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ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2022-24(am)

An Ordinance Amending the Elections Code for the City and Borough of Juneau Municipal Elections.

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

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJC 29.07.010 is amended to read:

29.07.010 Election times; notice.

(a) *Time of regular elections.* Annually, on the first Tuesday of October of each year, a regular election shall be held in the City and Borough of Juneau for the election of vacant City and Borough of Juneau offices, and for the determination of other matters as may regularly be placed on the ballot.

(b) *Time of special elections.* Except as provided in CBJ Charter Section 7.10(b), the assembly, by motion, resolution, or adoption of an ordinance, may call a special election at any time. Unless the assembly has set a date for a required special election, the election official shall call a special election when required by law, charter, or ordinance, to place an initiative, referendum, recall, or other question before the voters.

(c) *Voting hours.* The polls in each voting precinct or vote center shall be open as provided in state law on all municipal election days for the purpose of voting.

(d) *Notice of election.* The City and Borough of Juneau Election Official shall cause to be published a notice of election during three consecutive calendar weeks, once in each week, in a newspaper of general circulation in the City and Borough of Juneau. The first such publication, and the posting, shall be accomplished at least 30 days before the election.

(e) *Contents of election notices.* Notices of election shall state:

- (1) The date of the election;
- (2) The time of opening and closing the polling places or vote centers;
- (3) The location of precinct polling places or vote centers;

- (4) The qualifications of voters;
- (5) The type of election, regular or special;
- (6) The offices to be filled, the propositions submitted to the electors, and the full text of any proposed charter amendment submitted to the electors.

Section 3. Amendment of Section. CBJC 29.07.020 is amended to read:

29.07.020 Election officials.

- (a) The City and Borough of Juneau Municipal Clerk is the City and Borough of Juneau Election Official. Any properly authorized assistant to the City and Borough of Juneau Municipal Clerk or other person designated by the manager shall be an assistant City and Borough of Juneau Election Official and may perform any functions set out in this chapter as a function of the City and Borough of Juneau Election Official.
- (b) Before each election, the election official shall appoint a minimum of two election workers in each precinct or vote center to constitute the election board for that precinct or vote center. One member of the election board in each precinct or vote center shall be designated chair by the election official and shall be primarily responsible for administrating the election in that location. The election official may assign additional election workers at any polling place or vote center as necessary to conduct an orderly election or to relieve the election board serving of undue hardship.
- (c) If any election board member fails or refuses to attend and serve, the election official shall appoint a person eligible under this section to serve in the absentee's place.
- (d) Each election worker must be a qualified voter of the City and Borough of Juneau.
- (e) Before beginning their duties, all election workers shall take and subscribe the following oath:

I _____ do solemnly swear (or affirm) that I will support the constitutions of the United States and State of Alaska, and the laws of the City and Borough of Juneau, and the State of Alaska, and that I will faithfully, honestly, and promptly perform the duties of the office of _____.

Section 4. Amendment of Section. CBJC 29.07.030 is amended to read:

29.07.030 Voting precincts.

- (a) Voting precincts in the City and Borough of Juneau shall be the same as for state elections.
- (b) The polling places or vote centers shall be specified by the City and Borough of Juneau Election Official.

Section 5. Amendment of Section. CBJC 29.07.050 is amended to read:

29.07.050 Candidates; nomination; write-in.

(a) Nominations for elective officers shall be made only by petition accompanied by a signed acceptance. Each voter signing a petition shall state on the petition the voter's place of residence, by street and number, lot and block, or other sufficient means.

(b) Nominating petitions shall meet the following requirements:

(1) Petitions must include a certification providing:

We the undersigned qualified voters of the City and Borough of Juneau, in the State of Alaska, hereby nominate and sponsor _____, whose residence is _____ for the office of _____, to be voted for at the election to be held on the _____ day of _____. We individually certify that we are qualified to vote for a candidate for the office this candidate seeks, and that we have not signed other nominating petitions for this (district) (office) exceeding in number the vacancies in this (district) (office) to be filled in this election.

(2) Qualified voters signing the petition shall provide their printed name, signature, residence address, one identifier - which can be either the last four digits of the voter's registration identification number, the last four digits of the voter's driver's license or state identification number, the last four digits of the social security number, or the year of birth - and the date of signing the petition.

(3) Nominating petitions shall have a minimum of 25 signatures of registered voters from within the City and Borough.

(4) The nominating petition shall contain a signed declaration of candidacy by the candidate of the candidate's qualification for the office, acceptance of nomination, and agreement to serve if elected.

