CITY COUNCIL REPORT

Date January 24, 2008

TO: Phillip L. Nelson, City Manager

FROM: Tonni L. Bartholomew, City Clerk

SUBJECT: **Proposed City of Troy No Reason Absent Voter Resolution**

Background:

- Pursuant to the request of Council Member Robin Beltramini at the January 7, 2008 City Council Regular meeting, the City Clerk's Office has prepared the attached resolution for possible consideration by City Council.

Financial Considerations:

- There are no known financial considerations.

Legal Considerations:

- There are no known policy considerations.

Policy Considerations:

- There are no known policy considerations.

Options:

- Adopt the proposed resolution to encourage the State Legislature to encourage voter participation through alternate voting methods or receive the proposed resolution without action.

CITY OF TROY
OAKLAND COUNTY, MICHIGAN

RESOLUTION
No Reason Absentee Voting

WHEREAS, The City Council of the City of Troy believes that every opportunity should be provided to encourage voter participation;

WHEREAS, The City of Troy vigilantly advocates for the fundamental rights of voters;

WHEREAS, Michigan Law in some cases forces its residents to chose between going to work or losing their Constitutional right to vote;

WHEREAS, The City of Troy is the home of a major hospital that employs several Troy registered voters who are required to work during the hours the polls are open for voting and are therefore disenfranchised from voting as there is no provision under law for them to vote an Absentee Ballot;

WHEREAS, There are several other occupations that routinely require employees to work during the hours that the polls are open, these occupations can include police and fire personnel and other shift workers that work 12 hour days rendering them unavailable during the time the polls are open;

WHEREAS, The City of Troy has many voters whose polling locations are located some distance from their homes and traveling to their precinct on Election Day could be a hardship;

WHEREAS, The statutory reasons for acquiring an Absentee Ballot do not take into account voters without transportation and their inability to travel from their homes to their precincts;

WHEREAS, The unfortunate option available for voters in these circumstances is to commit a misdemeanor crime by fraudulently applying for an Absentee Ballot as a means to execute one of their fundamental rights as a United States citizen;

WHEREAS, Election Law has several safeguards against voter fraud including the comparison of the registered voter's signature on Absentee Voter Ballot Applications against their signature on the registration record on file in the Clerk's Office; and

WHEREAS, Voters should have equal and unobstructed access to all possible voting opportunities.

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **SUPPORTS** No Reason Absent Voting and encourages our representatives to do the same; and

BE IT FURTHER RESOLVED, That the City of Troy hereby **PETITIONS** the State of Michigan Legislature to adopt legislation providing for no reason absent voting, which is designed to promote voter participation, increase voter turn-out and assure that the

fundamental rights of all voters are not diminished due to unwarranted restrictions in Election Law; and

BE IT FURTHER RESOLVED, That HB 4048 or HB 4134 accomplish the objectives as set forth above and therefore the Troy City Council encourages our legislators to actively support the passage of this proposed legislation on behalf of the voters; and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **DIRECTED** to forward a copy of this resolution to Governor Jennifer Granholm, Secretary of State Terri Lynn Land, Senator John Pappageorge, State Representative Marty Knollenberg and all surrounding communities.

HOUSE BILL No. 4048

January 22, 2007, Introduced by Reps. Griffin, Coulouris, Corriveau, Young, Byrum, Simpson, LeBlanc, Brown, Valentine, Hammel, Hammon, McDowell, Condino, Hood, Ebli, Meadows, Dean, Robert Jones and Lahti and referred to the Committee on Ethics and Elections.

A bill to amend 1954 PA 116, entitled

"Michigan election law,"

by amending sections 758, 759, and 759b (MCL 168.758, 168.759, and 168.759b), section 758 as amended by 1996 PA 207 and section 759 as amended by 1995 PA 261.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 758. ~~(1) For the purposes of~~ **AS USED IN** this act, "absent voter" means a qualified and registered elector who ~~meets 1 or more of the following requirements:~~

~~(a) On account of physical disability, cannot without another's assistance attend~~ **VOTES WITHOUT ATTENDING** the polls on the day of an election.

