballots, even though this procedure may reveal to one or more election officials the manner in which a particular absentee voter cast his or her ballot. However, it shall be unlawful to display a telefax ballot in a manner revealing the way in which a particular voter cast his or her ballot to any person other than the clerk, a member of the clerk's staff, an election official in the course of his or her duties, or an attorney advising the clerk on legal questions concerning the ballot.

6.30.090 – Special Needs Voting.

A qualified voter with a disability who, because of that disability, is unable to go to a vote center to vote may vote a special needs ballot. Special needs ballots shall be issued and accounted for in accordance with the rules adopted by the state for use in state elections and in effect at the time of the local election.

6.30.100 – Prohibitions.

- (a) During the hours that the vote centers are open, no election official may discuss any political party, candidate or issue while on duty.
- (b) During the hours the vote centers are open, no person who is in the voter center or within 200 feet of any entrance to the voter center may attempt to persuade a person to vote for or against a candidate, proposition or question. Nor may any person conduct other political activities that may pertain to any future election or potential ballot proposition. The election official shall post warning notices in the form and manner prescribed by the clerk.
- (c) No voter may exhibit a ballot to an election official or any other person so as to enable any person to ascertain how the voter marked the ballot, except as provided in this chapter.
- (d) While the vote centers are open no election official may open any ballot received from a voter, mark a ballot by folding or otherwise so as to be able to recognize it, or otherwise attempt to learn how a voter marked a ballot, or allow the same to be done by another person.
- (e) No person may leave the voter center with the official ballot that the person received to mark.

6.30.110 – Assisting Voter.

A qualified voter who cannot read, mark the ballot, or provide a signature may request assistance from an election official or not more than two persons of the voter's choice. If the election official is requested, the official shall assist the voter. If any other person is requested, the person providing assistance shall state upon oath before the election official that the voter's ballot will be kept confidential.

6.30.120 – Spoiled Ballots.

The election supervisor shall specify uniform procedures for replacement, registration and disposition of spoiled ballots. These uniform procedures shall be provided in writing to the election judges.

6.30.130 – Placing Ballot in Ballot Box.

When the voter has marked the ballot, the voter shall inform the election official. The clerk may require that the voter return the ballot to the election official temporarily so that any stub which may be part of the ballot may be removed by the election official. Any such requirement shall protect the secrecy of the ballot. In all cases the ballot shall be deposited in the ballot box by the voter in the presence of the election official unless the voter requests the election official to deposit the ballot.

Chapter 6.35 Ballot Counting Procedures.

6.35.010 – Commencement of Ballot Count.

Upon receipt of voted ballot packages the election official will verify that the voter has provided at least one identifier, signed the envelope and that the signature has been witnessed. If the ballot package is complete and valid the package will be sorted by precinct and the ballot and identifying

envelope will be separated. The ballot will proceed to be scanned and counted. The unofficial results will not be tallied until the end of the designated election period.

6.35.020 – General Procedure for Ballot Count.

The clerk may issue rules prescribing the manner in which the precinct ballot count is accomplished so as to assure accuracy in the count and to expedite the process. The election board shall account for all ballots by completing a ballot statement containing (1) the number of official ballots received; (2) the number of official ballots voted; (3) the number of official ballots spoiled; (4) the number of official ballots unused and destroyed. Discrepancies shall be noted and the numbers included in the certificate prescribed by the clerk. When hand counting ballots, the election official shall count the ballots in a manner that allows watchers to see the ballots when opened and read. No person handling the ballot after it has been taken from the ballot box and before it is placed in the envelope for mailing may have a marking device in hand or remove a ballot from the immediate vicinity.

6.35.030 – Rules for Counting Hand-Marked Ballots.

(a) The election officials shall count hand marked ballots according to the following rules:

1. A voter may mark his or her ballot with a cross mark, "X" mark, diagonal, horizontal or vertical mark, solid mark, star, circle, asterisk, check or plus sign using the marking device provided at the vote center or with any black-inked marker. The marks will be counted only if they are clearly spaced in the square opposite the name of the candidate the voter desires to designate.
2. A failure to properly mark a ballot as to one or more candidates does not itself invalidate the entire ballot.
3. If a voter marks fewer names than there are persons to be elected to the office, a vote shall be counted for each candidate properly marked.
4. If a voter marks more names than there are persons to be elected to the office, the votes for candidates for that office shall not be counted.
5. The mark specified in subsection 1 of this section shall be counted only if it is substantially inside the square provided, or touching the square so as to indicate clearly that the voter intended the particular square marked.
6. Improper marks on the ballot shall not be counted and shall not invalidate marks for candidates properly marked.
7. An erasure or correction invalidates only that section of the ballot in which it appears.

(b) The rules set out in this section are mandatory and there shall be no exceptions to them. A ballot may not be counted unless marked in compliance with these rules.

6.35.040 – Write-in Votes.

- (b) Write-in votes are not invalidated by writing in the name of a candidate whose name is printed on the ballot unless the election board determines, on the basis of other evidence, that the ballot was so marked for the purpose of identifying the ballot.
- (c) In order to vote for a write-in candidate, the voter must write a candidate's name in the space provided and, in addition, mark the square opposite the candidate's name in accordance with KMC 6.35.030(a). Stickers may not be used. Use of stickers can cause that portion of the ballot to be invalidated.

(d) Write-in votes shall only be tabulated by person if the total number of write-in votes for an office exceeds the smallest number of votes cast for a candidate for that office whose name is printed on the ballot.

6.35.050 – Disqualified Candidate.

Votes cast for a candidate who is disqualified shall not be counted for any purpose.

6.35.060 – Tally of Votes.

Tally of votes cast by paper ballots. The clerk shall issue instructions and shall provide forms and supplies for the tally of votes cast by paper ballot so as to assure accuracy and to expedite the process. The election board shall canvass and count the votes according to the rules for determining marks on ballots prescribed in KMC 6.30.030. The election board shall canvass the ballots in a manner that allows watchers to see the ballots when opened and read. No person handling the ballot after it has been taken from the ballot box and before it is placed in the envelope for delivery to the election supervisor may remove a ballot from the immediate vicinity of the polls or have a marking device in hand.

6.35.070 – Completion of Ballot Count.

When the tally of hand counted ballots is completed, and in no event later than the day after the election, the election board shall make a certificate in duplicate of the results. The certificate includes the number of votes cast for each candidate, for and against each proposition, yes or no on each question, and any additional information prescribed by the election supervisor. The election board shall, immediately upon completion of the certificate or as soon thereafter as the local mail service permits, send in one sealed package to the election supervisor one copy of the certificate and the register. In addition, all ballots properly cast shall be mailed or hand delivered to the election supervisor. The package shall clearly indicate the precinct from which it came. To assure adequate protection the election supervisor shall prescribe the manner in which the ballots, registers and all other election records and materials are thereafter preserved, transferred and destroyed.

Chapter 6.40

Canvassing and Certification of Election Results.

6.40.010 – Canvass Board.

(a) Pursuant to the provisions of Section 10-9 of the Charter of the City of Kenai, there is hereby established a Canvassing Board for the canvassing of all City elections; regular and special, and to ascertain and declare the results thereof, as follows:

(1) The City Clerk is hereby designated as the Chair of the Canvassing Board.

(2) The Canvassing Board shall consist of the City Clerk and up to eight (8) additional judges selected from among the qualified voters of the city. In the event any such appointed member of the Board is absent from the city, ill, or otherwise unable to attend at the time set for canvassing the ballot, the City Clerk is hereby authorized to appoint another election judge from the same precinct to substitute for the appointed member.

(b) All members of the election canvass board, before entering upon their duties, must subscribe to the oath required of all public officers by the Constitution of the State of Alaska in the manner prescribed by the clerk.

6.40.020 – Preparation for Counting Ballots Delivered by Mail.

- (a) Ballots may not be counted before 8:00 p.m., local time, on the day of the election.
- (b) Not sooner than the tenth day before the date of an election, in preparation for counting ballots delivered by mail, the election supervisor may:
 - 1. begin opening return identification and secrecy envelopes of ballots delivered by mail and received; and
 - 2. take any other actions that are necessary to allow the counting of ballots delivered by mail to begin at 8:00 p.m., local time, on election day.

6.40.030 – Canvass of Returns.

- (a) The canvassing board shall meet on the Tuesday following each election, the election canvass board shall meet in public session and canvass all election returns. In full view of those present, the election canvass board shall judge the applicability of by mail and absentee ballots, shall open and tally those accepted, and shall compile the total votes cast in the election. Upon completion of the canvass, the canvassing board shall prepare a final certificate of the results of votes cast by absentee ballot and of votes cast by mail ballot, and shall prepare a written report of the results.
- (a) The clerk, as chair of the canvassing board, shall report the results of the election to the council at the next regular council meeting following the meeting of the canvassing board.

6.40.040 – Voters Not on Official Registration List.

A person whose registration has been canceled under AS 15.07.130(b) shall not have their ballot counted.

6.40.050 – Certification of the Election Results.

- (b) At the next regular council meeting following the meeting of the canvassing board, the council shall meet in public session to receive the report of the canvass board. If, after considering the report, the council determines that the election was validly held, the election shall be certified by resolution and entered upon the minutes of the meeting, together with the total number of votes cast for each candidate and for or against each proposition or question.
- (c) If the canvass board reports that a failure to comply with provisions of state law and city ordinances, or an illegal election practice has occurred, and that such failure is sufficient to change the outcome of the election, then the council may exclude the votes cast in one or more precincts where such failure or illegal practices occurred from the total returns, or may declare the entire election invalid and order a new election.
- (d) If the canvass board reports an apparent discrepancy in the returns of one or more precincts, the council may order a recount of votes cast in said precinct or precincts. Such recount shall be conducted immediately by the canvass board and the results shall be reported to the council. The council shall meet as soon as possible to certify the results of the election recount.
- (e) Upon certification of a valid election, the clerk shall deliver to each person elected to office a certificate of election, signed by the clerk and authenticated by the seal of the city, in accordance with City Charter, Section 10-9.

Chapter 6.45

Election Recount.

6.45.010 – Recount Application.

(a) Any defeated candidate or any ten (10) qualified voters, who believe that a mistake has been made by an election official or by the canvass board in counting the votes in any election, may make an application in writing to the clerk for a recount of the votes for any particular office or on any particular question. The application must be filed in the office of the City Clerk within twenty-four (24) hours, excluding any Saturday, Sunday, or holiday after the Council certifies the results of the vote being questioned. In case of a tie vote between two (2) or more candidates, to which only one candidate is to be elected, the clerk shall initiate a recount.

(b) The application shall include a deposit in cash or by certified check for the amount listed in the most current City of Kenai Schedule of Rates, Charges and Fees. The deposit shall be applied against any costs incurred or refunded if there is no liability for recount costs.

(c) A recount application shall state in substance the basis of the belief that a mistake has been made and shall identify the particular precinct, office, proposition or question for which the recount is to be held and shall state that the person making the application is a candidate or that the ten persons making the application are qualified voters. The candidate or person making the application shall designate by full name and mailing address two persons who shall represent the applicant during the recount. Any person may be named representative, including the candidate or any person signing the application. Applications by ten qualified voters shall also include the designation of one of the number as chairman. The candidate or persons making the application shall sign the application and shall print or type their full name and mailing address.

6.45.020 – Date of Recount – Notice.

(a) If the clerk determines that the application is substantially in the required form, the clerk shall fix the date of the recount to be held within forty-eight (48) hours, excluding any Saturday, Sunday, or holiday, after the receipt of an application requesting a recount of the votes in a city election after it has been initiated under KMC 6.45.010.

(b) The clerk shall give the recount applicant and other directly interested parties notice of the time and place of the recount by telephone or electronic transmission.

6.45.030 – Procedure for Recount.

(a) If a recount of ballots is demanded, the clerk shall appoint a recount board of four or more qualified voters to conduct the recount of ballots or those precincts cited in the application for recount.

(b) In conducting the recount, the recount board shall review all ballots to determine which ballots or parts of ballots, were properly marked and which ballots are to be counted in the recount, and shall check the accuracy of the original count, the precinct certificate, and the review. For administrative convenience, the clerk may join and include two or more applications in a single review and count of votes. The rules governing the counting of marked ballots shall be followed in the recount.

(c) The ballots and other election materials shall remain in the custody of the clerk during the recount and the highest degree of care shall be exercised to protect the ballots against alteration or mutilation. The recount shall be completed within ten days.

6.45.040 – Certification of Recount Result.

Upon completion of the recount, the recount board shall meet and adopt a report of the results of the recount for submission to the council. The council shall abide by procedures for issuing a certificate of the election as set forth in this title. The clerk shall promptly issue another election certificate if a change in the results requires it.

6.45.050 – Return of Deposit and Apportionment of Expenses Upon Recount.

If, upon recount, a different candidate or position on a proposition or question is certified or if the vote on recount is 4 percent or more in excess of the vote originally certified for the candidate or position on a proposition or question supported by the recount application, the entire deposit shall be refunded to the recount applicant; otherwise, it shall be placed in the general fund of the City. If this section does not require that the entire deposit be refunded, the clerk shall refund any money remaining after the cost of the recount has been paid from the deposit. If it is determined that the contestant shall bear the costs of the recount pursuant to this section and the deposit is insufficient to cover the costs, the City may recover the excess costs from the contestant. If the recount is obtained by voters, each of them shall be individually liable for the whole amount of such expense.

6.45.060 – Appeal to the Courts After Recount.

Any candidate or a majority of the persons who requested a recount who have reason to believe that an error has been made in the recount involving any candidate or question, may appeal to the Superior Court in accordance with applicable court rules governing appeals in civil matters. The filing of the appeal and the proceedings shall be, as nearly as may be, as in case of such an appeal made after a recount in a State election.