(5) Upon receipt of the nominating petition, the election official shall indicate on the petition the date and hour of filing, the name and address of the person filing the petition, and place the signature of the person receiving the petition on the document.

(c) Nominating petitions must be completed and filed with the election official, accompanied by any required state financial disclosure forms, not earlier than 60 days, nor later than 4:30 p.m. on the 50th day, before the election. The election official shall record on the petition the name and address of the person by whom each nominating petition is filed. All petitions in proper form with sufficient signatures, and all deficient petitions which are not withdrawn by the persons filing them, shall be preserved by the election official and destroyed with the ballots cast in the election in which the candidate ran.

(d) Within four days after the filing of a nominating petition, the City and Borough of Juneau Election Official shall notify the candidate named in the petition and the person who filed the petition whether or not it is in proper form and signed by 25 qualified voters. If not, the City and

Borough of Juneau Election Official immediately shall return it, with a statement certifying wherein the petition is deficient, to the person who filed it. A petition correcting the deficiencies for the same candidate may be filed within the time for filing petitions.

(e) Any candidate nominated may withdraw his or her nomination not later than 4:30 p.m. of the 46th day before the election.

(f) A write-in candidate shall, not later than 4:30 p.m. of the fifth day before the election, file with the election official a letter of intent or declaration of candidacy form stating:

- (1) The full name of the candidate;
- (2) The full residence address of the candidate and the date on which residency at that address began;
- (3) The full mailing address of the candidate;
- (4) The office that the candidate seeks;
- (5) The date of the election at which the candidate seeks election;
- (6) The length of residency in the City and Borough;
- (7) The name of the candidate as the candidate wishes it to be written on the ballot by the voter;
- (8) That the candidate will meet the specific age requirements of the office for which the person is a candidate by the time that the candidate, if elected, is sworn into office;
- (9) That the candidate is a qualified voter as required by law; and
- (10) That the candidate is not a candidate for any other office to be voted on at the election and that the candidate is not a candidate for this office under any other nominating petition or declaration of candidacy.

(g) The letter of intent or declaration of candidacy form submitted by a write-in candidate must be accompanied by any required state financial disclosure forms.

Section 6. Amendment of Section. CBJC 29.07.060 is amended to read:

29.07.060 Ballots; form.

(a) The names of all offices and candidates to be voted upon shall be printed on the ballot. The title of each 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 not more than _____" with the appropriate number replacing the blank shall be placed before the list of candidates for each office. The names of candidates shall be printed as they appear upon the petitions filed with the City and Borough of Juneau Election Official except that any honorary or assumed title or prefix shall be omitted.

- (b) Ballot placement of candidates shall be determined according to the following procedures:
 - (1) The order for placement on the ballot will be established by random drawings of the letters of the alphabet by the election official. A drawing will be held for each race. The results of each drawing will be recorded and preserved by the election official.
 - (2) The names of candidates in each race will be placed on the ballot based on the alphabetical order drawn for that district.
 - (3) If two or more candidates have family names starting with the same letter, they will be placed relative to each other on the ballot according to the second letter of the family names, if the second letters are the same, then according to the third letter, and so on. If two or more candidates have the same family name they shall be placed relative to each other on the ballot according to their first given names, and if those start with the same letter, then as specified for family names, and if those are the same, according to subsequent given names.
- (c) Following the names of the offices and candidates, there shall be placed on the ballot all propositions and questions to be voted upon. The words "Yes" and "No" or "For" and "Against," as appropriate, shall be placed below the statement of each proposition and question. The form of statement and title of the proposition or question shall be as determined by the election official except as may be otherwise required by the assembly or applicable law. When directed by the assembly, there shall be placed on the ballot as part of a proposition or question a brief, neutral, and succinct explanation of the proposition or question. Such explanations must be approved as to content by the assembly or the attorney.
- (d) The ballot shall be printed on plain white paper through which printing and writing cannot be read. The ballots shall be numbered in series, a number being placed on one corner of each ballot within an area set off by perforations which may conveniently be removed from the remainder of the ballot.
- (e) On the ballot, placed so as to be clearly visible, shall appear the words "Official Ballot" in large print and the date of the election.
- (f) The layout and form of ballots may be modified by the election official to accommodate the voting system used for the election, including but not limited to electronic ballots, provided a paper version of the ballot can be printed and used for tabulation and ballot accountability.

