



# SPECIAL ASSEMBLY MEETING 2023-12 (FOLLOWED BY AFC) AGENDA

May 17, 2023 at 5:00 PM

Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/93917915176> or 1-253-215-8782 Webinar ID: 939 1791 5176

Immediately followed by Assembly Finance Committee Meeting

## A. CALL TO ORDER

## B. LAND ACKNOWLEDGEMENT

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. *Gunalchéesh!*

## C. ROLL CALL

## D. MANAGER'S REQUEST FOR AGENDA CHANGES

## E. PUBLIC PARTICIPATION

The public may participate in person or via Zoom webinar. Testimony time will be limited by the Mayor based on the number of participants. ***Members of the public that want to provide oral testimony via remote participation must notify the Municipal Clerk prior to 4pm the day of the meeting by calling 907-586-5278 and indicating the topic(s) upon which they wish to testify.*** For in-person participation at the meeting, a sign-up sheet will be made available at the back of the Chambers and advance sign-up is not required. Members of the public are encouraged to send their comments in advance of the meeting to [BoroughAssembly@juneau.gov](mailto:BoroughAssembly@juneau.gov).

## F. APPROVAL OF MINUTES

1. **April 26, 2023 Special Assembly Meeting #2023-10 DRAFT Minutes**

## G. AGENDA TOPICS

### 2. **ORDINANCES FOR INTRODUCTION**

**Ordinance 2022-06(b)(AX) An Ordinance Appropriating \$8,100,000 to the Manager for the Purchase of the Juneau Bone and Joint Center Building at 3220 Hospital Drive; Funding Provided by Hospital Funds.**

This ordinance would appropriate \$8,100,000 of hospital funds for the purchase of the Juneau Bone and Joint Center Building at 3220 Hospital Drive. The property includes over 21k sq. ft. of medical and commercial space in two buildings on a 53k sq. ft. parcel. With clinical and healthcare administration space challenging to come by in the current real estate market, this acquisition would represent one of the few opportunities to increase Bartlett's (BRH) space for growth near our existing campus. Additionally, the existing JBJC property offers steady commercial rental income, providing immediate access to positive cash flow.

This ordinance will appropriate authority to a capital improvement project for the purchase of this building to offer Bartlett maximum flexibility in transaction closing.

This request was reviewed by the Hospital Board at the April 25th, 2023, meeting.

**The Manager recommends this ordinance be introduced and set for public hearing at the next regular Assembly meeting.**

**3. PUBLIC HEARING**

**Ordinance 2022-06(b)(AK)(c) An Ordinance Appropriating \$1,200,000 to the Manager for a Loan for the Ridgeview Subdivision Project; Funding Provided by the Affordable Housing Fund.**

During the Fall 2022, Round Two competition of the Juneau Affordable Housing Fund (JAHF), four projects were awarded funding through a competitive funding round. The awardees were announced at the November 28, 2022 Lands Housing and Economic Development Committee meeting and approved at the December 12, 2022 Assembly meeting. The phase one preliminary plat and the preliminary alternative residential development plan were approved by the Planning Commission on December 12, 2022.

This ordinance appropriates funds for a low interest \$1.2 million loan to Rooftop Properties, LLC, or Glacier Heights, LLC, to promote the construction of 24 units of new housing in the midtown area of Juneau. The application indicated long-term plans to build a total of 444 housing units. The loan will be secured by a deed of trust on the property.

The Systemic Racism Review Committee reviewed this request at the February 28, 2023 meeting and forwarded it to the full Assembly for public hearing.

At the direction of the Assembly Committee of the Whole at its March 6, 2023 meeting, the City Manager redrafted this ordinance with substantive changes requiring re-introduction.

The Lands, Housing and Economic Development Committee heard this topic on April 24th and forwarded version b to the Assembly. The Manager has updated this version c to explicitly authorize the Manager to subrogate the CBJ's interests to those of a commercial lending institution (bank).

***The City Manager recommends the Assembly adopt this ordinance.***

**4. PUBLIC HEARING**

**Ordinance 2023-24 An Ordinance Amending the Elections Code Relating to Election Procedure.**

At the January 30, 2023 Regular Assembly meeting, the Assembly directed staff to draft an ordinance which would make by mail elections the default for all CBJ elections going forward unless called for differently by the Assembly. Since that is a paradigm shift in the default method by which we conduct elections, it also required an overhaul of our current election code. Ordinance 2023-24 is mostly a housekeeping rewrite of the election code to streamline and move current by mail election sections 29.07.360 and 29.07.370 into the main body of the election code. It also provides clarity of language and codifies some of the past practices that have been in our policies and procedures into the code to enhance election transparency.