~~(b) On account of the tenets of his or her religion, cannot~~

HOUSE BILL No. 4048

~~attend the polls on the day of election.~~

~~(c) Cannot attend the polls on the day of an election in the precinct in which he or she resides because of being an election precinct inspector in another precinct.~~

~~(d) Is 60 years of age or older.~~

~~(e) Is absent or expects to be absent from the township or city in which he or she resides during the entire period the polls are open for voting on the day of an election.~~

~~(f) Cannot attend the polls on election day because of being confined in jail awaiting arraignment or trial.~~

~~(2) Subsection (1) does not apply to~~ **ABSENT VOTER DOES NOT INCLUDE** a person who has moved outside of this state, regardless of length of his or her residence outside of this state, and who no longer maintains an actual residence in this state. The storage of personal effects or household goods, the ownership of property that is rented or leased to others, or occasional brief visits to a former domicile in this state while residing outside of this state for most of the year ~~does~~ **DO** not constitute a residence for voting purposes in this state, except for each of the following:

(a) A person described in section 1 of article II of the state constitution of 1963 and statutes enacted under that section.

(b) A person described in section 759a.

Sec. 759. (1) At any time during the 75 days before a primary **ELECTION** or special primary **ELECTION**, but not later than 2 p.m. of the Saturday immediately before the primary **ELECTION** or

special primary **ELECTION**, an elector who ~~qualifies~~ **WANTS** to vote as an absent voter ~~, as defined in section 758,~~ may apply for an absent voter ballot. The elector shall apply in person or by mail with the clerk of the township, city, or village in which the elector is registered. An application received before a primary **ELECTION** or special primary **ELECTION** may be for either that primary **ELECTION** only, or for that primary **ELECTION** and the election that follows.

(2) Except as otherwise provided in subsection (1), at any time during the 75 days before an election, but not later than 2 p.m. of the Saturday before the election, an elector who ~~qualifies~~ **WANTS** to vote as an absent voter ~~, as defined in section 758,~~ may apply for an absent voter ballot. The elector shall apply in person or by mail with the clerk of the township, city, or village in which the voter is registered.

(3) An application for an absent voter ballot under this section may be made in any of the following ways:

(a) By a written request signed by the ~~voter stating the statutory grounds for making the application~~ **ELECTOR**.

(b) On an absent voter ballot application form provided for that purpose by the clerk of the city, township, or village.

(c) On a federal postcard application.

(4) An applicant for an absent voter ballot shall sign the application. A clerk or assistant clerk shall not deliver an absent voter ballot to an applicant who does not sign the application. A person ~~other than~~ **SHALL NOT BE IN POSSESSION OF A SIGNED ABSENT VOTER BALLOT APPLICATION EXCEPT FOR** the applicant;

a member of the applicant's immediate family; a person residing in the applicant's household; a person whose job normally includes the handling of mail, but only during the course of his or her employment; a registered elector requested by the applicant **TO RETURN THE APPLICATION**; or a clerk, assistant of the clerk, or other authorized election official. ~~shall not be in possession of a signed absent voter ballot application. A~~ registered elector who is requested by the applicant to return his or her absent voter ballot application shall sign the certificate on the absent voter ballot application.

(5) The clerk of the city, township, or village shall have absent voter ballot application forms available in the **CLERK'S** office ~~of the clerk~~ at all times and shall furnish an absent voter ballot application form to anyone upon a verbal or written request. The absent voter ballot application shall be in substantially the following form:

"Application for absent voter ballot for:

[ ] The primary **ELECTION** or special primary election to be held on ~~..... , 19...~~ _____ **[DATE]**.

[ ] The election to be held on ..... , 19... .

(Check applicable election or elections)

I, ... , a qualified and registered elector of the ..... precinct of the township of ..... or village of ..... or of the ..... ward of the city of ..... , in the county of ..... and state of Michigan, apply for an official ballot, or ballots, to be voted

by me at the election or elections as requested in this application.

~~The statutory grounds on which I base my request are:~~

~~[ ] I expect to be absent from the community in which I am registered for the entire time the polls are open on election day.~~

~~[ ] I am physically unable to attend the polls without the assistance of another.~~

~~[ ] I cannot attend the polls because of the tenets of my religion.~~

~~[ ] I have been appointed an election precinct inspector in a precinct other than the precinct where I reside.~~

~~[ ] I am 60 years of age or older.~~

~~[ ] I cannot attend the polls because I am confined to jail awaiting arraignment or trial.~~

~~(Check applicable reason)~~

Send absent voter ballot to me at:

.....
(Street No. or R.R.)