Section 7. Amendment of Section. CBJC 29.07.080 is amended to read:

29.07.080 Election materials; preparation and distribution.

- (a) The election official shall equip each precinct polling places or vote centers with sufficient materials and supplies needed for the election, including those required by this section, before the opening of the polls.
- (b) The election official shall publish instructions explaining to voters how ballots are issued, how to correctly mark a ballot, how to obtain information from election workers, and how to obtain new ballots to replace those destroyed or spoiled. These instructions shall be printed on cards in large, clear type and prominently displayed. The election official shall have sample ballots, identical in form to the ballots to be used in the election, printed in a manner that is clearly distinguishable from the official ballot and may include as a part of a proposition or question a brief, neutral, and succinct explanation of the proposition or question, approved as to content by the assembly or attorney. The election official shall provide booths at each polling place or vote center, with appropriate supplies and conveniences to enable each voter to mark the voter's ballot screened from observation. Ballot boxes shall be placed outside the voting booths within plain view of the election workers, clerks, voters, and other persons at the polling places.
- (c) Ballot drop boxes will be located in locations identified by the election official where voters may deposit voted by mail ballots up to the close of polls on election day. The drop slot opening of each ballot drop box shall be available to accept ballots 24 hours a day beginning no later than 10 a.m. on the 15th day before election day and closed at a time designated for the close of the polls on election day.

Section 8. Amendment of Section. CBJC 29.07.090 is amended to read:

29.07.090 Absentee voting; eligible persons; permanent absentee voters.

- (a) At any election, a qualified voter may vote an absentee ballot for any reason.
- (b) The election official may designate a person as a permanent absentee voter if the person is a qualified voter, and if the voter is registered with the State of Alaska Division of Elections as a permanent absentee voter within the City and Borough.
- (c) A person designated as a permanent absentee voter under subsection (b) of this section will be sent an application for an absentee, by mail ballot, at the permanent mailing address stated on the voter's current registration record on the following schedule:
 - (1) In January each year;
 - (2) At least 45 days before a special election;

(3) At a time specified by the election official before any election, to voters defined in subsection (a) of this section who registered to vote after the last mailing of absentee by mail ballot applications.

(d) The voter may submit the application and vote by mail. However, nothing in this section limits the voter's eligibility to vote in person at a precinct polling place or vote center, in person before an election official, or absentee through a personal representative.

Section 9. Amendment of Section. CBJC 29.07.120 is amended to read:

29.07.120 Voting procedure.

(a) Before processing any ballots, the election board must, in the presence of any persons assembled at the polling place or vote center, open and exhibit the ballot box to be used at that location on that day. Thereafter the box shall be sealed with the security seal provided and not be opened again until the polls finally close at the end of each day and the polling place or vote center is open. At the end of each day, ballot envelopes containing voted ballots will be counted and sealed with the security seals that will be recorded on the daily transmission log and prepared for transport to election central or the ballot processing center as required by written directive of the election official for transportation from the polling place.

(b) A voter shall give the election worker the voter's name and place the voter's signature by the voter's name in the registration book unless the qualifications of the voter are questioned.

(c) Every election worker shall question, and every watcher and any other person qualified to vote in the precinct or vote center, may question a person attempting to vote if the questioner has good reason to suspect that the questioned person is not qualified to vote. All questions regarding a person's qualifications to vote shall be made in writing setting out the reason the person has been questioned. A questioned person, before voting, shall subscribe to a declaration in a form provided by the election official attesting to the fact that, in each particular, the person meets all the qualifications of a voter, that the person is not disqualified, that the person has not voted at the same election, and certifying that the person understands that a false statement on the declaration may subject the person to prosecution for a misdemeanor under this title, under state law, or both. The election official shall provide a registration book for questioned voters to sign. If the questioned person refuses to execute the declaration, the person may not vote.

(d) A voter who casts a questioned ballot shall vote the ballot in the same manner as prescribed for other voters. The voter shall insert the ballot into a secrecy sleeve and then put the secrecy sleeve into an envelope on which the statement the voter previously signed is located. The envelope shall be sealed and deposited in the ballot box. When the ballot box is opened, the envelopes shall be segregated, counted, compared to the voting list, and delivered to the official or body supervising the election. The merits of the question shall be determined by this official or body in accordance with election policies.

(e) If the voter is not questioned, the voter shall be given one ballot and shall retire to a voting booth. There the voter, without undue delay, shall mark the ballot. A voter may write in the name

of a candidate or candidates of the voter's choice; provided, however, that a voter who writes in a candidate's name must also mark the ballot in the area provided for that purpose opposite the name of such candidate in order for the voter's indication to be counted as a vote for such candidate. Upon the voter's determination that the voter has satisfactorily marked the ballot, the voter shall place the ballot within the secrecy sleeve provided and deposit the ballot in the ballot box.