Chapter 6.50
Contest of Election.

6.50.010 – Grounds for Election Contest.

A candidate or any ten (10) qualified voters of the city may contest the election of any person or the approval or rejection of any question or proposition upon one or more of the following grounds:

- (a) Malconduct, fraud or corruption by an election official sufficient to change the result of the election;
- (b) The person elected is not qualified under law or ordinance; or
- (c) Existence of a corrupt election practice, as defined by the laws of the State of Alaska, sufficient to change the result of the election.

6.50.020 – Contest Procedure.

- (a) Notice of contest of an election shall be submitted in writing to the clerk before five p.m. on the day of the certification of the election or to the assembly at its meeting to certify the election returns. The notice of contest shall specify the election being contested, the grounds of the contest, and shall bear the notarized signatures of the candidate or qualified voters bringing the contest. The notice shall be in substantially the following form:

NOTICE OF ELECTION CONTEST

The undersigned contest the regular (or special) election of the City of Kenai held on the _____ day of _____ . The grounds for the contest are as follows:

Signature and date

(Notarization)

- (b) Upon receiving a notice of contest, the council shall order an investigation be conducted by the clerk and city attorney. Those contesting the election, those whose election is contested, and the public shall be allowed to attend all investigation and recounting proceedings.
- (c) If the contest involves the eligibility of voters the council shall direct the clerk to recheck the most current state registration lists. After considering the reports of the investigating officials and any other proof, the council shall determine whether any illegally cast votes could have affected the election results. If they could not have, the council may so declare and determine the election valid and certify the results pursuant to this title.
- (d) If the contest involves other prohibited election practices which are shown to have taken place, the council, in certifying the election returns, shall exclude the vote of the precincts where such practices occurred. If it is determined that such exclusion could not affect the election results, the council shall declare the election valid and certify the results pursuant to this title.
- (e) The contestants shall pay all costs and expenses incurred in a recount of an election as provided by KMC 6.45.010.

6.50.030 – Appeal or Judicial Review.

A person may not appeal or seek judicial relief of an election for any cause or reason unless the person is qualified to vote in the city, has exhausted all administrative remedies before the council, and has commenced within ten (10) days after the council has finally declared the election results, an action in the superior court. If an action under this section is not commenced within the ten-day period, the election and the election result shall be conclusive, final, and valid in all respects.

Chapter 6.55
Special Elections.

6.55.010 – Procedure.

The clerk shall conduct special elections in accordance with the procedures set out in this title for a regular election.

Section 2. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 3. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this * day of *, 2020.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

Introduced: May 20, 2020

Enacted: *, 2020

Effective: *, 2020



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
FROM: Robert Peterkin, Council Member
DATE: May 14, 2020
SUBJECT: Ordinance No. 3127-2020

In January 2019 the Kenai Peninsula Borough formed the Election Stakeholder Group in response to an ADA complaint related to election practices and I, along with Mayor Gabriel, City Manager Ostrander, and City Clerk Heinz participated in the group's meetings. The group's guiding principles included maximizing accessibility and inclusivity, ensuring efficiency and conservation of public resources, ensuring voter satisfaction and confidence, ensuring longevity in the solution, promoting coordination and collaboration, ensuring security and integrity of the voting system, encouraging higher voter turnout, and ensuring continuity of election operations. The group received presentations from local clerks, the State of Alaska Division of Elections, the Municipality of Anchorage, the United States Postal Service, and the Kenai Peninsula Borough's (KPB) current ballot printer. The group also received demonstrations from two software/hardware providers. Presentations reviewed both polling place and vote by mail structures. The group unanimously adopted six recommendations, the number one recommendation being to transition the election process from a polling site structure to a vote by mail hybrid structure. On September 18, 2019, the Kenai City Council adopted Joint Resolution No. 2019-001, recognizing the recommendations of the KPB Election Stakeholders Group and directing staff to explore implementation of the recommendations.

In December 2019, the KPB clerk's office contracted with Resource Data for the completion of a feasibility study and cost analysis for a vote by mail system implementation and, Resource Data's final feasibility study, in section 2.1. Overall Assessment, indicated that they believed that KPB would be able to successfully transition to an area-wide vote by mail election process.

The City of Kenai shares approximately 6,000 voters with KPB and traditionally, much of the election process is a joint effort making voting both in the City of Kenai and KPB elections not only a more convenient process for the shared voters but a more fiscally responsible one.

Ordinance 3127-2020 will codify and implement the vote by mail hybrid system recommended by the Election Stakeholders Group in conjunction with KPB to continue to provide convenient, secure and fiscally responsible elections to the city's voters in a sustainable and accessible way.

Your consideration is appreciated.



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
FROM: Jamie Heinz
DATE: May 12, 2020
SUBJECT: **Ordinance No. 3127-2020**

Following is an analysis of how our current election code was incorporated into Ordinance No. 3127-2020, highlights potential policy changes, and discusses which sections of our current election code would no longer be needed if the city were to move to a by-mail election process.

6.05.010 is new and provides a scope for the title.

6.05.020 replaces current 6.05.070, indicates that the clerk administers elections, and was adapted from Kenai Peninsula Borough (KPB) Code.

6.05.030 is new, provides definitions, and was incorporated as found in KPB's code as potentially amended by KPB Ordinance No. 2020-24.

6.05.040 is new, provides a severability clause, and was incorporated from KPB's code.

6.05.050 speaks to timing of elections, is adapted from KPB code, includes some details from our own city charter, and provides a timeline for a special election. Subsection (c) replaces current 6.05.260.

6.05.060 speaks to the number of votes required for election to office, includes detail from city charter, and is adapted from KPB code; subsection (b) replaces current 6.05.130.

6.05.070 speaks to record retention and replaces current 6.05.280. This section is adapted from KPB code and reduces retention of most records to 30 days after certification of election. Because retention of some election certification records is permanent, windows of appeal periods being small, and certification finalizing the election the records being reduced to the shortened retention length would no longer be needed; others are not the City's record but Alaska Public Offices Commission's (APOC) record. Ordinance No. 3128-2020 is a companion ordinance to this one and moves retention of financial disclosure forms, as is, to Title 1.

6.05.080 replaces current 6.05.050; addresses the city paying all necessary expenses relating to its elections and was modified to remain consistent with KPB regarding wages and by-mail.

6.05.090 replaces current chapters 6.20 and 6.30 relating to initiative, referendum, and recall situations.

6.05.100 brings offenses and penalties forward which are currently in 6.05.270. Some offenses to note are, using force to coerce a voter to vote in a certain way and voting or attempting to vote in the name of another person or in any name other than his or her own. Punishments for convicted violations are spelled out in KMC 13.05.010 so, our own police department could be leveraged to investigate.

6.10.010 replaces current 6.05.010 relating to voter qualifications, is also spelled out in charter, and adds a bit more language specific to registration; this was adapted from City of Soldotna (CoS) and KPB.

6.10.020 is new and was included pursuant to KPB and CoS. It was modified from AS 15.05.020. This information would provide something for the city to look to in the event of an election contest.

6.10.030 is new in the code but has been past practice; a joint advertisement with CoS.

6.15.010 and 6.15.020 pull a lot of information from city charter and replace current chapter 6.10. They go into more detail about what information is included in nomination petitions and declarations of candidacy. A change here which was incorporated from KPB code modifies the ending of the filing period in the event August 15 falls on a weekend or holiday with the extended deadline being noon on the designated day instead of close of business.

6.15.030 is new; was copied from a KPB ordinance which was adopted in January. This section will provide review processes for determining candidate qualifications and also in the event of an election contest similar to what Homer, KPB, and Haines have experienced.

6.15.040 provides an opportunity for a candidate to amend and withdraw their candidacy. It contains some information from current 6.10.030 and was adapted from KPB code.

6.15.050 is new and is a policy decision relating to campaign reporting; it was taken from KPB code. It can be left as it is which puts the clerk in the position of policing state law, or the second sentence can be removed putting the onus on the candidate. It is current practice that the clerk provides information for accessing APOC to determine what type of reporting would be necessary.

6.15.060 would be a new policy in our code and was taken from KPB and COS.

6.15.070 is a new policy for our code but is current practice, likely taken from KPB at some point.

6.15.080 speaks to watchers and is in our current code as 6.05.060. It is not in KPB code so Anchorage code was looked to for rewording in a by mail situation.

6.20.010 covers election notices and replaces current 6.05.320. Timing changes match KPB. A notice of bonded indebtedness was included which isn't currently mentioned in our code.

6.20.020 regarding election officials replaces current 6.05.040 regarding poll workers and now matches KPB's ordinance 2020-24 for by mail.

6.20.030 is new and specifies ballot form.

6.20.040 speaks to ballot preparation and distribution, and covers what is currently 6.05.080; this was copied from KPB so election resources could continue to be shared.



Chapter 6.25 speaks to by mail elections and is copied from KPB's ordinance 2020-24 for by mail; 6.25.010 incorporates current 6.05.030 to the extent possible with a transition to a by mail election.

6.30.010 is new and speaks to the clerk supervising absentee voting; it was copied from KPB code.

6.30.020 speaks to absentee voting officials and was copied from KPB code and ordinance 2020-24; it covers current 6.05.340 and 6.05.330.

6.30.030 and 6.30.040 discuss who is eligible to vote by mail and prohibits someone collecting a fee for attesting a voter's certificate required on an absentee ballot; these were copied from KPB code.

6.30.050 discusses the clerk providing materials for absentee voting and covers the absentee portion of current 6.05.080.

6.30.060 discusses voting in person in a vote center and was copied from KPB ordinance 2020-24 to provide for sharing resources; this section covers portions of current 6.05.145, 150, and 160.

6.30.070 discusses voting absentee by mail and was adapted from KPB code and ordinance 2020-24. This section addresses portions of current 6.05.140, 145, 150, 160, and 170. It also speaks to a portion of current 6.05.120(c). A new policy here provides that a permanent absentee by mail list will be provided by the City. This is in KPB's existing code and was being considered by the state through HB115 which died in committee when legislature adjourned.

6.30.080 speaks to voting absentee by electronic transmission and incorporates current code sections 6.05.145, 150, 160, 170, and 335.

6.30.090 is not in our current code; however, has been our practice.

6.30.100 speaks to electioneering rules and was not previously codified by the city; it was copied from KPB code.

6.30.110 provides guidance on assisting voters and was not previously codified by the city; it was also copied from KPB code.

6.30.120 provides for the clerk to specify rules for spoiled ballots and has been practice though it has never been in code; it was copied from KPB code.

6.30.130 discusses ballot boxes in the vote centers and covers current 6.05.090 to the extent possible with a mostly by mail election; it was copied from KPB code as may be amended by ordinance 2020-24.

Chapter 6.35 is copied from KPB's code and ordinance 2020-24 to match in counting procedures for sharing election resources.

6.40.010 moves into the canvass board part of the election and incorporates what is currently in 6.05.120 (a); it was adapted from KPB code as may be amended by ordinance 2020-24 and it now speaks to full number of election workers and no longer refers to precincts.



6.40.020 begins with counting procedures considering an influx of by mail ballots received and was copied from KPB code as may be amended by ordinance 2020-24.

6.40.030 is a high level overview of the canvass board's responsibilities and incorporates current 6.05.120(b) and (d)

6.40.040 speaks to ballots of voters not appearing on official registration lists not being counted and has been practice; this section was copied from KPB code.

6.40.050 discusses certification of election results and contains information from charter and the city's past practices; it is new and was adapted from KPB code.

Chapter 6.45 provides policies and adds procedures for an election recount and was copied from KPB code while incorporating the city's current code sections 6.05.220 and 6.05.230. Timelines and certain practices were updated; for example, our code currently indicates that a recount request can be brought to the Mayor and that the requestor can pay by bond.

Chapter 6.50 provides policies and adds procedures for an election contest and was copied from KPB code while incorporating 6.05.240.

To the extent possible with a transition to a by mail election process, all current sections of code were incorporated into this ordinance while retaining the ability to share resources with the borough and attempting to improve processes and provide clarity. Sections in current code that were not incorporated in some way were 6.05.110 which speaks to following state statutes regarding to elections and a poll-based type of election, 6.05.200 is not addressed in KPB code and was left out to provide for the ability to share resources with the borough to the extent we decide, 6.05.210 which speaks to computer testing to the satisfaction of a data processing control board which does not exist, and 6.05.250 which speaks to rules and regulations developed by the Director of Elections at the state level which would be aimed at poll based elections.