.....
(Post Office) (State) **(ZIP CODE)**

My registered address .....
(Street No. or R.R.)

.....
(Post Office) (State) **(ZIP CODE)**

Date.....

I ~~declare~~ **CERTIFY** that the statements in this absent voter ballot application are true.

.....
(Signature)

1 WARNING

2 A person making a false statement in this absent voter
3 ballot application is guilty of a misdemeanor. It is a violation
4 of Michigan election law for a person other than those listed in
5 the instructions to return, offer to return, agree to return, or
6 solicit to return your absent voter ballot application to the
7 clerk. An assistant authorized by the clerk who receives absent
8 voter ballot applications at a location other than the **CLERK'S**
9 office ~~of the clerk~~ must have credentials signed by the clerk.
10 Ask to see his or her credentials before entrusting your
11 application with a person claiming to have the clerk's
12 authorization to return your application.

13 Certificate of Authorized Registered
14 Elector Returning Absent Voter
15 Ballot Application

16 I certify that my name is ..... , my address
17 is ..... , and my date of birth is ..... ;
18 that I am delivering the absent voter ballot application of
19 ..... at his or her request; that I did not
20 solicit or request to return the application; that I have not
21 made any markings on the application; that I have not altered the
22 application in any way; that I have not influenced the applicant;
23 and that I am aware that a false statement in this certificate is
24 a violation of Michigan election law.

1
2 _____ (Date) _____ (Signature)"

3 (6) The following instructions for an applicant for an
4 absent voter ballot shall be included with each application
5 furnished an applicant:

6 INSTRUCTIONS FOR APPLICANTS FOR ABSENT VOTER BALLOTS

7 Step 1. After completely filling out the application, sign
8 and date the application in the place designated. Your signature
9 must appear on the application or you will not receive an absent
10 voter ballot.
11 Step 2. Deliver the application by 1 of the following
12 methods:
13 (a) Place the application in an envelope addressed to the
14 appropriate clerk and place the necessary postage upon the return
15 envelope and deposit it in the United States mail or with another
16 public postal service, express mail service, parcel post service,
17 or common carrier.
18 (b) Deliver the application personally to the office of the
19 clerk, to the clerk, or to an authorized assistant of the clerk.
20 (c) In either (a) or (b), a member of the immediate family
21 of the voter including a father-in-law, mother-in-law, brother-
22 in-law, sister-in-law, son-in-law, daughter-in-law, grandparent,
23 or grandchild or a person residing in the voter's household may
24 mail or deliver the application to the clerk for the applicant.
25 (d) ~~In the event~~ **IF** an applicant cannot return the

application in any of the above methods, the applicant may select any registered elector to return the application. The person returning the application must sign and return the certificate at the bottom of the application.

(7) A person who prints and distributes absent voter ballot applications shall print on the application the warning, certificate of authorized registered elector returning absent voter ballot application, and instructions required by this section.

(8) A person who makes a false statement in an absent voter ballot application is guilty of a misdemeanor. A person who forges a signature on an absent voter ballot application is guilty of a felony. A person who is not authorized in this act and who both distributes absent voter ballot applications to absent voters and returns those absent voter ballot applications to a clerk or assistant of the clerk is guilty of a misdemeanor.

Sec. 759b. **(1)** ~~Any~~ **A** registered elector may apply for **AN** absent voter ~~ballots~~ **BALLOT** at any time ~~prior to~~ **BEFORE** 4 p.m. on election day if ~~he shall have become physically disabled or shall be absent from the city or township because of sickness or death in the family which~~ **AN EVENT** has occurred at a time ~~which has~~ **THAT** made it impossible to apply for **AN** absent voter ~~ballots~~ **BALLOT** by the statutory deadline. The application shall be called an emergency absent voter **BALLOT** application.

(2) Emergency absent voter **BALLOT** applications may be made by letter or on a form **PRESCRIBED BY THE SECRETARY OF STATE AND** provided by the clerk. The application shall set forth that the

voter is qualified to vote in the election ~~, stating the statutory reason for applying for an emergency absent voter ballot~~ and that ~~the reason for applying after the statutory deadline~~ **AN EVENT** occurred at such a time to make it impossible to file an application for **AN** absent voter ~~ballots~~ **BALLOT** by the statutory deadline.