The Assembly Committee of the Whole (COW) reviewed the draft ordinance at its April 24, 2023 meeting and forwarded it to the Assembly. Your packet contains the Municipal Clerk's memo to the Assembly COW with the sectional summary of the ordinance changes to the election code.

**The City Manager recommends the Assembly adopt this ordinance.**

**H. SUPPLEMENTAL MATERIALS**

**I. ADJOURNMENT**

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org.

# SPECIAL ASSEMBLY MEETING 2023-10

## **DRAFT** MINUTES



April 26, 2023 at 5:30 PM

### Assembly Chambers/Zoom Webinar

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<https://juneau.zoom.us/j/93917915176> or 1-253-215-8782 Webinar ID: 939 1791 5176

Immediately followed by Assembly Finance Committee Meeting

#### A. CALL TO ORDER

**Meeting No. 2023-10:** The Special Meeting of the City and Borough of Juneau Assembly was held in the Assembly Chambers and called to order by Acting Mayor Carole Triem at 5:33p.m. Mayor Weldon and Deputy Mayor Maria Gladziszewski participated virtually via Zoom so senior Assemblymember Carole Triem presided during this meeting.

#### B. LAND ACKNOWLEDGEMENT

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

#### C. ROLL CALL

**Assemblymembers Present:** Carole Triem, Maria Gladziszewski (via Zoom), Greg Smith, Christine Woll, Michelle Hale, Wade Bryson, Alicia Hughes-Skandijs, and Mayor Beth Weldon (via Zoom)

**Assemblymembers Absent:** ‘Wáahlaal Gíidaak

**JSD Board of Education Members & Staff Present:** President Deedie Sorensen, Emil Mackey, Will Muldoon, Elizabeth “Ebette” Siddon, Amber Frommherz, Martin Stepetin Sr., Superintendent Bridget Weiss, Finance Officer Cassee Olin

**CBJ Staff Present:** City Manager Rorie Watt, Deputy City Manager Robert Barr, Acting City Attorney Sherri Layne, Municipal Clerk Beth McEwen, Finance Director Jeff Rogers, Finance Director Angie Flick, Budget Manager Adrien Speegle, Controller Sarita Knoll, Finance Administration Coordinator John Nesmith, Engineer/Public Works Director Katie Koester, Parks and Recreation Director George Schaaf, Docks & Harbors Administrative Officer Teena Larson, Assistant Attorney Emily Wright, Tourism Manager Alexandra Pierce

#### D. APPROVAL OF MINUTES

##### 1. October 24, 2022 Assembly Reorganizaton Meeting #2022-24 DRAFT Minutes

**MOTION** by Ms. Hale to approve the minutes of the October 24, 2022 Assembly meeting and asked for unanimous consent. **Hearing no objection, the minutes were approved by unanimous consent.**

#### E. MANAGER'S REQUEST FOR AGENDA CHANGES – None.

#### F. PUBLIC PARTICIPATION

The public may participate in person or via Zoom webinar. Testimony time will be limited by the Mayor based on the number of participants. **Members of the public that want to provide oral testimony via remote participation must notify the Municipal Clerk prior to 4pm the day of the meeting by calling 907-586-5278 and indicating the topic(s) upon which they wish to testify.** For in-person participation at the meeting, a sign-up sheet will be made

available at the back of the Chambers and advance sign-up is not required. Members of the public are encouraged to send their comments in advance of the meeting to BoroughAssembly@juneau.gov.

**G. AGENDA TOPICS/PUBLIC HEARING**

**2. Ordinance 2023-14 An Ordinance Appropriating Funds from the Treasury for FY24 City and Borough Operations.**

This ordinance appropriates \$519,655,600 in expenditure authority for the City and Borough of Juneau's FY24 operating budget, excluding the School District. This ordinance appropriates all transfers between funds that support operations, debt service and capital projects as well as the associated expenditures within the funds themselves.

This ordinance also recognizes \$492,395,600 of forecast revenue and transfers-in and decreases fund balances, across all funds, by \$27,260,000. The forecast revenue and draw from fund balance are sufficient to fund the budgeted expenditures. Budgeted expenditures and revenues will be reviewed in detail with the Finance Committee during the budget process in April and May.

The Charter requires that a public hearing be held on the FY24 operating budget by May 1, 2023, and the ordinance be adopted by June 15, 2023.

**The City Manager recommends holding the charter required public hearing for this ordinance, followed by referral back to the Assembly Finance Committee for further review.**

**Public Comment**

None.