(f) A voter who by accident or mistake mutilates or spoils the voter's ballot shall, upon returning the same to the election workers, be given another ballot, to a maximum of three ballots. The worker shall record the number of ballots spoiled. The voter or election worker shall immediately destroy the spoiled ballot without examining it.

(g) The voter may choose to use an electronic alternative ballot marking device as provided at a vote center or polling place in accordance with instructions provided by the election officials. Alternatively, a voter who cannot read, mark the ballot, or sign the voter's name, may be assisted in doing so by an election worker, or not more than two willing persons of the voter's choice if the voter requests such assistance. If any person other than an election worker assists the voter in reading or marking the ballot, such person shall state upon oath before the election worker that such person will not reveal the vote cast by the assisted voter.

(h) Fifteen minutes before the closing of the polls, an election worker shall proclaim to any persons present the time remaining before the polls close. When the polls are closed, that fact shall be similarly proclaimed, and thereafter no ballots shall be received except those of qualified voters already present at the polls and waiting to vote when the polls are closed.

Section 10. Amendment of Section. CBJC 29.07.150 is amended to read:

29.07.150 General procedures for ballot count.

(a) The election official may issue, amend, and rescind election policies prescribing the manner in which the precinct or vote center ballot count is accomplished so as to ensure accuracy in the count and to expedite the process.

(b) 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;

(5) 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 shall be included in the ballot statement; and

(6) The election board shall separately record the number of ballots, including personal representative and other by mail ballots, which were received at that polling place or vote center but not issued by that polling place or vote center.

(c) Ballot envelopes and ballots may be reviewed and prepared for counting at the ballot processing center to determine eligibility for counting but will not be counted before 8:00 p.m. on the day of the election.

(d) Write-in votes shall not be counted unless the candidate has filed a letter of intent as required by subsection 29.07.050(f). If the total number of ballots containing write-in votes in the general election are at least the second highest in number in a race with two or more candidates, the write-in votes will be counted individually, which may be done using an electronic adjudication process when available. In races where a candidate is unopposed, write-ins will be counted individually if they are within 100 votes or less. Write-in votes will be counted after the date of the election, but before the certification of the election in which the write-ins occurred. Write-in vote totals that do not fall within either of these two categories will not be individually counted.

Section 11. Amendment of Section. CBJC 29.07.160 is amended to read:

29.07.160 Delivery of ballots and other election material.

Upon completion of the counting of ballots at the ballot processing center, the election workers shall secure the counted ballots as directed by the election official in the election policies. The election official shall preserve them for 90 days unless the election is contested. Ballots and all numbered stubs, registers, tally sheets, and other records of the election shall be similarly returned to the election official as directed in election policies.

Section 12. Amendment of Section. CBJC 29.07.210 is amended to read:

29.07.210 Boards.

The election official shall appoint workers to serve as an election board in accordance with 29.07.020, a voting system control board, an absentee and questioned ballot review board, and a canvass review board. The election official shall appoint a chair of each board and administer the oath prescribed for election workers to chairs and the members of each of the boards.

Section 13. Amendment of Section. CBJC 29.07.240 is amended to read:

29.07.240 Voting system; demonstration.

Voters shall be informed at the polling place or vote center that they may request a demonstration of the proper way to mark a ballot with either a paper ballot or an electronic ballot marking device.

Section 14. Amendment of Section. CBJC 29.07.250 is amended to read:

29.07.250 Processing ballots at the polling place.

The election official shall establish election policies for processing and counting ballots at the polling place or vote center, the ballot processing center, or election central so as to expedite the process and to guarantee the integrity of the election.

Section 15. Amendment of Section. CBJC 29.07.280 is amended to read:

29.07.280 Review of election returns.

(a) Beginning on the first Friday after each election, ballots not previously counted and questioned ballots, which the ballot review board and election official determines should be counted, shall be counted. For by-mail elections, the election official will continue to process ballots until the review of the election returns by the canvass review board. The election official and such assistants as may be appointed by the election official shall count such ballots in accordance with the voting systems determined for use in an election.

(b) By the second Tuesday after each election, unless the second Tuesday falls on a holiday, in which case by the second Wednesday after each election, the election official shall conduct the review of all election returns with the canvass review board. The review may be postponed for cause from day to day, but there shall be no more than three such postponements. The canvass review board, in full view of those present, shall review any additional absentee or by-mail ballots that were postmarked by election day and received in the mail as well as any ballots challenged by the ballot review board and determine whether they will be rejected or counted. The canvass review board will then add those ballots eligible to be counted to the preliminary results the election returns and compile the total number of votes cast for each candidate and for and against each proposition and question to determine the final results to be certified by the election official. The election official will then certify the election in accordance to CBJ 29.07.290.