Introduced by: Cox, Dunne, Hibbert, Smalley
Date: 05/05/20
Hearing: 06/02/20
Action: Enacted as Amended
Vote: 6 Yes, 3 No, 0 Absent
Action: Notice of Reconsideration Given by Carpenter

**KENAI PENINSULA BOROUGH
ORDINANCE 2020-24**

**AN ORDINANCE AMENDING KPB TITLE 4 REGARDING BOROUGH ELECTIONS
TO PROVIDE FOR VOTE BY MAIL ELECTIONS, FOR MORE TIME BETWEEN A
REGULAR ELECTION AND A RUN-OFF ELECTION, AND TO REMOVE
PROPOSITION STATEMENTS**

- WHEREAS**, state statutes provide that the local governing body establish the procedures governing local elections; and
- WHEREAS**, the remote nature of areas of the borough would make voting by mail more efficient, convenient, and less complicated; and
- WHEREAS**, jurisdictions that have instituted vote-by-mail have experienced increased voter participation; and
- WHEREAS**, recruiting, training and retaining election officials has been an ongoing challenge; and
- WHEREAS**, by mail elections can be conducted with fewer election officials than in person voting; and
- WHEREAS**, the Kenai Peninsula Borough entered into a conciliation agreement with the Alaska Human Rights Commission which specified that the borough would have an ADA compliant election process in place by the end of 2020; and
- WHEREAS**, the Kenai Peninsula Borough Assembly established the Election Stakeholders Group (“ESG”) through the direction and adoption of Resolution 2019-006, which included community members and members from many local governments in the borough, researched ways to increase voter participation by developing sustainable election processes that maximize accessibility and inclusivity; and
- WHEREAS**, after holding many public meetings throughout 2019 the ESG issued a final report with six specific recommendations regarding potential changes to borough code and election processes which are intended to achieve guiding principles initially adopted by the ESG; and

WHEREAS, recommendation number 1 of the ESG was for the borough assembly to transition the election process from the current polling site structure to a vote by mail hybrid structure (VBMS); and

WHEREAS, recommendation number 6 of the ESG is that the assembly amend KPB 4.10.110 by deleting Section B which provides for the inclusion of statements advocating voter approval or rejection of propositions in the voter pamphlet; and

WHEREAS, in the event of a run-off election, KPB 4.10.050 is amended to provide for an extra week between the regular election and the run-off election to allow more time for the clerk's office to get ballot packages out to ensure receipt by the voter and return receipt by the borough; and

WHEREAS, recent catastrophic events including disaster declarations related to local floods, fires and a global public health pandemic reinforce the need to implement a VBMS election process that would allow for greater flexibility and voter participating when events make it impractical or impossible to vote at a traditional polling site; and

WHEREAS, in response to the current statewide emergency disaster, Governor Dunleavy signed Senate Bill 241 in to law which, among other things, authorizes elections to be conducted by mail during the emergency disaster;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That KPB 4.10.020 is hereby amended as follows:

4.10.020. Definitions.

In this title, unless the context otherwise requires:

[A.] "Borough election" means any election:

1. To fill a borough office;
2. Upon a proposition submitted to the voters under the ordinances of the borough; or
3. That the borough is required by law to administer.

[B.] "Borough office" means an elective office under the ordinances of the borough.

- [C.] "Clerk" means the clerk of the borough, any properly authorized assistant or designee.
- [D.] "Day" means a calendar day including Saturday, Sunday and holidays.
- [E.] "Election" includes a regular, special or run-off borough election.
- [F.] "Election official" means the [BOROUGH]clerk and members of all election boards.
- [G. RESERVED.]
- [H.] "Election supervisor" means the [BOROUGH]clerk.
- [I.] "Oath" includes affirmation on penalty of perjury.
- [J.] "Precinct" means the geographical area for voting purposes that is defined by the Alaska State Legislature. [TERRITORY WITHIN WHICH RESIDENT VOTERS MAY CAST VOTES AT ONE POLLING PLACE].
- [K.] "Proposition" includes question.
- [L.] "Publication" means a newspaper of general circulation or posting in public places.
- [M.] "Qualified voter" means any person who has the qualifications required by this chapter and is not disqualified under Article V of the Alaska State Constitution.
- [N.] ["QUESTIONED VOTER" MEANS A VOTER WHOSE NAME DOES NOT APPEAR ON THE REGISTER IN THE PRECINCT WHERE HE ATTEMPTS TO VOTE, A VOTER WHO HAS RECEIVED AN ABSENTEE BALLOT AND DOES NOT TURN IT IN WHEN VOTING AT HIS PRECINCT ON ELECTION DAY, A VOTER WHO DOES NOT BEAR IDENTIFICATION OR IS NOT PERSONALLY KNOWN TO AN ELECTION OFFICIAL THOUGH HIS NAME APPEARS ON THE PRECINCT REGISTER, OR A VOTER WHO IS QUESTIONED FOR GOOD CAUSE AT THE POLLS IN WRITING.]
- [O.] "Regular election" means a general election to fill borough offices as required by Alaska Statutes.
- [P.] "Registration" or "registered" refers to the form of registration required by the state election code. For borough elections, a person is registered if registered to vote in state elections in the precinct in which that person seeks to vote 30 days prior to the borough election.

- [Q.] "Signature" includes any mark intended as a signature or subscription.
- [R.] "Special election" means any election held at a time other than when a regular election is held.
- [S.] "Swear" includes "Affirm".
- [T.] "Total votes cast" means the total number of votes cast in each seat for candidates whose names are printed on the ballot plus votes properly cast for the same seat in the write-in position(s) of the ballot. Ballots which are counted as blank votes in a particular race and ballots which are counted as over votes in a particular race shall not be added into the total votes in determining the percentage of votes cast.
- "Vote center" means any location designated by the clerk for the purpose of providing voter assistance that is not solely for casting votes for a specific precinct.
- [U.] "Voter" means any person who presents himself for the purpose of registering to vote or voting, either in person or by absentee application or ballot.

SECTION 2. That KPB 4.10.050(C) is hereby amended as follows:

4.10.050. Election times.

- C. Time of Run-off Election. When a run-off election is required by law, the election shall be held on the [third]fourth Tuesday following the regular election or within [2]3 weeks after certification of the results of the regular election. The run-off election shall not be considered a special election within the meaning of AS 29.71.800(21).

SECTION 3. That KPB 4.10.060 is hereby amended as follows:

4.10.060. Notice of elections.

- A. The election supervisor shall publish a notice of each election at least twice in one or more newspapers of general circulation in the borough. The election supervisor shall also post such a notice in two conspicuous places in each precinct. The first such publication, and the posting in each precinct, shall be accomplished at least 20 days prior to a regular election or at least 20 days before a special election.

- B. Each notice of election shall include:
1. The type of election, whether regular, special or run-off;
 2. The date of the election;
 3. The notice of election shall state that the election is to be conducted by mail and that there will be no precinct polling places open for the election on election day.
 - 4[3]. The hours the [POLLS] vote centers will be open and locations;
 - 5[4]. The offices to which candidates are to be elected;
 - 6[5]. The subjects of propositions to be voted upon;
 - 7[6]. Voter qualifications and instructions for registration;
 - 8[7]. Instructions for application for absentee voting;
 - [8. PRECINCT POLLING PLACES.]
- C. For run-off elections, the notice of the locations of the [PRECINCT POLLING PLACES] vote centers may be included or separate from the notice of the election and publication shall be made at least once, no later than 5 days prior to the run-off election. The notice of election shall be posted at 2 places within each precinct.

SECTION 4. That KPB 4.10.110 is hereby amended as follows:

4.10.110. Informational brochures for ballot propositions.

- A. 21 days prior to each regular or special election the [BOROUGH]clerk shall prepare [AND MAIL TO EVERY BOROUGH BOXHOLDER] a brochure containing information approved by the assembly of a strictly factual nature pertaining to each proposition on the ballot to be included in the ballot package. The clerk shall prepare instructions explaining to voters how to mark ballots, and how to obtain new ballots to replace those destroyed or spoiled, and how to return the ballots.[, EXCEPT AS PROVIDED BELOW IN THIS SECTION.]
- [B. NOTWITHSTANDING KPB 4.10.100, STATEMENTS ADVOCATING VOTER APPROVAL OR REJECTION OF PROPOSITIONS SHALL BE INCLUDED IN THE INFORMATIONAL BROCHURE IN ACCORDANCE WITH THIS SUBSECTION.

1. THE CLERK SHALL PROVIDE THE OPPORTUNITY FOR STATEMENTS ADVOCATING VOTER APPROVAL AND REJECTION OF PROPOSITIONS IN THE ELECTION PAMPHLET. THE CLERK SHALL OFFER AUTHORSHIP OF THE STATEMENT ADVOCATING VOTER APPROVAL OR REJECTION BY APPLYING THE FOLLOWING CRITERIA:
 - A) THE CLERK SHALL OFFER AUTHORSHIP OF THE STATEMENT ADVOCATING VOTER APPROVAL OF A PROPOSITION TO THE PRIME SPONSOR OF THE INITIATIVE, REFERENDUM, OR RECALL PETITION THAT SUCCESSFULLY FILED THE BALLOT PROPOSITION;
 - B) THE CLERK SHALL OFFER AUTHORSHIP OF THE STATEMENT ADVOCATING VOTER APPROVAL OF A PROPOSITION THAT HAS BEEN PLACED ON THE BALLOT THROUGH AN ASSEMBLY CRAFTED ORDINANCE OR RESOLUTION, AND NOT THROUGH THE INITIATIVE, REFERENDUM, OR RECALL PETITION PROCESS, TO AN INDIVIDUAL OR ORGANIZATION WITH A STATED INTEREST IN APPROVAL OF THE PROPOSITION;
 - C) THE CLERK SHALL OFFER AUTHORSHIP OF THE STATEMENT ADVOCATING VOTER REJECTION TO AN INDIVIDUAL OR ORGANIZATION WITH A STATED INTEREST IN REJECTION OF THE PROPOSITION.
2. THE CLERK SHALL ESTABLISH A DEADLINE FOR THE SUBMISSION OF A STATEMENT UNDER THIS SECTION. A STATEMENT ADVOCATING VOTER APPROVAL OR REJECTION MUST BE RECEIVED BY THE CLERK BY THE ESTABLISHED DEADLINE DATE.
3. A STATEMENT SUBMITTED UNDER THIS SECTION MAY NOT EXCEED 500 WORDS.
4. A STATEMENT SUBMITTED UNDER THIS SECTION MUST INCLUDE A SIGNER'S BLOC LOCATED AT THE BOTTOM OF THE STATEMENT. THE SIGNER'S BLOC MUST INCLUDE NO MORE THAN THREE SIGNERS. ANY SIGNERS MORE THAN THE ALLOTTED THREE WILL BE CONSIDERED

ENDORSEMENTS AND COUNTED AGAINST THE 500-WORD LIMIT. SIGNERS MUST INCLUDE THEIR FULL NAMES AND ORGANIZATIONS, IF ANY.

5. SIGNERS SHALL SIGN A FORM PREPARED BY THE CLERK INDICATING THAT THE SIGNERS PARTICIPATED IN THE DRAFTING OF THE STATEMENT.
6. THE CLERK SHALL ACCEPT STATEMENTS MEETING THE REQUIREMENTS OF KPB 4.10.110(B) AND WILL NOT RELEASE STATEMENTS SUBMITTED UNTIL THE DAY FOLLOWING THE DEADLINE DATE FOR SUBMITTAL.
7. THE CLERK MAY APPOINT A COORDINATOR FOR THE DRAFTING OF THE STATEMENTS UNDER THIS SECTION.
8. STATEMENTS ACCEPTED BY THE CLERK ADVOCATING EITHER VOTER APPROVAL OR REJECTION SHALL BE PUBLISHED. IF ONLY ONE STATEMENT IS RECEIVED BEFORE THE CLERK'S DEADLINE THEN IT SHALL BE PUBLISHED.
9. THE CLERK WILL ADD A DISCLAIMER TO EACH INITIATIVE, REFERENDUM OR RECALL NOTING THE TEXT OF THE BALLOT PROPOSITION IS PRESENTED AS SUBMITTED BY THE PETITION SPONSORS. THE CLERK WILL ADD A DISCLAIMER TO EACH STATEMENT NOTING THE INFORMATION IS THE OPINION OF THE AUTHOR(S) AND HAS BEEN REPRODUCED AS SUBMITTED, WITHOUT ANY CHANGES TO GRAMMAR, SPELLING OR PUNCTUATION.
10. THE ASSEMBLY SHALL PROVIDE THE CORRESPONDING FINANCIAL DATA REVEALING THE GROSS REVENUE STREAM AFFECTED BY AND RELEVANT TO ANY ESTIMATE OF REVENUE LOSS OR FINANCIAL DATA COST IN ALL OF ITS PROPOSITION SUMMARIES.
11. THE PRESENTATION ORDER FOR EACH PROPOSITION SHALL BE:
 - A) TEXT OF THE BALLOT PROPOSITION OR SAMPLE BALLOT;
 - B) PROPOSITION SUMMARY APPROVED BY THE ASSEMBLY OF A STRICTLY FACTUAL NATURE;

- C) A STATEMENT ADVOCATING VOTER APPROVAL;
- D) A STATEMENT ADVOCATING VOTER REJECTION.]

SECTION 5. That KPB 4.10.120 is hereby amended as follows:

4.10.120. Election supplies and equipment.

- [A. BEFORE THE OPENING OF THE POLLS THE CLERK SHALL FURNISH TO THE ELECTION BOARD OF EACH PRECINCT THE STATE VOTER REGISTRATION LIST FOR THAT PRECINCT AND SHALL EQUIP AND SUPPLY EACH POLLING PLACE WITH SUFFICIENT MATERIALS FOR THAT PRECINCT'S ELECTION, INCLUDING THOSE MATERIALS REQUIRED BY THIS SECTION.
- B. THE CLERK SHALL PREPARE INSTRUCTIONS EXPLAINING TO VOTERS HOW TO OBTAIN BALLOTS, HOW TO MARK THEM, AND HOW TO OBTAIN NEW BALLOTS TO REPLACE THOSE DESTROYED OR SPOILED. THESE INSTRUCTIONS SHALL BE PRINTED ON CARDS IN LARGE, CLEAR TYPE AND SHALL BE DISTRIBUTED TO THE ELECTION BOARDS TO BE PROMINENTLY DISPLAYED IN EACH POLLING PLACE. THE CLERK SHALL PROVIDE BOOTHS AT EACH POLLING PLACE WITH APPROPRIATE SUPPLIES AND CONVENIENCES TO ENABLE EACH VOTER TO MARK HIS BALLOT SCREENED FROM OBSERVATION. BALLOT BOXES SHALL BE PLACED OUTSIDE THE VOTING BOOTHS IN PLAIN VIEW OF THE ELECTION OFFICIALS, VOTERS AND OTHER PERSONS AT THE POLLING PLACE.
- C.] The clerk may contract for the provision of specialized election materials and supplies without obtaining competitive bids. These specialized materials and supplies shall include, but not be limited to, the official borough voter pamphlet, election envelopes for absentee and questioned voting, election signs, election software, computer equipment and voting booths

SECTION 6. That KPB 4.10.130 is hereby amended as follows:

4.10.130. Election expenses.

- A. The borough shall pay all necessary expenses relating to the conduct of each borough election except as provided below for service area special elections. Special elections held at the request of a service area and for the primary benefit of the residents of that service area shall be paid for by the service area requesting the special election. Necessary expenses shall

include those associated with conducting the election. [SECURING POLLING PLACES, AND SHALL PROVIDE BALLOT BOXES, BALLOTS, VOTING BOOTHS OR SCREENS, NATIONAL FLAGS, AND OTHER SUPPLIES AND ANY WAGES TO ELECTION OFFICIALS UNLESS OTHERWISE PROVIDED BY THIS CODE]

- B. The borough or the service area as applicable shall pay each election board member and canvass board member an hourly rate for time spent at his election duties, including the receiving of instructions and posting of notices. The election supervisor shall set the hourly compensation to be paid for time spent by election officials at a rate comparable to that paid by the state for state elections. The clerk shall retain a record for auditing and payment of election expenses, including the cost of giving notice, renting [POLLING PLACES] vote centers, paying election officials, securing ballot [BOXES] receiving sites, booths and other election necessities.