**Assembly Action**

**MOTION** by Mayor Weldon to refer Ordinance 2023-14 back to the Assembly Finance Committee for further review and asked unanimous consent. ***Hearing no objection, the motion passed by unanimous consent.***

**3. Ordinance 2023-15 An Ordinance Appropriating Funds from the Treasury for FY24 School District Operations.**

This ordinance will appropriate to the School District an FY24 operating budget of \$96,317,000. This is an overall increase in the budget of \$9,658,000 from the FY23 Amended Budget. The FY24 school budget is supported with a combination of funding sources including CBJ local funding of \$33,050,800 and state and federal funding of \$58,996,000. The local funding consists of \$30,775,800 for general operations and \$2,275,000 for programs and activities not subject to the state funding cap.

State statute requires the Assembly to determine the total amount of local educational funding support to be provided and provide notification of the support to the School Board within 30 days of the School District's budget submission. To meet this timing provision, it is necessary for the Assembly to determine the amount of funding and provide notice in the month of April. This amount cannot subsequently be reduced, unless the amount exceeds the State funding cap, but it can be increased. If the Assembly does not set the amount and furnish the School Board with notice within 30 days, the amount requested by the School District is automatically approved. By Charter, the Assembly is required to appropriate the School District's budget no later than May 31, 2023.

**The City Manager recommends holding the charter required public hearing for this ordinance, followed by a motion to set the amount of local funding to be provided to the school district, and then referral of the ordinance back to the Assembly Finance Committee for additional review.**

**Public Comment**

None.

**Assembly Action**

**MOTION** by Mayor Weldon to set the amount of local funding for the School District Operations at \$30,775,800, which is funding to the cap, and to refer Ordinance 2023-15 back to the Assembly Finance Committee for further review and asked unanimous consent. **Hearing no objection, the motion passed by unanimous consent.**

**4. Ordinance 2023-16 An Ordinance Establishing the Rate of Levy for Property Taxes for Calendar Year 2023 Based upon the Proposed Budget for Fiscal Year 2024.**

This ordinance establishes the mill rates for property taxes for 2023, which funds a significant portion of the City and Borough of Juneau’s FY24 operating budget. The Charter requires the Assembly to adopt, by ordinance, the tax levies necessary to fund the budget before June 15.

The mill levies presented in this ordinance support the Manager’s FY24 Revised Budget that will be reviewed by the Assembly Finance Committee (AFC). As part of the budget review process, the AFC reviews, amends and recommends to the Assembly the final mill levies.

For FY24, the operating mill rate is proposed to decrease 0.28 mills for a total proposed mill levy of 10.28 mills, the components of which are:

**FY2024 Proposed Mill Rate**

Areawide: 6.32 (a decrease of 0.28 from FY23 Adopted)

Roaded Service Area: 2.45 (flat from FY23 Adopted)

Fire Service Area: 0.34 (flat from FY23 Adopted)

Debt Service: 1.20 (flat from FY23 Adopted)

**Total FY24 Proposed Mill Rate: 10.28 (a decrease of 0.28 from FY23 Adopted)**

**The City Manager recommends holding the charter required public hearing for this ordinance, followed by referral back to the Assembly Finance Committee for further review.**

**Public Comment**

*Due to an accident that had stopped traffic on the Back Loop Road for hours on April 26, Ms. Gerke did not arrive at the meeting until the Finance Committee was in progress. Due to the special circumstances, Ms. Triem, allowed public testimony on this matter during a portion of the Assembly Finance Committee meeting.*

**Ms. Brandee Gerke**, a resident off the Back Loop Road, testified requesting the Assembly consider a reduction in the mill levy due to the state of the economy at this time and enumerated the reasons for her request.

**Assembly Action**

**MOTION** by Mayor Weldon to refer Ordinance 2023-16 back to the Assembly Finance Committee (AFC) for further review and asked unanimous consent.

Mayor Weldon noted that the Assembly will be discussing this item again on May 17 according to the AFC schedule.

Ms. Hale objected for purposes of a statement. She said that she has been running scenarios based on the budget book, particularly Doc-11, which is the Mill Rate Sensitivity Calculation. She said that currently at the 10.28 mill rate, they would be at a deficit of \$9,438 but she will be looking at possibly making changes to the mill levy, possibly to the rate of 10.20, which would be a deficit of \$529,921, or she may wish to go further. She stated that reason she wants to consider that is because we have a substantial restricted budget reserve, we have a fund balance, and she believes that we should not be imposing that fear when we have a fund balance to provide us with a buffer. She said she wanted to put that she will be bringing that up as a point of discussion in the future and she removed her objection. **Hearing no further objection, the motion passed by unanimous consent.**

**5. Resolution 3016 A Resolution Adopting the City and Borough Capital Improvement Program for Fiscal Years 2024 through 2029, and Establishing the Capital Improvement Project Priorities for Fiscal Year 2024.**

This resolution would adopt the Capital Improvement Program (CIP) for Fiscal Years 2024 through 2029, as required by Charter Section 9.4, and lists the capital projects that will be initially appropriated by ordinance in FY24.