(c) Reserved.

Section 16. Amendment of Section. CBJC 29.07.340 is amended to read:

29.07.340 Expenses.

The City and Borough shall pay all necessary election expenses, including those of securing places for polls or vote centers and providing ballot boxes, ballots, voting booths, screens, voting equipment, computer services, national and state flags and other supplies, and any compensation due to election workers. Compensation for the election workers shall be set by the election official.

Section 17. Amendment of Section. CBJC 29.07.350 is amended to read:

29.07.350 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

...

Poll-based elections means those elections conducted primarily using precinct polling places or vote centers for in-person voting on election day.

...

Section 18. Amendment of Section. CBJC 29.07.360 is amended to read:

29.07.360 Elections by mail.

(a) At the direction of the assembly by motion, the election official may conduct an election by mail.

(b) The notice of election shall state that the election is to be conducted by mail and that in-person voting will take place at vote centers but not at precinct polling places open for regular in-person voting on election day. For each election conducted by mail, the notice of election published pursuant to CBJ 29.07.010(d) shall include:

- (1) The date and type of the election, regular or special;
- (2) An explanation that the election will be conducted by mail and that in-person voting will take place at vote centers but not at precinct polling places open for regular in-person voting on election day;
- (3) Qualifications of voters;
- (4) The offices to be filled, the propositions submitted to the electors, and the full text of any proposed charter amendment;
- (5) The date by which ballots will be mailed to voters;
- (6) Instructions to voters who will not be at their current mailing addresses when the ballots are to be mailed or who do not receive their ballot through the mail;
- (7) A listing of vote center locations and hours; and
- (8) An explanation of by-mail voting deadlines.

(c) When the election official conducts an election by mail, the election official shall mail a ballot to each person whose name appears on the 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 election official in writing of a different address to which the ballot should be sent. The election official is not required to mail a ballot to any voter who does not have a valid residence address, or is in the condition of purge notice (PN), undeliverable (UN), or list maintenance undeliverable (LU), as described in AS 15.07.130. Any qualified voter not mailed a ballot will not later be refused a ballot when requested, but may be required to vote a questioned ballot. The election official shall send ballots by first class, nonforwardable mail, on or before the 21st day before the election.

(d) The election official shall enclose a privacy envelope and a return envelope to each voter eligible under section (c) above. The return envelope shall have printed upon it a certification by which the voter shall declare the voter's qualifications to vote, that the voter has not voted in any other manner in this election, and a space for the voter to include at least one personal identifier. The return envelope shall include a place for recording the date the envelope was sealed and shall conceal the voter's signature and personal identifier once the voter has signed and sealed the envelope. Specific instructions for voting a by-mail ballot and a list of the vote center(s) and hours shall be included with the ballot.

(e) In a by-mail election, regardless of whether or not a voter has received a ballot by mail, a voter may cast a ballot:

(1) By mail as provided in the instructions from the election official;

(2) In person at the election official's office or at a vote center; or

(3) Under the following absentee voting procedures:

(A) At any election, a qualified voter may vote a ballot from a temporary address for any reason.

(B) The election official may designate a person as a permanent absentee voter if the person is a qualified voter, and if the voter is registered with the State of Alaska Division of Elections as a permanent absentee voter within the City and Borough.

(C) A person designated as a permanent absentee voter under subsection (b) of this section will be sent a ballot by mail at the permanent mailing address stated on the voter's current registration record unless the voter submits an application for a ballot to be mailed to a temporary address or submits an application for an electronic transmission ballot.

(D) A qualified voter may submit the application and vote from a temporary address. However, nothing in this section limits the voter's eligibility to vote in

person at a polling place or vote center, in person before an election official, or absentee through a personal representative.

(E) The election official shall provide ballots for use as absentee ballots at least 15 days prior to the election. The election official shall issue rules and instructions to absentee voters to aid them in casting their ballots. The election official shall prescribe the form of and prepare the voter's certificate, envelopes, and other materials used in absentee voting. The election official shall enclose a privacy envelope and a return envelope to each absentee voter. The return envelope shall have printed upon it a certification by which the voter shall place the voter's signature declaring that the voter is a qualified voter, that the voter has not voted in any other manner in this election, and a space for the voter to include at least one personal identifier. The return envelope shall include a place for recording the date the envelope was sealed and be manufactured in such a way that the voter's signature and personal identifiers are concealed once the voter has signed and sealed the envelope.

(F) The application for an absentee ballot shall show the qualified voter's place of residence, clearly indicate the qualified voter's right to an absentee ballot, and be signed by the qualified voter.