SECTION 7. That KPB 4.10.140 is hereby amended as follows:

4.10.140. Preservation of election ballots, papers and materials.

The clerk shall preserve all precinct election certificates, tallies, and registers, receipts for ballots, all voted ballots and declarations of candidacy filed [FOR ONE YEAR AFTER THE ELECTION] for one month after the election is certified, unless the election is contested. If the election is contested these records shall be preserved for one month after the election contest is resolved and the election is certified. These materials may be destroyed after their retention period has lapsed unless their destruction is stayed by an order of the court. Certificates of the canvass board are to be preserved as permanent records.

SECTION 8. That KPB 4.20.010 is hereby amended as follows:

4.20.010. Voter qualifications.

- A. A person is qualified to vote in borough-wide elections who:
1. is a citizen of the United States;
 2. [HAS PASSED HIS] is at least 18 years old [BIRTHDAY OR IS SUCH OTHER AGE AS PRESCRIBED BY LAW FOR VOTING IN STATE ELECTIONS];
 3. has been a resident of the borough and the precinct in which the voter is qualified to vote [HE VOTES] as provided by the state election code and this chapter;
 4. is registered to vote as required by the state election code in state elections at least 30 days before any election;

5. is registered to vote in state elections at a residence address within the borough at least 30 days before the borough election at which the person seeks to vote.
- B. A person [IS QUALIFIED TO VOTE IN ASSEMBLY ELECTIONS IF HE] that meets the requirements of Section 4.20.010(A) and has been a resident of the assembly district in which [he] the individual seeks to vote for at least 30 days immediately preceding the election is qualified to vote in assembly elections.
 - C. A person [IS QUALIFIED TO VOTE IN A SERVICE AREA ELECTION IF HE] that meets the requirements of Section 4.20.010(A) and has [IN ADDITION] been a resident of the service area in which [HE] the individual seeks to vote for at least 30 days immediately preceding the election is qualified to vote in a service are election.

SECTION 9. That KPB 4.20.020 is hereby amended as follows:

4.20.020. Rules for determining residence of voter.

For the purpose of determining residence for voting, the place of residence is governed by the following rules:

- A. The residence of a person is that place in which habitation is fixed, and to which, whenever [HE IS] absent [, HE HAS] the person has an intention to return. If a person resides in one place but does business in another, the former is the person's place of residence. Temporary camps do not constitute a dwelling place.
- B. A change of residence is made only by the act of removal joined with the intent to remain in another place. There can only be one residence.
- C. A person does not gain or lose [HIS] residence solely by reason of [HIS]presence while employed in the service of the United States or of this state, or while a student of an institution or asylum at public expense, or while confined in a public prison or while residing upon an Indian or military reservation, or while residing at the Alaska Pioneers Home.
- D. No member of the armed forces of the United States, [HIS]or that individual's spouse or [HIS]a dependent, is a resident of this state solely by reason of being stationed in the state.
- E. A person does not lose [HIS]residence for purposes of this section if the individual travels [IF HE LEAVES HIS HOME AND GOES] to another country, state, or place within this state for temporary purposes only. [AND WITH THE INTENTION OF RETURNING.]

- F. A person does not gain [A] residence [IN A PLACE TO WHICH HE COMES] without a present intent to establish a permanent dwelling there.
- G. A person [LOSES HIS RESIDENCE IN THIS STATE IF HE] who votes in an election held in another state loses residence in this state, unless upon return that person reestablishes residence in this state[, AND HAS NOT UPON HIS RETURN REGAINED HIS RESIDENCE IN THIS STATE] under the provisions of this chapter and state law.
- H. The term of residence is computed by including the day on which the person's residence commences and by excluding the day of the election.

SECTION 10. That KPB 4.20.030 is hereby amended as follows:

4.20.030. Registration.

- [A.] [NO PERSON MAY VOTE IN AN ELECTION UNLESS HE IS]Only a qualified voter under the Alaska State Constitution and laws of Alaska, [AND H]as prescribed by this chapter, who [AND] has registered as required by the state election code and KPB 4.20.010 may vote in an election.
- [B.] THE PRECINCT ELECTION OFFICIALS AT ANY ELECTION SHALL ALLOW A PERSON TO VOTE WHOSE NAME IS ON THE OFFICIAL REGISTRATION LIST FOR THAT PRECINCT AND WHO IS QUALIFIED UNDER THIS CHAPTER AND AS 15.05. A PERSON WHOSE NAME IS NOT ON THE OFFICIAL REGISTRATION LIST SHALL BE ALLOWED TO VOTE A QUESTIONED BALLOT.]

SECTION 11. That KPB 4.30.030 is hereby amended as follows:

4.30.030. Public official financial disclosure statements.

- A. Candidates for elective borough office [AND DECLARED WRITE-IN CANDIDATES] shall file a public official financial disclosure statement with the [BOROUGH]clerk as required by the provisions of AS 39.50 at the time of filing a declaration of candidacy. The name of the candidate shall be placed on the ballot by the [BOROUGH]clerk only after the candidate has complied with this requirement. This subsection does not apply to candidates for service area boards. Declared write-in candidates shall file a public official financial disclosure statement with the [BOROUGH] clerk as required by the provisions of AS 39.50 at the time of filing a declaration of candidacy.

- B. Each candidate also shall file the name and address of the campaign treasurer with the Alaska Public Offices Commission no later than 7 days after the date of filing for office. The name of the candidate shall be placed on the ballot by the [BOROUGH]clerk only after the candidate has complied with this requirement.

SECTION 12. That KPB 4.40.020 is hereby amended as follows:

4.40.020. Preparation and distribution.

- A. The clerk shall obtain the printing of all ballots for borough elections. The clerk shall possess the printed ballots at least [15]21 days before each regular election and at least 15[0] days before each special and run-off election. At that time, the ballots may be inspected by any candidate whose name is on the ballot, or by his authorized agent, and any discovered mistake shall be corrected immediately.
- B. The clerk may contract for the preparation and printing of the ballots without obtaining competitive bids.
- [C. THE CLERK SHALL ARRANGE FOR DELIVERY OF BALLOTS TO EACH ELECTION BOARD PRIOR TO OR ON THE DATE OF THE ELECTION BEFORE THE OPENING OF THE POLLS. THE BALLOTS SHALL BE DELIVERED IN SEPARATE CONTAINERS, WITH THE NUMBER OF BALLOTS ENCLOSED IN EACH CONTAINER CLEARLY MARKED ON THE OUTSIDE OF IT. A RECEIPT FOR EACH PACKAGE SHALL BE TAKEN FROM THE ELECTION BOARD TO WHICH IT IS DELIVERED.]

SECTION 13. That KPB 4.40.030 is hereby amended as follows:

4.40.030. Sample ballots

The clerk shall obtain the printing of sample ballots. Sample ballots shall be clearly labeled "Sample Ballot." [SAMPLE BALLOTS SHALL BE DELIVERED TO THE ELECTION BOARD IN EACH PRECINCT.] Sample ballots shall be made available at vote centers.

SECTION 14. That KPB 4.50 is hereby amended as follows:

CHAPTER 4.50. [OPERATION OF POLLS] ELECTIONS BY MAIL

4.50.010. Election officials.

- A. Before each election, the clerk, subject to approval by the assembly, shall appoint election officials. [AT LEAST 3 JUDGES IN EACH PRECINCT. THE CLERK SHALL DESIGNATE ONE ELECTION JUDGE FROM EACH PRECINCT AS THE CHAIRMAN, WHO SHALL BE PRIMARILY RESPONSIBLE FOR ADMINISTERING THE ELECTION IN THAT PRECINCT.]
- [B. THE BOROUGH CLERK MAY APPOINT CLERKS AND COUNTERS AT ANY POLLING PLACE WHERE THEY ARE NEEDED TO CONDUCT AN ORDERLY ELECTION AND TO RELIEVE THE ELECTION JUDGES OF UNDUE HARDSHIP.]
- B[C]. If any appointed election official is not able or refuses to serve [ON ELECTION DAY], the clerk may appoint a replacement for that official.
- [D. EACH ELECTION OFFICIAL SERVING AT A PRECINCT POLLING PLACE MUST BE A QUALIFIED VOTER AND, IF POSSIBLE, A RESIDENT WITHIN THE PRECINCT FOR WHICH HE IS APPOINTED.]
- C[E]. All election [JUDGES, CLERKS AND COUNTERS] officials before entering upon their duties must subscribe to the oath required of all public officers by the Constitution of the State of Alaska in the manner prescribed by the clerk.
- D[F]. Candidates shall not serve as election officials. Certain familial relationships may not exist between a candidate and [A PRECINCT ELECTION JUDGE]an election official[ELECTION CLERK, OR MEMBER OF A BALLOT COUNTING TEAM]in regular, run-off or special elections. Those familial relationships are:
1. Mother, mother-in-law, stepmother;
 2. Father, father-in-law, stepfather;
 3. Sister, sister-in-law, stepsister;
 4. Brother, brother-in-law, stepbrother;
 5. Spouse; or
 6. Person sharing the same living quarters.

E[G]. If the [ELECTION SUPERVISOR] clerk knows or learns that any of these relationships exist, the [PRECINCT ELECTION JUDGE, ELECTION CLERK, OR MEMBER OF THE BALLOT COUNTING TEAM] election official shall be notified and replaced.

4.50.015. [ABSENTEE B] By-mail precincts.

A. All Precincts within the Kenai Peninsula Borough shall be designated as [WHERE THE VOTER TURNOUT WAS LESS THAN 200 VOTERS AT THE LAST REGULAR ELECTION MAY BE DESIGNATED AS "ABSENTEE] "by-mail" precincts [BY RESOLUTION OF THE ASSEMBLY. IN THOSE PRECINCTS, NO ELECTION WORKERS SHALL BE APPOINTED]. The procedures [OUTLINED IN CHAPTER 4.120 SHALL BE FOLLOWED WITH THE FOLLOWING EXCEPTIONS] shall be as follows:

1. that ballots shall be sent to each registered voter in the precinct on or before the [15th]21st day prior to the regular election and 15th day prior to a run-off election; and
2. that voted ballots must be postmarked on or before midnight of election day and received by the clerk no later than the Tuesday following the election.

B. Voters wishing to vote [ABSENTEE] in person may do so at any designated [ABSENTEE VOTING SITE] vote center.

[C. ANY PRECINCT DESIGNATED AS AN "ABSENTEE BY-MAIL" PRECINCT IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION A, ABOVE, WILL REMAIN AN "ABSENTEE BY-MAIL" PRECINCT UNTIL SUCH TIME AS THE "ABSENTEE BY-MAIL" STATUS IS REMOVED BY RESOLUTION OF THE ASSEMBLY.]

[4.50.020. OPENING OF POLLING PLACE.

A. ON THE DAY OF THE ELECTION, EACH ELECTION BOARD SHALL OPEN THE POLLS FOR VOTING AT 7:00 A.M., SHALL CLOSE THE POLLS FOR VOTING AT 8:00 P.M., AND SHALL KEEP THE POLLS CONTINUOUSLY OPEN DURING THE TIME BETWEEN THOSE HOURS. THE ELECTION BOARD SHALL REPORT TO THE POLLING PLACE BY 6:30 A.M. SO THAT VOTING WILL START PROMPTLY AT 7:00 A.M. THE CHAIRMAN OF THE ELECTION BOARD SHALL ROTATE TIMES AT WHICH ELECTION JUDGES,

BOARD MEMBERS, AND CLERKS MAY BE RELIEVED FOR BREAKS OR MEALS; PROVIDED, HOWEVER, THAT AT ALL TIMES AT LEAST 2 JUDGES FROM THE ELECTION BOARD ARE PRESENT AT THE POLLING PLACE.

- B. BEFORE ISSUING ANY BALLOTS, THE ELECTION BOARD MUST, IN THE PRESENCE OF ANY PERSONS ASSEMBLED AT THE POLLING PLACE, OPEN AND EXHIBIT THE BALLOT BOX TO BE USED AT THE POLLING PLACE. THE BALLOT BOX THEN SHALL BE CLOSED AND SHALL NOT BE OPENED AGAIN OR REMOVED FROM THE POLLING PLACE UNTIL THE POLLS HAVE CLOSED.]