The Public Works and Facilities Committee reviewed the preliminary CIP at its March 6, 2023 meeting and forwarded the plan to the Assembly.

**The City Manager recommends holding the charter required public hearing for this resolution, followed by referral back to the Assembly Finance Committee for further review.**

**Public Comment**

*None.*

**Assembly Action**

**MOTION** by Mayor Weldon to refer Resolution 3016 back to the Assembly Finance Committee (AFC) for further review and asked unanimous consent. ***Hearing no objection, the motion passed by unanimous consent.***

**6. Resolution 3026 A Resolution Providing For Interest Rates For The General Obligation Bonds Being Issued Through Negotiated Sale by RBC Capital Markets, LLC.**

On or about May 4, 2023, CBJ is scheduled to sell approximately \$6.4 million in general obligation bonds approved by voters in the October 4, 2022 municipal election.

The issuance of bonds was authorized by the Assembly in Ordinance 2023-13(b) adopted March 20, 2023. The final Assembly action, per CBJ Charter, related to these bonds is to "prescribe" (set/accept) by resolution the interest rates and annual principal maturity payment dollar amounts.

CBJ legal counsel, K&L Gates, has prepared Resolution 3026 to adopt the interest rates, via delegation to the City Manager, and set other final bond sale terms. Schedule A of the resolution lists the years and amounts when the bonds will mature and sets the maximum interest rates authorized. The aggregate interest cost for all the bonds is estimated to be near 3.83%.

**The City Manager recommends the Assembly adopt this resolution.**

**Public Comment**

*None.*

**Assembly Action**

**MOTION** by Mayor Weldon to adopt Resolution 3026 and asked unanimous consent. ***Hearing no objection, the motion passed by unanimous consent.***

**H. SUPPLEMENTAL MATERIALS**

**I. ADJOURNMENT**

*There being no further business to come before the Assembly, the meeting adjourned at 5:50 p.m.*

Signed: \_\_\_\_\_  
Elizabeth J. McEwen  
Municipal Clerk

Signed: \_\_\_\_\_  
Beth A. Weldon  
Mayor

Presented by: The Manager  
Introduced: May 17, 2023  
Drafted by: Finance

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

**Serial No. 2022-06(b)(AX)**

**An Ordinance Appropriating \$8,100,000 to the Manager for the Purchase of the Juneau Bone and Joint Center Building at 3220 Hospital Drive; Funding Provided by Hospital Funds.**

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

**Section 1. Classification.** This ordinance is a noncode ordinance.

**Section 2. Appropriation.** There is appropriated to the Manager the sum of \$8,100,000 for the purchase of the Juneau Bone and Joint Center Building at 3220 Hospital Drive.

**Section 3. Source of Funds**

Hospital Funds \$8,100,000

**Section 4. Effective Date.** This ordinance shall become effective upon adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Beth A. Weldon, Mayor

Attest:

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Elizabeth J. McEwen, Municipal Clerk

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Presented by: The Manager  
Presented: 02/27/2023  
Drafted by: Manager

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

**Serial No. 2022-06(b)(AK)(c)**

**An Ordinance Appropriating \$1,200,000 to the Manager for a Loan for the Ridgeview Subdivision Project; Funding Provided by the Affordable Housing Fund.**

WHEREAS, during the 2022 Juneau Affordable Housing Fund solicitation, the City and Borough of Juneau received a proposal from a private development group for a construction loan of \$1,200,000 for 24 apartment units in a multifamily building configuration in the midtown area of Juneau near Juneau International Airport; and

WHEREAS, the scoring team (including a banker and a developer) supported a loan to the private development group with the condition that the loan was collateralized; and

WHEREAS, the developers, Rooftop Properties, LLC, and Glacier Heights, LLC, have proposed that the City and Borough accept real property as collateral for the loan, which property is all or a portion of the land with a street address of 7400 Glacier Highway, a legal description of USS 1568 TRB1, with a total size of 19.71 acres that is zoned D18; and

WHEREAS, prior to executing a loan agreement with CBJ, Rooftop Properties, LLC, and Glacier Heights, LLC, will have secured an appraisal of the Ridgeview Subdivision Project which indicates that project is financially feasible given the housing market situation in Juneau and the Southeast Alaska economy; and



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WHEREAS, CBJ, Rooftop Properties, LLC, and Glacier Heights, LLC agree that the maximum debt allowed between the private commercial loan and the CBJ loan will not exceed a loan to value of 75% of the appraised value of the project; and

WHEREAS, CBJ and Rooftop Properties, LLC, and Glacier Heights, LLC agree that since a bank loan will be used for the development project that a loan from CBJ must be secured in a manner that places CBJ's interests after those of the bank, otherwise a bank will not loan on a development project; and

WHEREAS, given the high demand for housing and the potential benefits for the community if the Ridgeview Subdivision Project is fully developed, the following appropriation terms and conditions are in the best interest of the community.