(i) *Absentee application for voting from a temporary address.* Beginning on January 1 of each election year, a qualified voter may in person, by mail, by facsimile machine, or by electronic transmission, file a written application for an absentee ballot at a temporary address with the election official. A complete application for a ballot to be mailed to a temporary address must be received in the office of the election official not less than seven days before election day.

(ii) *Absentee application for voting by fax or electronic transmission.* A qualified voter who has submitted an application to receive an absentee ballot by fax or electronic transmission will be issued an electronic ballot package beginning the day the ballots are available from the election official and through the close of the polls on election day. The voter must submit a written and complete application for a fax or electronic transmission ballot to the election official's office no later than 5:00 p.m. the day before election day in order for the absentee ballot to be counted. An absentee ballot that is completed and returned by the voter by fax or electronic transmission must contain the following statement: "I understand that by using fax or 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."

(iii) *Absentee voting by personal representative.* A qualified voter who is unable to go to the polling place or vote center on election day due to age, illness or disability, may appoint a personal representative to obtain a ballot

for the voter on or after the 15th day before an election, up to and including election day.

(f) In a by-mail election, ballots must be received by the election official, placed in a ballot drop box, or received at a vote center all by 8:00 p.m. on election day, or be postmarked by the post office on or before election day. Any ballots cast by a voter present in line awaiting the opportunity to vote at a vote center or to drop a ballot into one of the secure ballot drop boxes at 8:00 p.m. on election day will be considered as having been voted in a timely manner.

(g) The election official shall review and count ballots voted under this section under election policies established for the review and counting of by-mail and absentee-ballots.

Section 19. Amendment of Section. CBJC 29.07.370 is amended to read:

29.07.370 Alteration of election procedures for elections by mail.

Procedures for the conduct of by-mail elections shall be as provided for regular and/or special elections as appropriate, or in election policies issued pursuant to CBJ 29.07.350, except as follows:

(a) *Election officials.* In addition to the requirements of CBJ 29.07.020, the following provisions apply to by-mail elections:

(1) The election official may contract, without obtaining competitive bids, any portions of the election process with the State of Alaska Division of Elections or other governmental entity or agency to ensure the timely and secure conduct of a particular election called for by the assembly under this section.

(2) For the purposes of by-mail elections, each election worker must be a qualified voter of Alaska.

(b) *Candidates; nomination; write-in.* The following time requirements of CBJ 29.07.050 are modified when conducting a by-mail election:

(1) Nominating petitions must be completed and filed with the election official, accompanied by any required state financial disclosure forms, not earlier than 81 days, nor later than 4:30 p.m. of the 71st day, before the election.

(2) Any candidate nominated may withdraw his or her nomination not later than 4:30 p.m. of the 67th day before the election.

(3) A write-in candidate filing a letter of intent with the election official shall do so not earlier than 67 days, nor later than 4:30 p.m. of the seventh day, before the election.

(c) *Official candidate statement.* The following time requirements of CBJ 29.07.055 are modified when conducting a by-mail election:

- (1) Online publication on the municipal website of candidate statements will take place at least 30 days prior to the election and will not include write-in candidates.
 - (2) A candidate providing an official candidate statement under CBJ 29.07.055(b) must provide all information to the election official no later than 46 days prior to the election.
- (d) *Boards.* In addition to the requirements of CBJ 29.07.210, the election official shall appoint workers to serve as a ballot review board when conducting a by-mail election.
- (e) *Ballot review procedure.* The ballot review board shall examine each ballot envelope and shall determine whether the voter is a qualified voter as required under CBJ Charter Section 6.3 and whether the ballot has been properly cast under election policies established for the review, tabulation, and counting of by-mail ballots. The ballot review board may begin reviewing and processing by-mail ballots prior to election day as part of the election review process to prepare them for counting. The counting or tabulation of ballots that would generate any election results will not begin until after 8:00 p.m. on election day. The following standards shall guide the election policies:
- (1) A by-mail ballot shall not be counted if:
 - (A) The voter failed to properly execute the certification on the envelope with a valid signature and personal identifier or the voter's signature and personal identifier cannot be validated in accordance with the process set out in section (3) below; or
 - (B) Reserved.
 - (C) The ballot return envelope, if mailed, is received after election day, has no postmark, and USPS cannot verify the ballot return envelope was mailed on or before election day; or
 - (D) The ballot return envelope is not received before the beginning of the canvass review board review process; or
 - (E) The voter has already voted in the election.
 - (2) A by-mail ballot shall be counted if:
 - (A) The voter properly executed the certification on the envelope with a valid signature and personal identifier as verified in accordance with the process set out in section (3) below; and
 - (B) Reserved.
 - (C) The ballot return envelope was received at a voter center or deposited in a ballot drop box no later than 8:00 p.m. on election day; or

(D) The ballot return envelope, if mailed, was postmarked or the USPS can verify that the ballot return envelope was mailed on or before election day; and

(E) The ballot return envelope was received before the beginning of the canvass review board review process.