(3) ~~Any~~ **A** person intentionally making a false statement in ~~such~~ **AN EMERGENCY ABSENT VOTER BALLOT** application is guilty of a felony. ~~Any~~ **A** person aiding or abetting ~~any~~ **ANOTHER** person to make a false statement ~~on such~~ **IN AN EMERGENCY ABSENT VOTER BALLOT** application is guilty of a felony.

(4) Upon receipt by the clerk of a valid application for an emergency absent voter ballot, the clerk may deliver the ~~ballots~~ **ABSENT VOTER BALLOT** to the applicant in person, through a deputy or an election assistant, or ~~he may deliver them~~ at his **OR HER** office to a person named by the applicant in the **EMERGENCY ABSENT VOTER BALLOT** application. The **ABSENT** voter may return the ~~ballots~~ **ABSENT VOTER BALLOT** to the clerk ~~in the sealed envelope provided therefor~~ in any manner. ~~he sees fit. To~~ **HOWEVER, TO** be valid, ~~ballots must be returned~~ **THE ABSENT VOTER SHALL RETURN THE ABSENT VOTER BALLOT** to the clerk **IN THE SEALED ENVELOPE PROVIDED FOR THAT REASON AND** in time to be delivered to the polls ~~prior to~~ **BEFORE** 8 p.m. on election day.

HOUSE BILL No. 4134

January 25, 2007, Introduced by Reps. Bieda, Wojno, Miller, Clack, Donigan, Meisner, Kathleen Law, Wenke, Valentine, Tobocman, Ebli, Lemmons, Meadows, Corriveau, Melton, Condino, Byrum, Lahti, McDowell, Lindberg, Spade, Byrnes, Polidori, Clemente, Gillard, Bennett, Brown, Leland, Young, Bauer, Espinoza, Accavitti, Vagnozzi, Simpson, Hammon, Hammel, Warren, Alma Smith, Sheltrown, Robert Jones, Farrah, Mayes, Angerer, Sak, Gaffney, Nofs, Steil, Rick Jones, Stakoe, Hildenbrand, Caul, Jackson, Hune, Marleau, Calley, Moolenaar, Hood, Hopgood, LaJoy, LeBlanc, Johnson, Ball, Dean and Gonzales and referred to the Committee on Ethics and Elections.

A bill to amend 1954 PA 116, entitled

"Michigan election law,"

by amending sections 758, 759, and 759b (MCL 168.758, 168.759, and 168.759b), section 758 as amended by 1996 PA 207 and section 759 as amended by 1995 PA 261.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 758. ~~(1) For the purposes of~~ **AS USED IN** this act, "absent voter" means a qualified and registered elector who ~~meets 1 or more of the following requirements:~~

~~(a) On account of physical disability, cannot without another's assistance attend~~ **VOTES WITHOUT ATTENDING** the polls on the day of an election.

~~(b) On account of the tenets of his or her religion, cannot~~

HOUSE BILL No. 4134

~~attend the polls on the day of election.~~

~~(c) Cannot attend the polls on the day of an election in the precinct in which he or she resides because of being an election precinct inspector in another precinct.~~

~~(d) Is 60 years of age or older.~~

~~(e) Is absent or expects to be absent from the township or city in which he or she resides during the entire period the polls are open for voting on the day of an election.~~

~~(f) Cannot attend the polls on election day because of being confined in jail awaiting arraignment or trial.~~

~~(2) Subsection (1) does not apply to~~ **ABSENT VOTER DOES NOT INCLUDE** a person who has moved outside of this state, regardless of length of his or her residence outside of this state, and who no longer maintains an actual residence in this state. The storage of personal effects or household goods, the ownership of property that is rented or leased to others, or occasional brief visits to a former domicile in this state while residing outside of this state for most of the year ~~does~~ **DO** not constitute a residence for voting purposes in this state, except for each of the following:

(a) A person described in section 1 of article II of the state constitution of 1963 and statutes enacted under that section.

(b) A person described in section 759a.

Sec. 759. (1) At any time during the 75 days before a primary **ELECTION** or special primary **ELECTION**, but not later than 2 p.m. of the Saturday immediately before the primary **ELECTION** or

special primary **ELECTION**, an elector who ~~qualifies~~ **WANTS** to vote as an absent voter ~~, as defined in section 758,~~ may apply for an absent voter ballot. The elector shall apply in person or by mail with the clerk of the township, city, or village in which the elector is registered. An application received before a primary **ELECTION** or special primary **ELECTION** may be for either that primary **ELECTION** only, or for that primary **ELECTION** and the election that follows.