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

**Section 1. Classification.** This ordinance is a noncode ordinance.

**Section 2. Appropriation.** There is appropriated to the Manager the sum of \$1,200,000 for a loan to the Ridgeview Subdivision Project.

**Section 3. Source of Funds.**

Juneau Affordable Housing Fund                      \$1,200,000

**Section 4. Loan Purpose and Terms.** The Manager is authorized to negotiate a loan contract with Rooftop Properties, LLC, and Glacier Heights, LLC, with the following essential terms, in addition to other reasonable contractual and financing provisions deemed necessary by the Manager to protect the City and Borough:

**(a) Intent.** Housing, especially workforce housing in the midtown area of Juneau near Juneau International Airport, is in high demand. The purpose of this loan is to provide capital in

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the form of a construction loan, secured by a deed of trust, to help encourage and facilitate the development of 24 housing units.

**(b) Borrower.** The Developer and Borrower are Rooftop Properties, LLC, and Glacier Heights, LLC, represented by Garrett Johnson, who is a Manager of both these Limited Liability Companies.

**(c) Real Property (“Property”).** This appropriation is for 24-unit apartment building on a portion of the following real property:

USS 1568 TRB1.

**(d) Loan Amount.** A construction loan of \$1,200,000 shall be made to Rooftop Properties, LLC, or Glacier Heights, LLC, in a single disbursement.

**(e) Payment Term.** Rooftop Properties, LLC, or Glacier Heights, LLC, shall pay CBJ monthly once repayment of the loan commences. Monthly payments shall begin the first business day of the first month that occurs 6 months after a final certificate of occupancy is obtained from the CBJ Building Official. The loan payments shall be calculated on a 25-year amortization schedule and the full amount of the loan shall be due after 10 years of payments (120 monthly payments).

**(f) Interest Rate and Calculation.** The loan authorized by the ordinance will be at zero *per cent (0%) per annum* for the first five years of the loan and two per cent (2%) per annum for the remaining five years of the loan. After ten years of payments, the loan shall be repaid in full.

**(g) Security.** In exchange for the City and Borough providing the loan, Rooftop Properties, LLC, and/or Glacier Heights, LLC, will agree and grant authority to the City and Borough to secure the loan with a deed of trust conveying the real property. Rooftop Properties,

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2 LLC, and/or Glacier Heights, LLC, and the City and Borough may renegotiate the terms of the  
3 property which provides security for the loan over the life of the loan. Rooftop Properties, LLC,  
4 and/or Glacier Heights, LLC further agrees to authorize the City and Borough to secure the loan  
5 with liens on any materials purchased with the loaned money; the City and Borough will release  
6 the materials liens either upon Rooftop Properties, LLC, and/or Glacier Heights, LLC, completing  
7 repayment or upon the permanently installing the materials onto or into the property.  
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9 **(h) Subrogation.** The Manager may subrogate the CBJ’s interests to those of the  
10 commercial banking lender.

11 **(i) Additional Loan Terms.** The Manager may add additional terms consistent with  
12 the intent of this ordinance.

13 **Section 5. Effective Date.** This ordinance shall be effective 30 days after its adoption.

14 Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

17 \_\_\_\_\_  
Beth A. Weldon, Mayor

18 Attest:

19 \_\_\_\_\_  
20 Elizabeth J. McEwen, Municipal Clerk  
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Presented by: The Manager  
Presented: 05/08/2023  
Drafted by: S. Layne

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

**Serial No. 2023-24**

**An Ordinance Amending the Elections Code Relating to Election Procedure.**

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 Chapter.** CBJC Chapter 29.07 Election procedures, is amended to read:

**Chapter 29.07 - ELECTION PROCEDURES.**

**29.07.010 Election times; notice.**

(a) The Election Official will conduct all elections by mail, unless otherwise directed by the Assembly.

~~(a)~~ (b) *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.