(3) Signature verification process:

(A) The voter's signature and personal identifier on the ballot certification must be compared with the signature(s) and personal identifiers in the voter's voter registration file(s) using the standards established in the election policies developed under CBJ 29.07.350.

(B) The election official may designate, in writing, election workers to perform this function. All personnel assigned to the duty of signature verification shall subscribe to an oath administered by the election official regarding the discharge of their duties. Personnel shall be trained in the signature verification process prior to actually comparing any signatures.

(C) Missing or invalid signature or personal identifier. If a voter's signature or personal identifier is missing or determined to be invalid, the election official shall, within three days of initial processing of the envelope, send a letter to the voter explaining the lack of a valid signature and/or personal identifier.

(i) The letter shall be sent to the address to which the ballot was mailed.

(ii) The voter may:

(a) Fill out the form included with the letter and return the form to the address specified on the form; or

(b) Come to the location identified in the letter and present valid identification to an election official and sign a form provided by the election official authenticating the envelope.

(iii) If the authentication is still determined to be invalid, the voter shall be notified in writing that their ballot is rejected.

(4) The ballot review board may begin reviewing and processing by-mail ballots prior to election day as part of the election review process to prepare them for counting. The tabulation of ballots will not begin until after 8:00 p.m. on election day.

(f) *Multiple and replacement ballots.* In accordance with CBJ 29.07.120(f) and the election policies developed under CBJ 29.07.350, if the voter is issued a replacement ballot, the first valid ballot received and reviewed at the ballot processing center is counted. Subsequently received

ballots from the same voter are not counted. Subsequent ballot envelopes received from a voter who has already voted shall be marked "rejected," segregated from approved ballot envelopes, remain unopened, and forwarded to the canvass review board for final adjudication. The voter shall be notified by letter mailed to their mailing address and, if applicable, temporary mailing address.

Section 20. Amendment of Chapter. Chapter CBJC 29.07 is amended by adding a new section as follows:

29.07.380 Observers.

- (a) All observers must be registered with the election official, in accordance with election policies, in advance of showing up to observe at a polling place, vote center, and/or ballot processing center.
- (b) An observer must be designated by a candidate on the ballot in the election, or by an organization or organized group that sponsors or opposes an initiative, referendum, or recall measure on the ballot in the election. A candidate may be an observer. A candidate or an organization may have no more than one observer at each vote center or polling location.
- (c) A write-in candidate may register observers if, at the time of registering observers, the write-in candidate has met the requirements in 29.07.050(f).
- (d) Due to limited space at the ballot processing center, one registered observer for each candidate or group will be allowed at the ballot processing center unless the number of registered observers exceeds capacity at the ballot processing center and the election official provides reasonable alternative means of observation. The election official may permit additional observers on a space available basis provided each candidate and group is allocated an opportunity for an equal share of the total number of observers permitted. Candidates and groups may share an observer.
- (e) Observer registration. Each candidate or organization shall register by submitting the following forms to the election official and in accordance with election policies as follows:
 - (1) An observer registration form; and
 - (2) A signed confidentiality agreement; and
 - (3) A training and tour agreement; and
 - (4) A certificate of training.

Once the above forms are submitted, the election official shall provide credentials available for pick-up within 72 hours, in the form of an observer identification badge stating the observer's name, who they represent, and the date. The badge must be signed by the candidate, campaign

manager, or the chairperson of the group before the observer may begin to observe at an election location.

Section 21. Amendment of Section. CBJC 29.10.030 is amended to read:

