

Presented by: COW  
Presented: 09/14/2020  
Drafted by: R. Palmer III

**ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

**Emergency Ordinance Serial No. 2020-50**

**An Emergency Ordinance Suspending Enforcement of Witness Signatures on By-Mail Ballots for the 2020 Regular Election of the City and Borough of Juneau.**

WHEREAS, CBJ Charter 5.4(a) provides the Assembly may adopt an emergency ordinance to meet a public emergency by an affirmative vote of at least six assembly members; and

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and is easily transmittable person-to-person; and

WHEREAS, on March 11, 2020, the World Health Organization declared the virus a pandemic; and

WHEREAS, on March 11, 2020, the State of Alaska declared a public health emergency in response to the anticipated outbreak of the virus in Alaska; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic; and

WHEREAS, on March 16, 2020, the Assembly declared a local emergency in response to COVID-19; and

WHEREAS, on March 22, 2020, the City and Borough of Juneau ("CBJ") received its first positive case of COVID-19; and

WHEREAS, since March the community has had more than 316 confirmed COVID-19 cases as of September 11, 2020; and

WHEREAS, on May 18, 2020, the CBJ Assembly authorized the regular October 2020 municipal election to be conducted by mail; and

WHEREAS, on June 29, 2020, the CBJ Assembly authorized Ordinance 2020-24, amending the election code to account for the upcoming by-mail election; and

WHEREAS, CBJ 29.07.370(e)(1)(ii) provides that a by-mail ballot shall not be counted if the witness authorized by law to attest the voter's certificate failed to properly execute the witness certificate on the envelope, except that a ballot cast in person and accepted by an election official may be counted despite failure of the election official to properly sign and date the witness' declaration; and

WHEREAS, the witness signature requirement may disenfranchise certain voters who are unable to socially distance or otherwise find a qualified witness as the result of the pandemic; and

WHEREAS, CBJ 29.07.370(e)(3) requires the election official to review by-mail ballots and verify the signature of the voter, providing safeguards in ensuring the registered voter casted the by-mail ballot; and

WHEREAS, given the safeguards in place and the potential impact of disenfranchising voters during a public health emergency, the witness signature requirement of CBJ 29.07.370(e)(1)(ii) should be suspended during the regular October 2020 municipal election.

THEREFORE BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

**Section 1. Classification.** This ordinance is a non-code ordinance.

**Section 2. Suspension of Witness Signature Requirements.** The Election Official is authorized to accept and count by-mail ballots without a proper witness certificate on the ballot envelope, provided that the Election Official is able to properly verify the voter's signature on the ballot certification.

**Section 3. Effective Date.** This ordinance shall be effective upon adoption.

Adopted this 21<sup>st</sup> day of September, 2020.



Beth A. Weldon, Mayor

Attest:



Elizabeth J. McEwen, Municipal Clerk