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

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8 ~~(e)~~ (d) Voting hours. ~~The polls in each voting precinct or vote center shall be open as provided~~  
9 ~~in state law on all municipal election days for the purpose of voting.~~ On election day, vote  
10 centers, or in a poll-based election, precinct locations, will be open from 7:00a.m. to 8:00p.m.  
11 Ballots must be received by the election official, placed in a ballot drop box, or received at a vote  
12 center all by 8:00 p.m. on election day, or be postmarked by the post office on or before election  
13 day. Any ballots cast by a voter present in line awaiting the opportunity to vote at a vote center  
14 or to drop a ballot into one of the secure ballot drop boxes at 8:00 p.m. on election day will be  
15 considered as having been voted in a timely manner.

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

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21 ~~(e)~~ (f) Contents of election notices. Notices of election shall state how the election is to be  
22 conducted; by mail or poll-based. For each election, the notice of election published pursuant to  
23 CBJ 29.07.010(d), shall include:

- 24 ~~(1) The date of the election;~~

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2 ~~(2) The time of opening and closing the polling places or vote centers;~~

3 ~~(3) The location of precinct polling places or vote centers;~~

4 ~~(4) The qualifications of voters;~~

5 ~~(5) The type of election, regular or special;~~

6 ~~(6) The offices to be filled, the propositions submitted to the electors, and the full text of~~  
7 ~~any proposed charter amendment submitted to the electors.~~

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9 (1) The date and type of the election, regular or special, and the method by which the  
10 election is being conducted, by mail or poll-based;

11 (2) Qualifications of voters;

12 (3) The offices to be filled, the propositions submitted to the electors, and the full text of  
13 any proposed charter amendment; and

14 (4) An explanation that in-person voting will be available at vote centers on election day,  
15 but no polling places will be in operation;

16 (5) The date by which ballots will be mailed to voters;

17 (6) Instructions to voters who will not be at their current mailing addresses when the  
18 ballots are to be mailed or who do not receive their ballot through the mail;

19 (7) A listing of vote center and ballot drop box locations and hours;

20 (8) An explanation of by-mail voting deadlines; or

21 (9) If conducted as a poll-based election, in addition to (1)-(3), the location and hours of  
22 precinct polling places for early voting and regular in-person voting on election day.

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2 **29.07.020 Election officials.**

3 (a) The City and Borough of Juneau Municipal Clerk is the City and Borough of Juneau  
4 Election Official. Any properly authorized assistant to the City and Borough of Juneau  
5 Municipal Clerk or other person designated by the manager shall be an assistant City and  
6 Borough of Juneau Election Official and may perform any functions set out in this chapter as a  
7 function of the City and Borough of Juneau Election Official.  
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9 (1) The election official may contract, without obtaining competitive bids, any portions of  
10 the election process with the State of Alaska Division of Elections, other governmental  
11 entity or agency, or contractor to ensure the timely and secure conduct of a particular  
12 election.

13 (2) Each election worker must be a qualified voter of Alaska.

14 (b) Before each election, the election official shall appoint a minimum of two election workers  
15 in each precinct or vote center to constitute the election ~~board~~ team for that precinct or vote  
16 center. ~~One member of the election board in each precinct or vote center shall be designated~~  
17 ~~chair by the election official and shall be primarily responsible for administering the election~~  
18 ~~in that location.~~ The election official may assign additional election workers at any ~~polling place~~  
19 ~~or~~ vote center or precinct polling place as necessary to conduct an orderly election ~~or to relieve~~  
20 ~~the election board serving of undue hardship.~~

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22 (c) If any election ~~board member~~ worker fails or refuses to attend and serve, the election  
23 official shall appoint a person eligible under this section to serve in the absentee's place.

24 ~~(d) Each election worker must be a qualified voter of the City and Borough of Juneau.~~  
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(e) (d) 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 \_\_\_\_\_."

**29.07.030 ~~Voting precincts~~ Precinct Boundaries.**

(a) ~~Voting precincts~~ Precinct boundaries in the City and Borough of Juneau shall be ~~the same~~ as for state elections, in accordance with CBJ Code 11.10.030.

(b) ~~The polling places or~~ vote centers or precinct polling places shall be specified by the City and Borough of Juneau Election Official.

**29.07.040 Candidate districts.**

In any election of school board members or any election of assemblymembers involving a multimember district, the candidates receiving the highest number of votes shall be deemed elected to the vacant seats. If vacancies exist on the school board or within a multimember assembly district for seats with different terms, the candidate receiving the highest number of votes shall be deemed elected to the seat with the longest term ~~and the candidate who was elected with the fewest number of votes shall be deemed elected to the seat with the shortest term; seats for other terms of different lengths shall be similarly determined in accordance with the number of votes received.~~ and the candidate with the second highest number of votes shall be deemed elected to the seat with the next longest term until all seats are filled in that order.