4.50.025. Procedures for conducting elections by mail.

- A. The clerk shall mail by non-forwardable mail an official ballot package with a return identification envelope addressed to the Clerk's Office and a secrecy sleeve. The ballot, return envelope, and secrecy envelope shall be mailed no later than the 21st day before the date of a regular or special election and no later than the 15th day before the date of a runoff election. The ballot shall be sent to the address stated on the official registration list unless
1. the voter has notified the clerk in writing of a different address to which the ballot should be sent; or
 2. the address on the official registration list has been identified as being an undeliverable (UN) address or is in the condition of purge notice (PN).
- B. On receipt of any ballot described in this section, the voter shall mark the ballot, sign the return identification envelope supplied with the ballot, and comply with the instructions provided with the ballot. The voter may return the marked ballot to the Clerk's Office by return mail or by depositing the ballot at any place of deposit designated by the clerk. The ballot must be returned in the identified envelope. A ballot must be received by the clerk or at a place of deposit designated by the clerk, not later than the end of the period determined under regulations established by the clerk.

[4.50.030. VOTER REGISTRATION.

THE JUDGES SHALL KEEP AN ORIGINAL REGISTER OR REGISTERS IN WHICH EACH VOTER BEFORE RECEIVING HIS BALLOT SHALL SIGN HIS NAME AND GIVE BOTH HIS RESIDENCE AND MAILING ADDRESS. A RECORD SHALL BE KEPT IN THE REGISTRATION BOOK, IN A SPACE PROVIDED, OF THE NAMES OF PERSONS WHO OFFER TO VOTE BUT WHO ACTUALLY DO NOT VOTE, AND A BRIEF STATEMENT OF

EXPLANATION. THE SIGNING OF THE REGISTER CONSTITUTES A DECLARATION BY THE VOTER THAT HE IS QUALIFIED TO VOTE. IF ANY ELECTION OFFICIAL PRESENT BELIEVES THE VOTER IS NOT QUALIFIED, HE MAY QUESTION THE VOTE IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE.]

[4.50.040. VOTER IDENTIFICATION AT POLLS.

- A. BEFORE BEING ALLOWED TO VOTE, EACH VOTER SHALL EXHIBIT TO AN ELECTION OFFICIAL ONE FORM OF IDENTIFICATION, INCLUDING BUT NOT LIMITED TO AN OFFICIAL VOTER REGISTRATION CARD, DRIVER'S LICENSE, PASSPORT, OR HUNTING OR FISHING LICENSE.
- B. AN ELECTION OFFICIAL MAY WAIVE THE IDENTIFICATION REQUIREMENT IF THE ELECTION OFFICIAL KNOWS THE IDENTITY OF THE VOTER.
- C. A VOTER WHO CANNOT EXHIBIT A SATISFACTORY FORM OF IDENTIFICATION SHALL BE ALLOWED TO VOTE A QUESTIONED BALLOT.]

[4.50.050. PERSONS NOT ON OFFICIAL REGISTRATION LIST.

IF A PERSON'S NAME DOES NOT APPEAR ON THE OFFICIAL REGISTRATION LIST IN THE PRECINCT IN WHICH THE PERSON SEEKS TO VOTE, THE PERSON MAY VOTE A QUESTIONED BALLOT.]

[4.50.060. PROVIDING BALLOT TO VOTER.

WHEN A VOTER HAS QUALIFIED TO VOTE, THE ELECTION OFFICIAL SHALL GIVE THE VOTER AN OFFICIAL BALLOT. THE VOTER SHALL RETIRE TO A BOOTH OR PRIVATE PLACE TO MARK THE BALLOT.]

[4.50.070. ASSISTING VOTER.

A QUALIFIED VOTER WHO CANNOT READ, MARK THE BALLOT, OR SIGN HIS NAME MAY REQUEST AN ELECTION OFFICIAL OR NOT MORE THAN TWO PERSONS OF HIS CHOICE TO ASSIST HIM. IF THE ELECTION OFFICIAL IS REQUESTED, HE SHALL ASSIST THE VOTER. IF ANY OTHER PERSON IS REQUESTED, THE PERSON SHALL STATE UPON OATH BEFORE THE ELECTION OFFICIAL THAT HE WILL NOT DIVULGE THE VOTE CAST BY THE PERSON WHOM HE ASSISTS.]

[4.50.080. SPOILED BALLOTS.

THE ELECTION SUPERVISOR SHALL SPECIFY UNIFORM PROCEDURES

FOR REPLACEMENT, REGISTRATION AND DISPOSITION OF SPOILED BALLOTS. THESE UNIFORM PROCEDURES SHALL BE PROVIDED IN WRITING TO THE ELECTION JUDGES.]

[4.50.090. PLACING BALLOT IN BALLOT BOX.

WHEN THE VOTER HAS MARKED THE BALLOT, THE VOTER SHALL INFORM THE ELECTION OFFICIAL. THE CLERK MAY REQUIRE THAT THE VOTER RETURN THE BALLOT TO THE ELECTION OFFICIAL TEMPORARILY SO THAT ANY STUB WHICH MAY BE PART OF THE BALLOT MAY BE REMOVED BY THE ELECTION OFFICIAL. ANY SUCH REQUIREMENT SHALL PROTECT THE SECRECY OF THE BALLOT. IN ALL CASES THE BALLOT SHALL BE DEPOSITED IN THE BALLOT BOX BY THE VOTER IN THE PRESENCE OF THE ELECTION OFFICIAL UNLESS THE VOTER REQUESTS THE ELECTION OFFICIAL TO DEPOSIT THE BALLOT.]

[4.50.100. QUESTIONING PROCEDURE.

- A. IF THE POLLING PLACE OF A VOTER IS IN QUESTION, THE VOTER SHALL VOTE A QUESTIONED BALLOT AFTER COMPLYING WITH SUBSECTION C.
- B. EVERY ELECTION OFFICIAL AND ELECTION JUDGE SHALL QUESTION, AND EVERY WATCHER AND ANY OTHER PERSON QUALIFIED TO VOTE IN THE PRECINCT, OR QUALIFIED TO VOTE IN THE PARTICULAR ELECTION INVOLVING LESS THAN AN ENTIRE PRECINCT IN THE CASE OF SERVICE AREAS, MAY QUESTION A PERSON ATTEMPTING TO VOTE IF THE QUESTIONER HAS GOOD REASON TO SUSPECT THAT THE QUESTIONED PERSON IS NOT QUALIFIED TO VOTE IN THE ELECTION. ALL QUESTIONS REGARDING A PERSON'S QUALIFICATIONS TO VOTE SHALL BE MADE IN WRITING, SETTING OUT THE REASON THAT THE PERSON HAS BEEN QUESTIONED.
- C. THE QUESTIONED PERSON, BEFORE VOTING, SHALL SUBSCRIBE TO AN OATH OR AFFIRMATION ON A FORM PROVIDED BY THE ELECTION OFFICIAL ATTESTING TO THE FACT THAT IN EACH PARTICULAR THE PERSON MEETS ALL THE QUALIFICATIONS OF A VOTER, IS NOT DISQUALIFIED, AND HAS NOT VOTED AT THE SAME ELECTION. IF THE QUESTION IS TO RESIDENCE WITHIN THE PRECINCT OR VOTING AREA, THE PERSON SHALL ALSO STATE THE PLACE FROM WHICH THAT PERSON CAME IMMEDIATELY BEFORE LIVING IN THE PRECINCT WHERE OFFERING TO VOTE AND THE LENGTH OF

TIME OF RESIDENCE IN THE FORMER PLACE. AFTER THE QUESTIONED PERSON HAS EXECUTED THE OATH OR AFFIRMATION, THE PERSON MAY VOTE. IF THE QUESTIONED PERSON REFUSES TO EXECUTE THE OATH OR AFFIRMATION, THE PERSON SHALL NOT VOTE.

- D. A VOTER WHO CASTS A QUESTIONED BALLOT SHALL VOTE HIS BALLOT IN THE SAME MANNER AS PRESCRIBED FOR OTHER VOTERS. AFTER THE ELECTION OFFICIAL OR JUDGE REMOVES THE NUMBERED STUB FROM THE BALLOT, THE VOTER SHALL INSERT THE BALLOT INTO A SMALL ENVELOPE AND PUT THE SMALL ENVELOPE INTO A LARGER ENVELOPE ON WHICH THE STATEMENT HE PREVIOUSLY SIGNED IS LOCATED. THESE LARGER ENVELOPES SHALL BE SEALED AND DEPOSITED IN THE BALLOT BOX. WHEN THE BALLOT BOX IS OPENED, THESE ENVELOPES SHALL BE SEGREGATED, COUNTED, COMPARED TO THE VOTING LIST, AND DELIVERED TO THE ELECTION CANVASSING BOARD. THE ELECTION CANVASSING BOARD SHALL REVIEW AND JUDGE THE APPLICABILITY OF QUESTIONED BALLOTS IN ACCORDANCE WITH SECTIONS 4.90.020 AND 4.90.030.]

[4.50.110. CLOSING OF THE POLLS.

- A. FIFTEEN MINUTES BEFORE THE CLOSING OF THE POLLS, AND AT THE TIME OF CLOSING THE POLLS, AN ELECTION OFFICIAL SHALL ANNOUNCE BOTH THE DESIGNATED CLOSING TIME AND THE ACTUAL TIME AT WHICH THE ANNOUNCEMENT IS MADE. FAILURE TO MAKE THE ANNOUNCEMENT AT 15 MINUTES BEFORE CLOSING TIME SHALL NOT IN ANY WAY INVALIDATE THE ELECTION OR EXTEND THE TIME FOR CLOSING OF THE POLLS. AFTER CLOSING, NO PERSON WILL BE ALLOWED TO ENTER THE POLLING PLACE FOR PURPOSES OF VOTING. EVERY QUALIFIED VOTER PRESENT AND IN LINE AT THE TIME PRESCRIBED FOR CLOSING THE POLLS MAY VOTE.
- B. WHEN THE POLLS ARE CLOSED AND THE LAST VOTE HAS BEEN CAST, THE ELECTION BOARD SHALL ACCOUNT FOR ALL BALLOTS BY COMPLETING A BALLOT STATEMENT CONTAINING, IN A MANNER PRESCRIBED BY THE CLERK, THE NUMBER OF OFFICIAL BALLOTS SUPPLIED.
- C. THE ELECTION BOARD SHALL COUNT THE NUMBER OF QUESTIONED BALLOTS AND SHALL COMPARE THAT NUMBER TO THE NUMBER OF QUESTIONED VOTERS IN THE REGISTER. DISCREPANCIES SHALL BE NOTED ON THE BALLOT

STATEMENT.]

[4.50.120. VOTERS IN LINE WHEN POLLS CLOSE.

EVERY QUALIFIED VOTER PRESENT AND IN LINE AT THE TIME PRESCRIBED FOR CLOSING THE POLLS MAY VOTE.]

[4.50.130. PROHIBITIONS.

- A. DURING THE HOURS THAT THE POLLS ARE OPEN, NO ELECTION OFFICIAL MAY DISCUSS ANY POLITICAL PARTY, CANDIDATE OR ISSUE WHILE ON DUTY.
- B. DURING THE HOURS THE POLLS ARE OPEN, NO PERSON WHO IS IN THE POLLING PLACE OR WITHIN 200 FEET OF ANY ENTRANCE TO THE POLLING PLACE MAY ATTEMPT TO PERSUADE A PERSON TO VOTE FOR OR AGAINST A CANDIDATE, PROPOSITION OR QUESTION. NOR MAY ANY PERSON CONDUCT OTHER POLITICAL ACTIVITIES THAT MAY PERTAIN TO ANY FUTURE ELECTION OR POTENTIAL BALLOT PROPOSITION. FOR THE PURPOSES OF THIS SECTION, THE ENTRANCE TO A POLLING PLACE THAT IS IN A SCHOOL IS THE ENTRANCE TO THE SCHOOL BUILDING. THE ELECTION BOARD SHALL POST WARNING NOTICES IN THE FORM AND MANNER PRESCRIBED BY THE CLERK.
- C. NO VOTER MAY EXHIBIT A BALLOT TO AN ELECTION OFFICIAL OR ANY OTHER PERSON SO AS TO ENABLE ANY PERSON TO ASCERTAIN HOW THE VOTER MARKED THE BALLOT, EXCEPT AS PROVIDED IN SECTION 4.50.070.
- D. WHILE THE POLLS ARE OPEN NO ELECTION OFFICIAL MAY OPEN ANY BALLOT RECEIVED FROM A VOTER, MARK A BALLOT BY FOLDING OR OTHERWISE SO AS TO BE ABLE TO RECOGNIZE IT, OR OTHERWISE ATTEMPT TO LEARN HOW A VOTER MARKED A BALLOT, OR ALLOW THE SAME TO BE DONE BY ANOTHER PERSON.
- E. RESERVED.
- F. NO PERSON MAY LEAVE THE POLLING PLACE WITH THE OFFICIAL BALLOT THAT THE PERSON RECEIVED TO MARK.]

[4.50.140. UNUSED BALLOTS.

THE NUMBERS OF ALL BALLOTS NOT ISSUED SHALL BE RECORDED

AND THEN ALL SUCH BALLOTS SHALL BE DISPOSED OF AS INSTRUCTED BY THE CLERK BEFORE THE BALLOT BOX IS OPENED. THE NUMBERS OF BALLOTS DAMAGED BY VOTERS AND REPLACED BY ELECTION OFFICIALS SHALL ALSO BE RECORDED. THE RECORD OF BALLOTS NOT ISSUED AND BALLOTS DAMAGED AND REPLACED SHALL BE PRESERVED FOR 60 DAYS UNLESS THE ELECTION IS CONTESTED.]