(2) Except as otherwise provided in subsection (1), at any time during the 75 days before an election, but not later than 2 p.m. of the Saturday before the election, an elector who ~~qualifies~~ **WANTS** to vote as an absent voter ~~, as defined in section 758,~~ may apply for an absent voter ballot. The elector shall apply in person or by mail with the clerk of the township, city, or village in which the voter is registered.

(3) An application for an absent voter ballot under this section may be made in any of the following ways:

(a) By a written request signed by the ~~voter stating the statutory grounds for making the application~~ **ELECTOR**.

(b) On an absent voter ballot application form provided for that purpose by the clerk of the city, township, or village.

(c) On a federal postcard application.

(4) An applicant for an absent voter ballot shall sign the application. A clerk or assistant clerk shall not deliver an absent voter ballot to an applicant who does not sign the application. A person ~~other than~~ **SHALL NOT BE IN POSSESSION OF A SIGNED ABSENT VOTER BALLOT APPLICATION EXCEPT FOR** the applicant;

a member of the applicant's immediate family; a person residing in the applicant's household; a person whose job normally includes the handling of mail, but only during the course of his or her employment; a registered elector requested by the applicant **TO RETURN THE APPLICATION**; or a clerk, assistant of the clerk, or other authorized election official. ~~shall not be in possession of a signed absent voter ballot application. A~~ registered elector who is requested by the applicant to return his or her absent voter ballot application shall sign the certificate on the absent voter ballot application.

(5) The clerk of the city, township, or village shall have absent voter ballot application forms available in the **CLERK'S** office ~~of the clerk~~ at all times and shall furnish an absent voter ballot application form to anyone upon a verbal or written request. The absent voter ballot application shall be in substantially the following form:

"Application for absent voter ballot for:

[ ] The primary **ELECTION** or special primary election to be held on ~~..... , 19...~~ _____ **[DATE]**.

[ ] The election to be held on ~~..... , 19...~~ _____ **[DATE]**.

(Check applicable election or elections)

I, ... , a qualified and registered elector of the ..... precinct of the township of ..... or village of ..... or of the ..... ward of the city of ..... , in the county of ..... and state of

Michigan, apply for an official ballot, or ballots, to be voted by me at the election or elections as requested in this application.

~~The statutory grounds on which I base my request are:~~

~~[ ] I expect to be absent from the community in which I am registered for the entire time the polls are open on election day.~~

~~[ ] I am physically unable to attend the polls without the assistance of another.~~

~~[ ] I cannot attend the polls because of the tenets of my religion.~~

~~[ ] I have been appointed an election precinct inspector in a precinct other than the precinct where I reside.~~

~~[ ] I am 60 years of age or older.~~

~~[ ] I cannot attend the polls because I am confined to jail awaiting arraignment or trial.~~

~~(Check applicable reason)~~

Send absent voter ballot to me at:

.....
(Street No. or R.R.)

.....
(Post Office) (State) **(ZIP CODE)**

My registered address .....
(Street No. or R.R.)

.....
(Post Office) (State) **(ZIP CODE)**

Date.....

I ~~declare~~ **CERTIFY** that the statements in this absent voter ballot application are true.

1 .....
2 (Signature)

3 WARNING

4 A person making a false statement in this absent voter
5 ballot application is guilty of a misdemeanor. It is a violation
6 of Michigan election law for a person other than those listed in
7 the instructions to return, offer to return, agree to return, or
8 solicit to return your absent voter ballot application to the
9 clerk. An assistant authorized by the clerk who receives absent
10 voter ballot applications at a location other than the **CLERK'S**
11 office ~~of the clerk~~ must have credentials signed by the clerk.
12 Ask to see his or her credentials before entrusting your
13 application with a person claiming to have the clerk's
14 authorization to return your application.

15 Certificate of Authorized Registered
16 Elector Returning Absent Voter
17 Ballot Application

18 I certify that my name is ..... , my address
19 is ..... , and my date of birth is ..... ;
20 that I am delivering the absent voter ballot application of
21 ..... at his or her request; that I did not
22 solicit or request to return the application; that I have not
23 made any markings on the application; that I have not altered the
24 application in any way; that I have not influenced the applicant;
25 and that I am aware that a false statement in this certificate is

a violation of Michigan election law.