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**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.

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(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 east in the election in which the candidate ran.~~ 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 pm of the 71<sup>st</sup> day, before the election.

(d) Within four days after the filing of a nominating petition packet, the City and Borough of Juneau Election Official shall notify the candidate named in the petition and the person who filed the petition packet 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 packet is deficient, to the person who filed it. A

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2 petition packet correcting the deficiencies for the same candidate may be filed ~~within the time~~  
3 ~~for filing petitions~~ no later than 4:30 pm of the 71<sup>st</sup> day, before the election.

4 (e) ~~Any candidate nominated may withdraw his or her nomination not later than 4:30 p.m. of~~  
5 ~~the 46th day before the election.~~ Any candidate nominated may withdraw their nomination not  
6 later than 4:30p.m. of the 67<sup>th</sup> day before the election.

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8 (f) A write-in candidate shall, ~~not later than 4:30 p.m. of the fifth day before the election,~~ not  
9 earlier than 67 days, nor later than 4:30 p.m. of the seventh day before the election, file with  
10 the election official a letter of intent or declaration of candidacy form stating:

- 11 (1) The full name of the candidate;
- 12 (2) The full residence address of the candidate and the date on which residency at that
- 13 address began;
- 14 (3) The full mailing address of the candidate;
- 15 (4) The office that the candidate seeks;
- 16 (5) The date of the election at which the candidate seeks election;
- 17 (6) The length of residency in the City and Borough;
- 18 (7) The name of the candidate as the candidate wishes it to be written on the ballot by the
- 19 voter;
- 20 (8) That the candidate will meet the specific age requirements of the office for which the
- 21 person is a candidate by the time that the candidate, if elected, is sworn into office;
- 22 (9) That the candidate is a qualified voter as required by law; and
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(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.

**29.07.055 Official candidate statement.**

(a) The election official shall publish online an official candidate statement submitted by the candidate. The information will be obtained from candidate responses to a questionnaire prepared by the election official. Online publication on the municipal website of candidate statements will take place ~~35~~ 30 days prior to the election and will not include write-in candidates.

(b) A candidate for elected office under section 29.07.050 may provide the election official with biographical information of not more than 150 words, a recent photo of the candidate, and a candidate's advocacy statement of not more than 250 words, for publication on the municipal website. All information must be received by the election official no later than ~~36~~ 50 days prior to the election. A candidate may not make a change to the candidate's biographical information or advocacy statement after the deadline. ~~A candidate's advocacy statement must be submitted typewritten or transmitted electronically.~~ An article such as "a", "and" and "the" will be counted as one word. Any words included in the biographical information or candidate's advocacy statement beyond the allowed word counts will not be published.

(c) A candidate may submit any of the candidate's following biographical information:

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- 2 (1) Name as it appears on the ballot;
- 3 (2) Residence address;
- 4 (3) Mailing address;
- 5 (4) Office sought;
- 6 (5) Electronic mail address;
- 7 (6) Website address;
- 8 (7) Age at the date of the election;
- 9 (8) Place of birth;
- 10 (9) Occupation;
- 11 (10) Spouse or domestic partner's name;
- 12 (11) Children's names;
- 13 (12) Length of Juneau residency;
- 14 (13) Communities lived in and dates of residence;
- 15 (14) Education, such as high school, technical and vocational school, college, university
- 16 or postgraduate, including dates attended and degree or certificates earned;
- 17 (15) Military service, listing the branch, length of service, rank and awards earned;
- 18 (16) Political and government ~~positions~~ work;
- 19 (17) Business and professional ~~positions~~ work;
- 20 (18) Service organization memberships;
- 21 (19) Special interests; and
- 22 (20) Any other information the candidate considers appropriate.
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(d) For purposes of a candidate's advocacy statement, a candidate may include comments about the candidate in the following areas:

- (1) The candidate's skills; and
- (2) The candidate's position on municipal issues.

(e) The election official may reject any portion of an official candidate statement containing obscene, libelous, profane, slanderous or defamatory material.

**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.

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2 (3) If two or more candidates have family last names starting with the same letter, they  
3 will be placed relative to each other on the ballot according to the second letter of the  
4 family last names, if the second letters are the same, then according to the third letter,  
5 and so on. If two or more candidates have the same family last name they shall be  
6 placed relative to each other on the ballot according to their first given names, and if  
7 those start with the same letter, then as specified for family last names, and if those  
8 are the same, according to subsequent given middle names. For the purposes of this  
9 section, the name of the candidate used to determine ballot placement shall be the  
10 candidate's name as found on the voter registration rolls.