SECTION 15. That KPB 4.70.020, .030, 040 .070 are hereby amended and KPB 4.70.100 is hereby deleted as follows:

4.70. BALLOT COUNTING PROCEDURES

4.70.020. Commencement of ballot count.

- [A. FOR COUNTING OF PAPER BALLOTS, WHEN THE POLLS ARE CLOSED AND THE LAST VOTE HAS BEEN CAST, THE ELECTION BOARD SHALL IMMEDIATELY PROCEED TO OPEN THE BALLOT BOX, SEPARATE THE QUESTIONED BALLOT ENVELOPES FROM OTHER BALLOTS AND THEN PROCEED TO COUNT THE VOTES CAST. IN ALL CASES THE ELECTION BOARD SHALL CAUSE THE COUNT TO BE CONTINUED WITHOUT ADJOURNMENT UNTIL THE COUNT IS COMPLETE. THE CLERK MAY AUTHORIZE THE APPOINTMENT OF COUNTERS TO ASSIST IN THE COUNTING OF BALLOTS. BEFORE UNDERTAKING THE DUTIES OF THE OFFICE, EACH COUNTER SHALL SUBSCRIBE TO AN OATH TO HONESTLY, FAITHFULLY, IMPARTIALLY AND PROMPTLY CARRY OUT THE DUTIES OF THE POSITION. AN ELECTION JUDGE MAY ADMINISTER THE OATH. IF AN APPOINTED COUNTER FAILS TO APPEAR AND SUBSCRIBE TO THE OATH AT THE TIME DESIGNATED BY THE CLERK, THE ELECTION BOARD MAY APPOINT ANY QUALIFIED VOTER TO FILL THE VACANCY.]
- [B. IN OPTICAL SCAN OR OTHER COMPUTER-READ OR ELECTRONIC BALLOT PRECINCTS, WHEN THE POLLS HAVE CLOSED AND THE LAST VOTE HAS BEEN CAST, THE ELECTION BOARD SHALL IMMEDIATELY TRANSMIT ELECTION RESULTS TO THE CLERK FOLLOWING THE WRITTEN INSTRUCTIONS PROVIDED TO EACH PRECINCT. ONCE THE ELECTION RESULTS HAVE BEEN TRANSMITTED, THE ELECTION BOARD SHALL OPEN THE BALLOT BOX, SEPARATE QUESTIONED AND WRITE-IN BALLOTS FROM OTHER BALLOTS CAST, PLACE ALL BALLOTS IN THE TAMPER PROOF CONTAINERS PROVIDED, AND PROCEED WITH THE BALLOT ACCOUNTABILITY AND POLL CLOSING PROCEDURES PROVIDED BY THE CLERK.

Upon receipt of voted ballot packages the election official will verify that the voter has provides at least one identifier, signed the envelope and that the signature has been witnessed. If the ballot package is complete and valid the package will be sorted by precinct and the ballot and identifying envelope will be separated. The ballot will proceed to be scanned and counted. The unofficial results will not be tallied until the end of the designated election period.

4.70.030. General procedure for ballot count.

- [A.] The election supervisor may issue rules prescribing the manner in which the precinct ballot count is accomplished so as to assure accuracy in the count and to expedite the process. The election board shall account for all ballots by completing a ballot statement containing (1) the number of official ballots received; (2) the number of official ballots voted; (3) the number of official ballots spoiled; (4) the number of official ballots unused and destroyed. [THE BOARD SHALL COUNT THE NUMBER OF QUESTIONED BALLOTS AND SHALL COMPARE THAT NUMBER TO THE NUMBER OF QUESTIONED VOTERS IN THE REGISTER.] Discrepancies shall be noted and the numbers included in the certificate prescribed by the [ELECTION SUPERVISOR] clerk. When hand counting ballots, the election [BOARD] official shall count the ballots in a manner that allows watchers to see the ballots when opened and read. No person handling the ballot after it has been taken from the ballot box and before it is placed in the envelope for mailing may have a marking device in hand or remove a ballot from the immediate vicinity [OF THE POLLS].
- [B. BALLOTS MAY NOT BE COUNTED BEFORE 8:00 P.M., LOCAL TIME, ON THE DAY OF THE ELECTION.]

4.70.040. Rules for counting hand-marked ballots.

- A. The election [BOARD] officials shall count hand-marked ballots according to the following rules:
1. A voter may mark his ballot with a cross mark, "X" mark, diagonal, horizontal or vertical mark, solid mark, star, circle, asterisk, check or plus sign using the marking device provided at the [POLLING PLACE] vote center or with any black-inked marker. The marks will be counted only if they are clearly spaced in the square opposite the name of the candidate the voter desires to designate.
 2. A failure to properly mark a ballot as to one or more candidates does not itself invalidate the entire ballot.

3. If a voter marks fewer names than there are persons to be elected to the office, a vote shall be counted for each candidate properly marked.
 4. If a voter marks more names than there are persons to be elected to the office, the votes for candidates for that office shall not be counted.
 5. The mark specified in subsection 1 of this section shall be counted only if it is substantially inside the square provided, or touching the square so as to indicate clearly that the voter intended the particular square marked.
 6. Improper marks on the ballot shall not be counted and shall not invalidate marks for candidates properly marked.
 7. An erasure or correction invalidates only that section of the ballot in which it appears.
- B. The rules set out in this section are mandatory and there shall be no exceptions to them. A ballot may not be counted unless marked in compliance with these rules.

4.70.070. Tally of votes.

- [A.] Tally of votes cast by paper ballots. The [ELECTION SUPERVISOR] clerk shall issue instructions and shall provide forms and supplies for the tally of votes cast by paper ballot so as to assure accuracy and to expedite the process. The election board shall canvass and count the votes according to the rules for determining marks on ballots prescribed in [SECTION] KPB 4.70.040. The election board shall canvass the ballots in a manner that allows watchers to see the ballots when opened and read. No person handling the ballot after it has been taken from the ballot box and before it is placed in the envelope for delivery to the election supervisor may remove a ballot from the immediate vicinity of the polls or have a marking device in hand.
- [B. [RESERVED.]]

[4.70.100. OTHER BALLOT COUNTING SYSTEMS AUTHORIZED.

NOTHING IN THIS TITLE PROHIBITS THE USE OF OTHER BALLOT COUNTING SYSTEMS WHICH HAVE BEEN APPROVED FOR USE IN STATE ELECTIONS. THE ELECTION SUPERVISOR, SUBJECT TO ANY

FURTHER APPROVAL AS MAY BE REQUIRED BY LAW, MAY PRESCRIBE RULES FOR THE USE OF THESE SYSTEMS OR MAY ADOPT SUCH RULES, REGULATIONS AND PROCEDURES AS HAVE BEEN ADOPTED BY THE STATE FOR USE IN STATE ELECTIONS.]

SECTION 16. That the KPB 4.80 title and sections 4.80.030, .060, .080, .095, are hereby amended, and sections 4.80.120, .130, .140 and .150 are hereby enacted as follows:

4.80. ABSENTEE AND VOTE CENTER VOTING

4.80.030. - Eligibility.

Any qualified voter may vote [AN ABSENTEE BALLOT]at a vote center for the precinct in which [HE] the voter resides and is registered if [HE]the voter was unable to vote by mail whether inside the borough or not. [(1) IF HE BELIEVES HE WILL BE UNAVOIDABLY ABSENT FROM HIS VOTING PRECINCT ON ELECTION DAY, WHETHER INSIDE THE BOROUGH OR NOT, OR (2) IF HE WILL BE UNABLE TO BE PRESENT AT THE POLLS BECAUSE OF PHYSICAL DISABILITY.]

4.80.060. [ABSENTEE]Vote center voting—In person.

- A. A qualified voter may apply in person for an absentee ballot at the office of the [BOROUGH] clerk during regular office hours, or the voter may apply to the nearest city clerk's office or [ABSENTEE VOTING]election official [IN HIS AREA]during regular office hours.
- B. On receipt of an application in person for an absentee ballot and exhibition of proof of identification as required in this title, the [CLERK]election official shall issue the ballot to the applicant.
- C. 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 date [HIS]of the signature. The election official shall then accept the ballot.
- D. 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]the voter 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.

- E. Each [ABSENTEE VOTING]election official shall keep a record of the names and the signatures of voters who cast absentee ballots before [HIM]the election official and the dates on which the ballots were cast.
- F. Fifteen minutes before the closing of the vote center, and at the time of closing the voter center, an election official shall announce both the designated closing time and the actual time at which the announcement is made. Failure to make the announcement at 15 minutes before closing time shall not in any way invalidate the election or extend the time for closing of the voter center. After closing, no person will be allowed to enter the voter center for purposes of voting. Every qualified voter present and in line at the time prescribed for closing the voter center may vote.
- G. When the voter centers are closed and the last vote has been cast, the election official shall account for all ballots by completing a ballot statement containing, in a manner prescribed by the clerk, the number of official ballots supplied.

4.80.080. Absentee voting—By electronic transmission.

...

- B. A ballot electronically transmitted shall contain a copy of the ballot to be used at the election in a form suitable for transmission. A photocopy of the computerized ballot card to be used by persons voting in person at the [POLLING PLACES] vote center is acceptable.

...

- E. A voter who returns the absentee ballot by electronic transmission must comply with the same deadlines as for voting in person on or before the closing hour of the [polls] vote centers.

...

4.80.095. Special needs voting.

A qualified voter with a disability who, because of that disability, is unable to go to [a polling place] a voter center to vote may vote a special needs ballot. Special needs ballots shall be issued and accounted for in accordance with the rules adopted by the state for use in state elections and in effect at the time of the local election.

4.80.120. Prohibitions.

- A. During the hours that the vote centers are open, no election official may discuss any political party, candidate or issue while on duty.

- B. During the hours the vote centers are open, no person who is in the voter center or within 200 feet of any entrance to the voter center may attempt to persuade a person to vote for or against a candidate, proposition or question. Nor may any person conduct other political activities that may pertain to any future election or potential ballot proposition. The election official shall post warning notices in the form and manner prescribed by the clerk.
- C. No voter may exhibit a ballot to an election official or any other person so as to enable any person to ascertain how the voter marked the ballot, except as provided in this chapter.
- D. While the vote centers are open no election official may open any ballot received from a voter, mark a ballot by folding or otherwise so as to be able to recognize it, or otherwise attempt to learn how a voter marked a ballot, or allow the same to be done by another person.
- E. No person may leave the voter center with the official ballot that the person received to mark.

4.80.130. Assisting voter.

A qualified voter who cannot read, mark the ballot, or provide a signature may request assistance from an election official or not more than two persons of the voter's choice. If the election official is requested, the official shall assist the voter. If any other person is requested, the person providing assistance shall state upon oath before the election official that the voter's ballot will be kept confidential.

4.80.140. Spoiled ballots.

The election supervisor shall specify uniform procedures for replacement, registration and disposition of spoiled ballots. These uniform procedures shall be provided in writing to the election judges.

4.80.150. Placing ballot in ballot box.

When the voter has marked the ballot, the voter shall inform the election official. The clerk may require that the voter return the ballot to the election official temporarily so that any stub which may be part of the ballot may be removed by the election official. Any such requirement shall protect the secrecy of the ballot. In all cases the ballot shall be deposited in the ballot box by the voter in the presence of the election official unless the voter requests the election official to deposit the ballot.

SECTION 17. That a new section KPB 4.90.015 is hereby enacted as follows:

4.90.015. Preparation for counting ballots delivered by mail.

- A. Ballots may not be counted before 8:00 p.m., local time, on the day of the election.
- B. Not sooner than the tenth day before the date of an election, in preparation for counting ballots delivered by mail, the election supervisor may:
 - 1. begin opening return identification and secrecy envelopes of ballots delivered by mail and received; and
 - 2. take any other actions that are necessary to allow the counting of ballots delivered by mail to begin at 8:00 p.m., local time, on election day.

SECTION 18. That KPB 4.90.020 and .040 are hereby amended as follows and KPB 4.90.30 is hereby deleted as follows:

- A. No later than the Monday following each election, the election canvass board shall meet in public session and canvass all election returns. In full view of those present, the election canvass board shall judge the applicability of by mail and absentee [AND QUESTIONED] ballots, shall open and tally those accepted, and shall compile the total votes cast in the election. [THE CANVASS OF THE BALLOT VOTE COUNTED BY THE PRECINCT ELECTION BOARDS SHALL BE ACCOMPLISHED BY REVIEWING THE TALLIES OF THE RECORDED VOTE TO CHECK FOR MATHEMATICAL ERROR BY COMPARING TOTALS WITH THE PRECINCT'S CERTIFICATE OF RESULTS. ALL OBVIOUS ERRORS FOUND BY THE ELECTION CANVASS IN THE TRANSFER OF TOTALS FROM THE PRECINCT TALLY SHEETS TO THE PRECINCT CERTIFICATE OF RESULTS SHALL BE CORRECTED BY THE CANVASS BOARD. A MISTAKE WHICH HAS BEEN MADE IN PRECINCT RETURNS THAT IS NOT CLEARLY AN ERROR IN THE TRANSFER OF THE RESULTS FROM THE TALLIES TO THE CERTIFICATE OF RESULTS EMPOWERS THE CANVASSING BOARD TO RECOMMEND A RECOUNT OF THE RESULTS OF THE PRECINCT OR PRECINCTS FOR THAT PORTION OF THE RETURNS IN QUESTION.]
- B. Upon completion of the canvass, the canvassing board shall prepare a final certificate of the results of votes cast by absentee[, QUESTIONED AND CHALLENGED] ballot[s] and of votes cast by [REGULAR] by mail ballot, and shall prepare a written report of the results to be submitted to the assembly.
- [C. IF ELECTION MATERIALS HAVE NOT BEEN RECEIVED FROM A PRECINCT PRIOR TO COMPLETION OF THE CANVASS, BUT ELECTION RESULTS HAVE BEEN

TRANSMITTED BY TELEPHONE, TELEGRAM, RADIO OR ELECTRONIC TRANSMISSION, THE CANVASSING BOARD SHALL COUNT THE ELECTION RESULTS RECEIVED. IF THE BOROUGH CLERK HAS REASON TO BELIEVE THAT A MISSING PRECINCT CERTIFICATE, IF RECEIVED, WOULD AFFECT THE RESULT OF THE ELECTION, THE CLERK SHALL AWAIT THE RECEIPT OF THE CERTIFICATE UNTIL 2:00 P.M. ON THE TUESDAY FOLLOWING THE ELECTION. IF THE CERTIFICATE IS NOT RECEIVED BY THE CLERK BY 2:00 P.M., TUESDAY, THEN THE CERTIFICATE SHALL NOT BE COUNTED NOR INCLUDED IN THE FINAL CERTIFICATION OF THE CANVASSING BOARD.]