29.10.030 Petition format.

- (a) The petition form prepared by the election official for issuance to the petitioners' committee shall be in substantial compliance with this section.
- (b) The front of the cover page of the petition shall provide a space for the name of the person who is circulating the petition and shall contain a statement in bold type identifying the petition as a referendum or initiative petition as appropriate, the initiative or referendum request, a space for an impartial summary of the ordinance to be initiated or referred, a statement in bold type that a notice to petition signers is on the back of the cover sheet and that the ordinance to be initiated or referred is inside the first page of the petition, and a petition booklet number. On the back of the cover sheet, the election official shall cause to have printed a notice to the petition signers that signatures must be in ink, the residence address, mailing address, and printed name must be legible, that the signer must be a registered voter and have been a resident of the City and Borough for the immediately preceding 30 days, and the acceptable and unacceptable forms of residence address which appear in subsections 29.10.090(b) and (c).
- (c) The second and such subsequent pages as are necessary shall contain a space for the full text of the ordinance to be initiated or referred.
- (d) Following the full text of the ordinance shall be not less than five nor more than ten signature pages. Qualified voters signing the petition shall provide their printed name, signature, residence address, and one personal identifier—which can be the last four digits of the voter's registration identification number, the last four digits of the voter's driver's license or state identification number, the last four digits of the voter's social security number, or the voter's year of birth, mailing address and zip code, length of residence in City and Borough, and date signed. The election official shall number each signature page serially in a sequence of numbers which shall be continuous through all booklets issued. Above the column titles shall be the petition request, which shall make reference to the ordinance or measure to be initiated or referred and its location in the booklet. At the bottom of each signature page shall be a statement that to be valid, the signature must be in ink, the name as printed and signed must be in the same form as the name appears on the state voter registration rolls, the printed name, personal identifier, and residence address must be legible and the signer must indicate his or her length of address in the City and Borough immediately preceding signing the petition.
- (e) The signature page shall contain the affidavit of the circulator as required by section 7.5 of the Charter.
- (f) Each booklet shall be assembled by the election official and all pages within each booklet shall be stapled or otherwise fastened together.

Section 22. Amendment of Section. CBJC 29.10.040 is amended to read:

29.10.040 Instructions to petitioners.

The election official shall issue written instructions to the petitioners' committee setting forth the requirement that to be valid the signature line must contain the signature in ink, the legible printed name, the legible residence address of the municipal voter signing the petition, one personal identifier, and the length of residence in the City and Borough. The instructions shall also include the types of addresses which are and are not acceptable as residence addresses.

Section 23. Amendment of Section. CBJC 29.10.060 is amended to read:

29.10.060 Submission and receipt of petitions.

(a) The petitioners' committee shall file the petitions as a single instrument. After the filing, no additional petition booklets may be received by the election official for validation whether such additional booklets are submitted before or after the expiration of the petition period. Such late booklets shall be received only for the purpose of preservation for the record.

(b) Filing shall be done during municipal business hours. If the last day of the period falls on a Saturday which is not a City and Borough holiday, the election official shall make arrangements with the petitioners' committee to receive the petitions at the election official's office at or before 4:30 p.m. on that Saturday. If the last day of the period falls on a Sunday or other City and Borough holiday, the petitioners' committee may file the petition not later than 9:00 a.m. on the first weekday which is not a holiday.

(c) Immediately upon receipt of the petition, and in the presence of the person submitting the petition, the election official shall check each booklet and shall mark as rejected on its face, and the reason for rejection, any petition booklet which:

- (1) Shows evidence of having been disassembled and reassembled;
- (2) Does not contain all pages of the ordinance to be initiated or referred;
- (3) Does not contain the fully completed, signed and notarized affidavit of the circulator.

(d) Due to potential confidential voter information contained in petition booklets, all petition booklets and copies of booklets must be surrendered to the election official within 60 days of issuance.

Section 24. Amendment of Section. CBJC 29.10.080 is amended to read:

29.10.080 Validation of signatures.

(a) The election official shall reject the signature of any person whose name does not appear on the voter registration list available from the state elections office and who is determined by the

state elections office to be a person who is not registered on the day the election official requests state verification of the voter status of the person.

(b) The election official shall reject the signature of any person whose signed and printed name are so illegible that the election official cannot identify the name; provided, however, the election official may accept an otherwise illegible name if the voter has provided adequate personal identifying information and the legible address information given by the person corresponds to voter registration information of the person registered to the personally identifying information given.

(c) The election official shall reject all but one signature of any person who has signed his or her name two or more times to petition booklets.

(d) The election official shall reject the signature of any person whose signature is not executed in ink.

(e) The election official shall reject the signature of any person who had not been a resident of Juneau for the 30 days immediately preceding the date the person signed the petition.

(f) The election official shall reject the signature of any person who fails to provide a legible and adequate residence address as provided in section 29.10.090.

(g) The election official shall reject the signature of any person whose petition signature and printed name are not the form in which the person is registered to vote unless the election official is able to determine from the voter's personal identifying information or the address information from the state elections office that the signature is that of a registered voter.

Section 25. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 13th day of June, 2022.



Beth A. Weldon, Mayor

Attest:



Elizabeth J. McEwen, Municipal Clerk