_____ (Date) _____ (Signature)"

(6) The following instructions for an applicant for an absent voter ballot shall be included with each application furnished an applicant:

INSTRUCTIONS FOR APPLICANTS FOR ABSENT VOTER BALLOTS

Step 1. After completely filling out the application, sign and date the application in the place designated. Your signature must appear on the application or you will not receive an absent voter ballot.

Step 2. Deliver the application by 1 of the following methods:

(a) Place the application in an envelope addressed to the appropriate clerk and place the necessary postage upon the return envelope and deposit it in the United States mail or with another public postal service, express mail service, parcel post service, or common carrier.

(b) Deliver the application personally to the **CLERK'S** office, ~~of the clerk,~~ to the clerk, or to an authorized assistant of the clerk.

(c) In either (a) or (b), a member of the immediate family of the voter including a father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild or a person residing in the voter's household may

mail or deliver the application to the clerk for the applicant.

(d) ~~In the event~~ **IF** an applicant cannot return the application in any of the above methods, the applicant may select any registered elector to return the application. The person returning the application must sign and return the certificate at the bottom of the application.

(7) A person who prints and distributes absent voter ballot applications shall print on the application the warning, certificate of authorized registered elector returning absent voter ballot application, and instructions required by this section.

(8) A person who makes a false statement in an absent voter ballot application is guilty of a misdemeanor. A person who forges a signature on an absent voter ballot application is guilty of a felony. A person who is not authorized in this act and who both distributes absent voter ballot applications to absent voters and returns those absent voter ballot applications to a clerk or assistant of the clerk is guilty of a misdemeanor.

Sec. 759b. **(1)** ~~Any~~ **A** registered elector may apply for **AN** absent voter ~~ballots~~ **BALLOT** at any time ~~prior to~~ **BEFORE** 4 p.m. on election day if ~~he shall have become physically disabled or shall be absent from the city or township because of sickness or death in the family which~~ **AN EVENT** has occurred at a time ~~which has~~ **THAT** made it impossible to apply for **AN** absent voter ~~ballots~~ **BALLOT** by the statutory deadline. The application shall be called an emergency absent voter **BALLOT** application.

(2) Emergency absent voter **BALLOT** applications may be made

by letter or on a form **PRESCRIBED BY THE SECRETARY OF STATE AND** provided by the clerk. The application shall set forth that the voter is qualified to vote in the election ~~, stating the statutory reason for applying for an emergency absent voter ballot~~ and that ~~the reason for applying after the statutory deadline~~ **AN EVENT** occurred at such a time to make it impossible to file an application for **AN** absent voter ~~ballots~~ **BALLOT** by the statutory deadline. **THE SECRETARY OF STATE SHALL PRESCRIBE A STANDARD EMERGENCY ABSENT VOTER BALLOT APPLICATION FORM, INCLUDING THE SIZE OF THE FORM AND THE COLOR OF PAPER UPON WHICH A FORM IS PRINTED.**

(3) ~~Any~~ **A** person intentionally making a false statement in ~~such~~ **AN EMERGENCY ABSENT VOTER BALLOT** application is guilty of a felony. ~~Any~~ **A** person aiding or abetting ~~any~~ **ANOTHER** person to make a false statement ~~on such~~ **IN AN EMERGENCY ABSENT VOTER BALLOT** application is guilty of a felony.

(4) Upon receipt by the clerk of a valid application for an emergency absent voter ballot, the clerk may deliver the ~~ballots~~ **ABSENT VOTER BALLOT** to the applicant in person, through a deputy or an election assistant, or ~~he may deliver them~~ at his **OR HER** office to a person named by the applicant in the **EMERGENCY ABSENT VOTER BALLOT** application. The **ABSENT** voter may return the ~~ballots~~ **ABSENT VOTER BALLOT** to the clerk ~~in the sealed envelope provided therefor~~ in any manner. ~~he sees fit. To~~ **HOWEVER, TO** be valid, ~~ballots must be returned~~ **THE ABSENT VOTER SHALL RETURN THE ABSENT VOTER BALLOT** to the clerk **IN THE SEALED ENVELOPE PROVIDED FOR THAT REASON AND** in time to be delivered to the polls ~~prior to~~

1 **BEFORE** 8 p.m. on election day.