[4.90.030. Procedures for handling questioned ballots.

THE CANVASSING BOARD BY MAJORITY VOTE MAY REFUSE TO ACCEPT THE QUESTION AND COUNT THE BALLOT OF A PERSON PROPERLY QUESTIONED. IF THE BALLOT IS REFUSED, THE CLERK SHALL RETURN A COPY OF THE STATEMENT QUESTIONING THE BALLOT TO THE VOTER, AND SHALL ENCLOSE ALL REJECTED BALLOTS IN A SEPARATE ENVELOPE WITH STATEMENTS OF THE BASIS FOR THE QUESTION. THE ENVELOPE SHALL BE LABELED WITH "REJECTED BALLOTS" AND SHALL BE PRESERVED WITH OTHER VOTED BALLOTS. IF THE BALLOT IS NOT REFUSED, THE LARGE ENVELOPE SHALL BE OPENED, THE SMALLER INNER ENVELOPE SHALL BE PLACED IN A CONTAINER AND MIXED WITH OTHER ABSENTEE BALLOT ENVELOPES OR, IN THE CASE OF COUNTING QUESTIONED BALLOTS, WITH OTHER QUESTIONED BALLOT ENVELOPES. THE MIXED SMALLER ENVELOPES SHALL BE DRAWN FROM THE CONTAINER AND OPENED, AND THE BALLOTS SHALL BE COUNTED ACCORDING TO THE RULES FOR DETERMINING PROPERLY MARKED BALLOTS.]

4.90.040. Voters not on official registration list.

A person whose registration has been cancelled under AS 15.07.130(b) [AND WHO VOTES A QUESTIONED BALLOT] shall not have [THE] their ballot counted.

SECTION 17. That KPB 4.120 is hereby amended by amending the title, enacting KPB 4.120.005, and deleting KPB 4.120.010, .020, .030, .040 and .060 as follows:

CHAPTER 4.120. SPECIAL ELECTIONS [BY MAIL]

4.120.005. Procedure.

The clerk shall conduct special elections in accordance with the procedures set out in this title for a regular election.

**[4.120.010. VOTING BY MAIL—BALLOTS—BALLOT REVIEW—
BALLOT ENVELOPES.**

- A. THE CLERK MAY CONDUCT A SPECIAL ELECTION BY MAIL.
- B. WHEN THE CLERK CONDUCTS A SPECIAL ELECTION BY MAIL, THE CLERK SHALL SEND A BALLOT TO EACH PERSON WHOSE NAME APPEARS ON THE OFFICIAL VOTER REGISTRATION LIST PREPARED UNDER AS § 15.07.125 FOR THAT ELECTION. THE BALLOT SHALL BE SENT TO THE ADDRESS STATED ON THE OFFICIAL REGISTRATION LIST UNLESS THE VOTER HAS NOTIFIED THE CLERK IN WRITING OF A DIFFERENT ADDRESS TO WHICH THE BALLOT SHOULD BE SENT. THE CLERK SHALL SEND BALLOTS BY FIRST CLASS, NONFORWARDABLE MAIL ON OR BEFORE THE 22ND DAY BEFORE THE ELECTION.
- C. THE CLERK SHALL REVIEW BALLOTS VOTED UNDER THIS SECTION UNDER PROCEDURES ESTABLISHED FOR THE REVIEW OF ABSENTEE BALLOTS.
- D. THERE SHALL BE A SMALL BLANK ENVELOPE AND A RETURN ENVELOPE SUPPLIED TO EACH BY-MAIL VOTER. THE RETURN ENVELOPE SHALL HAVE PRINTED UPON IT AN AFFIDAVIT BY WHICH THE VOTER SHALL DECLARE HIS QUALIFICATIONS TO VOTE, FOLLOWED BY PROVISION FOR ATTESTATION BY A PERSON QUALIFIED TO ADMINISTER OATHS OR ONE ATTESTING WITNESS WHO IS AT LEAST 18 YEARS OF AGE. SPECIFIC INSTRUCTIONS FOR VOTING A BY-MAIL BALLOT AND A LIST OF THE APPOINTED ABSENTEE VOTING OFFICIALS, THEIR HOURS AND LOCATIONS, WILL BE MAILED TO EACH VOTER WITH THE BALLOT.

4.120.020. CASTING BALLOTS.

- A. UPON RECEIPT OF A MAIL-IN BALLOT, THE VOTER SHALL CAST HIS BALLOT IN THE MANNER SPECIFIED IN KPB § 4.80.070. IF THE BALLOT IS CAST IN THE CLERK'S OFFICE, THE CLERK SHALL RETAIN IT FOR DELIVERY TO THE CANVAS BOARD. IF THE BALLOT IS CAST IN ANOTHER LOCATION, THE VOTER SHALL RETURN IT BY MAIL TO THE CLERK IMMEDIATELY FOR DELIVERY TO THE CANVAS BOARD.
- B. A VOTER WHO DOES NOT RECEIVE A MAIL-IN BALLOT MAY CAST HIS BALLOT IN PERSON AS SPECIFIED IN KPB § 4.80.060.

- C. A VOTER MAY RETURN THE MAIL-IN BALLOT TO AN ABSENTEE VOTING OFFICIAL AS PROVIDED IN KPB § 4.120.040.

4.120.030. NOTICE OF ELECTION—ELECTION DATE—PUBLIC NOTICE.

- A. THE NOTICE OF ELECTION CALLING FOR THE ELECTION MUST STATE THAT THE ELECTION IS TO BE CONDUCTED BY MAIL AND THAT THERE WILL NO POLLING PLACE OPEN FOR REGULAR IN-PERSON VOTING ON ELECTION DAY. IN A BY-MAIL ELECTION, ELECTION DAY IS THE DEADLINE BY WHICH A VOTER'S BALLOT MUST BE RECEIVED BY THE BOROUGH CLERK.
- B. FOR EACH ELECTION CONDUCTED BY MAIL, THE PUBLIC NOTICE POSTED IN EACH PRECINCT AND THE NOTICE PUBLISHED IN NEWSPAPERS OF GENERAL CIRCULATION IN THE AREA OF THE ELECTION JURISDICTION WILL INCLUDE THE INFORMATION SPECIFIED IN KPB § 4.120.040.

4.120.040. ABSENTEE VOTING OFFICIALS—DUTIES.

- A. THE BOROUGH CLERK MAY, WITH THE APPROVAL OF THE CITY CLERKS IN THE BOROUGH, APPOINT CITY CLERKS OR OTHERS IN THE AREA TO ACT AS ABSENTEE VOTING OFFICIALS. IF NO CITY CLERK IS AVAILABLE OR IF THE CITY CLERK IS UNABLE OR UNWILLING TO ACT AS AN ABSENTEE VOTING OFFICIAL, THE BOROUGH CLERK MAY APPOINT ANY QUALIFIED VOTER TO SERVE AS AN ABSENTEE VOTING OFFICIAL. THE CLERK SHALL SUPPLY ADEQUATE VOTING SUPPLIES AND BALLOTS TO THE ABSENTEE VOTING OFFICIALS. THE CLERK SHALL PROVIDE MODERATE COMPENSATION TO THE ABSENTEE VOTING OFFICIALS TO COVER ADDED EXPENSES OF THE ADMINISTRATION OF THIS SERVICE, WHICH SHALL BE AGREED TO BY THE ABSENTEE VOTING OFFICIALS.
- B. THE DUTIES OF THE ABSENTEE VOTING OFFICIALS SHALL BE AS FOLLOWS:
 - 1. PROVIDE ABSENTEE VOTING IN PERSON ON ANY DATE INCLUDING THE DAY OF THE ELECTION FOLLOWING THE PROCEDURES IN KPB 4.80.060 AND SPECIAL NEEDS VOTING ON ANY DATE INCLUDING THE DAY OF THE ELECTION FOLLOWING THE PROCEDURES IN KPB 4.80.095;

2. SIGN A VOTER'S BY-MAIL OATH AND AFFIDAVIT ENVELOPE AS AN AUTHORIZED ATTESTING OFFICIAL, EXCEPT THAT THE ABSENTEE VOTING OFFICIAL MAY NOT ATTEST HIS OR HER OWN BALLOT;
3. ACCEPT RECEIPT OF A BY-MAIL VOTER'S HAND-DELIVERED BALLOT, WHICH HAS BEEN SWORN TO, ATTESTED AND SEALED IN THE BY-MAIL RETURN ENVELOPE; AND
4. PROVIDE GENERAL VOTER ASSISTANCE, INCLUDING BY NOT LIMITED TO, ASSISTANCE TO A QUALIFIED VOTER WHO CANNOT READ, MARK THE BALLOT, OR SIGN HIS NAME, AND PROVIDING REPLACEMENT BALLOTS TO VOTERS WHO HAVE IMPROPERLY MARKED OR DAMAGED THEIR BALLOTS.
5. DATE-STAMP ALL BALLOTS RECEIVED.
6. PROVIDE FOR THE SECURITY AND SAFEKEEPING OF ALL BALLOTS RECEIVED AND PRESENT THOSE BALLOTS TO THE CLERK FOR CANVASSING. THE BOROUGH CLERK WILL SPECIFY THE MEANS OF RETURNING THE VOTED BALLOTS AND ALL OTHER ELECTION SUPPLIES TO THE BOROUGH.

4.120.060. STORING BALLOTS.

THE CLERK SHALL PROVIDE FOR THE SECURE STORAGE OF THE MAIL-IN BALLOTS RECEIVED FROM THE VOTERS AND BY-MAIL OFFICIALS, UNTIL THE DATE SET BY THE CLERK FOR THE COUNTING OF THE BALLOTS.]

SECTION 18. That this ordinance shall become effective January 1, 2021.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 2ND DAY OF JUNE, 2020.

Kelly Cooper, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes: Cox, Dunne, Hibbert, Johnson, Smalley, Cooper

No: Bjorkman, Blakeley, Carpenter

Absent: None

Kenai Peninsula Borough

Office of the Borough Clerk

MEMORANDUM

TO: Kelly Cooper, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Tyson Cox, Willy Dunne, and Brent Hibbert *(B) for B. H.*

FROM: Johni Blankenship, Borough Clerk *JB* *(B) for T. C.*
(B) for W. D.

DATE: April 23, 2020

RE: Ordinance 2020-24, Amending KPB Title 4 Regarding Borough Elections to Provide for Vote by Mail Elections, for More Time Between a Regular Election and a Run-Off Election, and to Remove Proposition Statements (Cox, Dunne, Hibbert)

In 2018, the Kenai Peninsula Borough entered into a conciliation agreement with the Alaska Human Rights Commission which specified that the borough would have an ADA compliant election process in place by the end of 2020. The Election Stakeholders Group was formed in response to the case before the Alaska Human Rights Commission. Resolution 2019-047 "Adopted Joint Resolution No. 2019-001 of the Assembly of the Kenai Peninsula Borough and Councils of the Cities of Homer, Kachemak, Kenai, Seldovia, Seward and Soldotna, Recognizing the Recommendations of the Kenai Peninsula Borough's Election Stakeholders Group and Directing Staff to Explore Implementation of the Recommendations" was adopted by the Assembly on September 3, 2019.

On December 27, 2019, the clerk's office entered into a contract with Resource Data to prepare a feasibility study and cost analysis for Vote by Mail System (VBMS) implementation and operation.

Resource Data's final feasibility study states, in section 2.1. Overall Assessment – Based on our review we believe that KPB will be able to successfully transition to area-wide vote by mail elections.

This ordinance seeks to codify and therefore implement the following recommendations of the Election Stakeholders Group: #1 Vote by Mail Hybrid, #4 Voter Pamphlet, and #6 – Statements Advocating for Approval or Rejection of Propositions as well the recommendations provided by Resource Data's feasibility study.

Your consideration is appreciated.

Fiscal Note

Kenai Peninsula Borough
Fiscal Year 2021

Title: Amending KPB Title 4 Regarding Borough Elections to Provide for Vote by Mail Elections, for More Time Between a Regular Election and a Run-Off Election, and to Remove Proposition Statements

Ordinance: 2020-24
Fiscal Note Number:
Publish Date: 06/02/2020

Department: Assembly Elections

Sponsor: Cox, Dunne, Hibbert, Smalley

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

	Current Year Estimate	Out-Year Cost Estimates	
	Current Year	Year1	Year 2
Operating Expenditures	FY 22	FY23	FY24
Personnel	\$33,670	\$30,670	\$30,670
Supplies	\$1,000	\$1,000	\$1,000
Services	\$108,500	\$120,500	\$120,500
Capital Outlay	\$415,804	\$27,580	\$27,580
Other			
Total Operating	\$558,974	\$179,750	\$179,750

Revenue Sources			
Federal			
State			
Local			
Total	0.0	0.0	0.00

Number of Positions			
Full-Time			
Part-Time			
Temporary	33	33	33

Estimated Supplemental

Funding: \$400,000 1st Year (Operations Budget would cover the difference)
\$30,000 Recurring (Operations Budget would cover the difference)

ASSOCIATED REGULATIONS

Will the legislation result in procedural or regulation changes within a department? Y N (circle one)

If yes, by what date are the regulations to be adopted, amended or repealed? January 1, 2021

Prepared By: Johni Blankenship, MMC, Borough Clerk
Finance sign off: _____

FISCAL NOTE ANALYSIS

Kenai Peninsula Borough

Analysis

Item	Estimate (yr 1)	Recurring	
Mail Sorter and First Year Licensing	\$150,000	\$30,000	Capital Outlay 1st Year / Services
Alarms/Cameras	\$10,000		Capital Outlay
Records Center Cage	\$3,000		Capital Outlay
GIS Enhancements	\$6,000		Services
Pollbook scanning	\$3,000		Personnel
Education and Outreach	\$15,000	\$3,000	Services
Postcard (Undeliverables)	\$4,000	\$4,000	Services
Ballot package set up, printing, assembly, and Q/A	\$42,000	\$42,000	Services
Voter Pamphlet	\$20,000	\$20,000	Services
Misc Supplies	\$1,000	\$1,000	Supplies
"I voted" sticker	\$1,000	\$1,000	Services
Ballot package postage	\$20,500	\$20,500	Services
Vote Center equipment	\$20,000		Capital Outlay
Drop Boxes	\$35,000		Capital Outlay
Temporary Election	\$30,670	\$30,670	Personnel
5 ADA Machines / Software at Vote Centers	\$197,804	\$27,580	Capital Outlay 1st Year / Services
Total	\$558,974	\$179,750	

These may not be all costs and actual costs may vary greatly depending on choices made and market rates at the time. For example, staff time (Clerk's Office, GIS staff) associated with the election are not include but, especially in the first vote by mail, the hours will be substantially higher than would be required in a normal election and may require that KPB hire additional staff or contract work out. In addition, these estimates assume that KPB will leverage custom tools that MOA had built and that most of these will not require changes for KPB.

Description	Total Hardware/Software ADA Compliance (paid over 8 year)	1 st Year	2 nd Year	3 rd Year
Traditional (purchased)	\$643,467	\$438,910	\$130,550	\$130,550
Traditional (lease)	\$673,318	\$178,910	\$178,910	\$178,910
VBM Hybrid (purchased)	\$430,360*	\$558,974	\$179,750	\$179,750
VBM Hybrid (lease)	\$446,727*	\$417,010	\$208,010	\$208,010

*includes postage sorter, signature verification software and election center upgrades.

MEMORANDUM

TO: Kelly Cooper, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Johni Blankenship, Borough Clerk (JB)
Sean Kelley, Deputy Borough Attorney (SK)

DATE: June 2, 2020

RE: Ordinance 2020-24, Amending KPB Title 4 Regarding Borough Elections to Provide for Vote by Mail Elections, for More Time Between a Regular Election and a Run-Off Election, and to Remove Proposition Statements (Cox, Dunne, Hibbert, Smalley)

The borough assembly introduced Ordinance 2020-24 following a process that began in 2015. The following timeline of events is provided for your reference:

November 5, 2015	The Kenai Peninsula Borough (KPB) was notified by the Alaska State Human Rights Commission (hereinafter the Commission) of a complaint filed by Richard Malley against KPB alleging that the KPB discriminated against Mr. Malley on the basis of a physical disability by not providing use of ADA compliant voting equipment at a borough election.
December 2015 – conducted November 2017	KPB responded to allegations, the Commission then an investigation and completed its internal review.
October 16, 2018	The Commission issued its determination that the complainant's allegations were supported by substantial evidence. The parties then pursued conciliation to avoid further litigation.
December 19, 2018	The Commission approved the Conciliation Agreement entered into by Mr. Malley and the KPB to resolve the allegations in the complaint. Per Section III, Remedial Provision (B) & (C) of the agreement, KPB agreed to explore the "option of distributing all ballots to all voters by mail and establish vote centers with accessible voting equipment open two-weeks prior to each election."

- January 1, 2019 **ADOPTED Resolution 2019-006:** A Resolution Directing the Kenai Peninsula Borough Clerk to Establish an Election Stakeholders Group (ESG) to Explore Implementing Optional Election Models to Better Serve Kenai Peninsula Voters and Ratifying a State of Alaska Commission for Human Rights Conciliation Agreement (Ogle)
- In Compliance with Conciliation Agreement, Section III. Remedial Provision (B).*
- February - July, 2019 Election Stakeholders Group (ESG) meetings were publically noticed, held in the assembly chambers, and open to the public. The ESG held 12 meetings over the course of six months and heard presentations from State and local election officials, the public, and elected representatives. Discussion focused on improvement of borough elections and evaluation of voter engagement, cost, collaboration, and efficiencies. Ultimately, the group unanimously approved its final report containing 6 specific recommendations.
- March 26, 2019 KPB adopted "Non-Discrimination on the Basis of Disability" policy.
- In Compliance with Conciliation Agreement, Section III. Remedial Provision (A).*
- August 6, 2019 Election Stakeholders Group Chair Ostrander presented the final report of the ESG to the Assembly.
- In Compliance with Conciliation Agreement, Section III. Remedial Provisions (C) & (E).*
- September 3, 2019 **ADOPTED Resolution 2019-047:** Adopting Joint Resolution No. 2019-001 Of The Assembly of the Kenai Peninsula Borough and Councils of the Cities of Homer, Kachemak, Kenai, Seldovia, Seward and Soldotna, Recognizing The Recommendations of the Kenai Peninsula Borough's Election Stakeholders Group and Directing Staff to Explore Implementation of the Recommendations (Dunne, Fibbert)
- November 5, 2019 **FAILED TO ENACT Ordinance 2019-23:** Amending KPB Titles 2, 4 And 16 Regarding Service Areas to Provide That All Kenai Peninsula Borough Service Area Boards Are Appointed Instead of Elected (Dunne, Hibbert) *ESG Recommendation No. 5*
- December 27, 2019 Mayor authorized Sole Source Waiver for Vote by Mail Project Analysis to Resource Data, Inc.

- January 27, 2020 KPB Contracted with Resource Data, Inc. to conduct a feasibility study on vote by mail elections.
- May 5, 2020 Dennis Wheeler from Resource Data, Inc. presented the results of the feasibility study to the Assembly and the Administration during a work session.
- May 5, 2020 **INTRODUCED Ordinance 2020-24:** Amending KPB Title 4 Regarding Borough Elections to Provide for Vote by Mail Elections, for More Time Between a Regular Election and a Run-Off Election, and to Remove Proposition Statements (Cox, Dunne, Hibbert, Smalley) (set for public hearing on June 2, 2020.)
- In Compliance with Conciliation Agreement and pursuant to the ESG Recommendations No. 1, 4 and 6.*
- May 11, 2020 ADOPTED Resolution 20-044(A) A Resolution of the City Council of Homer, Alaska Recommending the Kenai Peninsula Borough Enact Ordinance 2020-24 Which Would Provide for Vote by Mail System for Elections Borough Wide (Aderhold/City Clerk)
- May 11, 2020 ADOPTED Resolution 20-27 A Resolution of the City Council of Seldovia, Alaska, Recommending the Kenai Peninsula Borough Enact Ordinance 2020-24 Which Would Provide for a Vote by Mail System for Elections Borough Wide (City Clerk)
- May 13, 2020 ADOPTED City of Soldotna Resolution 2020-022 Recommending the Kenai Peninsula Borough Assembly Enact Ordinance 2020-24 Which Would Provide for Vote by Mail Elections, More Time Between a Regular Election and Run-Off Election and to Remove Proposition Statements (L. Parker)

Outstanding Remedial Provisions of the Conciliation Agreement

- December 18, 2020 The borough shall submit a final report to the Commission describing in detail the efforts taken to adopt and implement a program allowing for the private and independent voting of visually impaired voters, the present and projected success of those efforts, and barriers to implementation

Conciliation Agreement, Section III, Remedial Provision (I)

Per Section III, Remedial Provision (K): in the event the KPB does not adopt a program allowing for the private and independent voting of visually impaired voters, the Commission may certify the failure of the conciliation under 6 AAC 30.340(E).



MOA Elections
Municipal Clerk's Office
619 E. Ship Creek Avenue,
Door D, Suite 250
Anchorage, AK 99501

May 8, 2020

Johni Blankenship, MMC
Borough Clerk
Kenai Peninsula Borough
144 North Binkley Street
Soldotna, Alaska 99669

Via email at JBlankenship@kpb.us

RE: Absentee Voting, Vote by Mail, or Vote at Home in 2020!

Dear Johni:

We have all been impacted by the COVID-19 virus and the related “stay home” orders necessitated by the pandemic. Because elections are an essential government function, as election administrators, we need to find new ways to conduct elections in light of travel, social distancing restrictions, and promoting safety of our workers and community.

The Municipality of Anchorage is pleased to report that it successfully conducted the April 7, 2020 Regular Municipal Election as a Vote by Mail or Vote at Home election, despite some very trying circumstances in the early stages of the pandemic. This success was despite losing the majority of available election workers, who did not want to expose themselves to the risks of contracting COVID-19 at vote centers or were not available due to quarantine restrictions. The MOA implemented new and creative ways to operate with the remaining staff while also following federal, state, and local guidance to minimize the odds of contracting the virus through social distancing and other recommendations.

At the Election Center, the MOA Election Team processed approximately 71,000 returned envelopes and ballots over the course of its 3-week election period. We sorted envelopes, checked signatures, resolved problems, opened envelopes, scanned and tabulated ballots, produced results, and even conducted a recount. The Election Center, with over 10,000 square feet of available space, allowed all the processes to be separated and easy to perform within the social distancing guidelines.

I wanted to confirm the offer that the Municipality of Anchorage, the Municipal Clerk's Office, and our Election Team stand ready, willing, and able to assist with your election in 2020 using absentee voting, Vote by Mail, or a Vote at Home format. We offer use of the turnkey and state of the art facility, complete with locking cages, alarms, security



cameras, and other security features. Your jurisdiction can take advantage of MOA election staff support, badge your own staff into the facility, or we could work together in combination to process your 2020 election. Because the MOA election was in April, your jurisdiction can conveniently conduct your election without fear of overlap with the Municipality's election. We have discussed with our mutual vendors options to be able to assist more than one jurisdiction in 2020.

We invite you to give serious consideration to using the MOA facility and equipment to launch your absentee by mail, Vote by Mail, or Vote at Home election in 2020. For more information please contact me directly at 343-4312 or at Barbara.Jones@AnchorageAK.gov.

Sincerely,

Barbara Jones
Municipal Clerk

c: Felix Rivera, Chair
Dennis Wheeler, MOA Project Manager

Kenai Peninsula Borough
Office of the Borough Clerk

MEMORANDUM

TO: Kelly Cooper, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Assembly Member Tyson Cox ^{JC}
Assembly Member Willy Dunne ^{WD}
Assembly Member Brent Hibbert ^{(B) for B.H.}
Assembly Member Hal Smalley ^{(H) for H.S.}

FROM: Johni Blankenship, Borough Clerk

DATE: May 21, 2020

RE: Amending Ordinance 2020-24, Amending KPB Title 4 Regarding Borough Elections to Provide for Vote by Mail Elections, for More Time Between a Regular Election and a Run-Off Election, and to Remove Proposition Statements (Cox, Dunne, Hibbert)

This amendment would change the effective date of the ordinance to January 1, 2021. This change would allow the borough sufficient time to purchase, program, and integrate necessary software and equipment in order to be adequately prepared for vote by mail elections.

In the event there is an ongoing disaster emergency declaration during the 2020 local elections, whether due to Covid-19 or other disaster, that restricts the borough's ability to conduct its regular election at polling locations, then the borough could enact emergency legislation specific to the disaster and its impact on the borough's ability to conduct polling location voting.

The following amendment is requested:

- Amend Section 18 to read as follows:

SECTION 18. That this ordinance shall become effective ~~[immediately upon enactment]~~ January 1, 2021.

Your consideration is appreciated.

Kenai Peninsula Borough
Office of the Borough Clerk

MEMORANDUM

TO: Kelly Cooper, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Norm Blakeley, Assembly Member *(NB) for N.B.*

DATE: June 2, 2020

RE: Amendment to Ordinance 2020-24, Amending KPB Title 4 Regarding Borough Elections to Provide for Vote by Mail Elections, for More Time Between a Regular Election and a Run-Off Election, and to Remove Proposition Statements (Cox, Dunne, Hibbert)

This amendment would change the effective date of the ordinance to make the ordinance effective upon ratification by the voters of the Kenai Peninsula Borough during the October 6, 2020 regular election. This is an important and controversial issue for our communities and the residents have the right to vote on it. *(Please note that new language is in bold and underlined, and deleted language is in bold and stricken out.)*

The following amendments are requested:

- Renumber Section 18 to Section 19 and insert a new Section 18 as follows:

SECTION 18: That a proposition shall be placed before the voters at the October 6, 2020 election that reads as follows:

Proposition No. _____

Shall Kenai Peninsula Borough Ordinance 2020-24, amending the borough code to provide for vote-by-mail borough elections, with in-person voting only available at vote centers for absentee ballots and for voters unable to vote by mail, be ratified?

YES _____

A "yes" vote means you approve borough ordinance 2020-24, providing for vote-by-mail borough elections with in-person voting available at vote centers for absentee ballots and for voters unable to vote by mail.

NO **A “no” vote means you oppose borough ordinance 2020-24, providing for vote-by-mail borough elections with in-person voting available at vote centers for absentee ballots and for voters unable to vote by mail.**

➤ Amend newly numbered Section 19 to read as follows:

SECTION 19[8]. That **Sections 18 and 19 of** this ordinance shall become effective immediately upon enactment, **and Sections 1 through 17 of this ordinance shall only become effective upon approval of the proposition contained in Section 18 of this ordinance by the majority of voters voting in the October 6, 2020 regular borough election.**

Your consideration is appreciated.