12 (c) Following the names of the offices and candidates, there shall be placed on the ballot all  
13 propositions and questions to be voted upon. The words "Yes" and "No" or "For" and "Against,"  
14 as appropriate, shall be placed below the statement of each proposition and question. The form  
15 of statement and title of the proposition or question shall be as determined by the election  
16 official except as may be otherwise required by the assembly or applicable law. When directed  
17 by the assembly, there shall be placed on the ballot as part of a proposition or question a brief,  
18 neutral, and succinct explanation of the proposition or question. Such explanations must be  
19 approved as to content by the assembly or the attorney.

21 (d) The ballot shall be printed on plain white paper through which printing and writing  
22 cannot be read. The ballots shall be numbered in series, a number being placed on one corner of  
23 each ballot within an area set off by perforations which may conveniently be removed from the  
24 remainder of the ballot.

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(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.

**29.07.070 Ballots; preparation and distribution.**

The election official may contract for the preparation and printing of the ballots without obtaining competitive bids and shall require possession of the printed ballots at least 15 days before the election. Sufficient ballots shall be delivered before the opening of the ~~polls~~ vote center or polling places. The election official shall keep a record of the numbers of the ballots delivered to each election ~~board~~ team, the signature of the person to whom each group of ballots is delivered, and the date of each delivery. ~~The ballots shall be delivered in separate sealed packages, with the number of ballots enclosed in each package clearly marked on the outside of it. A receipt for each package shall be taken from the election board to which it is delivered, and preserved by the election official. No ballots shall be taken from the polling place before the closing of the polls.~~ Ballots shall be secured by election workers according to chain of custody protocols established in the election procedures.



**29.07.080 Election materials; preparation and distribution.**

(a) The election official shall equip each vote center or 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~~ 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 vote center or precinct 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 10:00 a.m. on the 15th day before election day and closed at 8:00 p.m. ~~the a~~ time designated for the close of the polls on election day.

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**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) In the event that an election is held as a poll-based election, 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)~~(1) At least 45 days before a special election;
- ~~(3)~~(2) 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) For a poll-based election, 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.

**29.07.100 Absentee Voting procedure.**

- ~~(a) 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~~

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2 ~~them in casting their ballots. The election official shall prescribe the form of and prepare the~~  
3 ~~voter's certificate, envelopes, and other materials used in absentee voting. The election official~~  
4 ~~shall enclose a privacy envelope and a return envelope to each absentee voter. The return~~  
5 ~~envelope shall have printed upon it a certification by which the voter shall place the voter's~~  
6 ~~signature declaring that the voter is a qualified voter, that the voter has not voted in any other~~  
7 ~~manner in this election, and a space for the voter to include at least one personal identifier. The~~  
8 ~~return envelope shall include a place for recording the date the envelope was sealed and be~~  
9 ~~manufactured in such a way that the voter's signature and personal identifiers are concealed~~  
10 ~~once the voter has signed and sealed the envelope.~~

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12 ~~(b) The application for an absentee ballot shall show the applicant's place of residence, clearly~~  
13 ~~indicate the applicant's right to an absentee ballot, and be signed by the applicant.~~

14 ~~(1) Absentee application for voting by mail. Beginning on January 1 of each election year, a~~  
15 ~~qualified voter may in person, by mail, by facsimile machine, or by electronic~~  
16 ~~transmission, file a written application for an absentee ballot by mail with the election~~  
17 ~~official. A complete application for a by mail ballot must be received in the office of the~~  
18 ~~election official not less than seven days before the election for which the absentee~~  
19 ~~ballot is sought in order for the absentee ballot to be counted. If a voter fails to provide~~  
20 ~~a specific ballot mailing address on an absentee by mail ballot application, the ballot~~  
21 ~~will be mailed to the mailing address on the voter's record, or, if no address is provided,~~  
22 ~~to the fax, e-mail, or other electronic transmission acceptable to the election official.~~

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~~(2) Absentee application for voting by fax or electronic transmission. A qualified voter who has submitted an application for an absentee ballot may vote by fax or electronic transmission 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."~~

~~(3) Absentee voting in person. A qualified voter may vote absentee in person on or after the day the ballots are available from the election official up to and including the election day, in a location and at places and times determined by the election official.~~

~~(4) Early voting. A qualified voter may vote early, as soon as the ballots are available from the election official up to and including election day, in a location and at places and times determined by the election official.~~

~~(5) 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.~~

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2 (a) When the election official conducts an election by mail, the election official shall mail a  
3 ballot to each person whose name appears on the voter registration list prepared under AS  
4 15.07.125 for that election. The ballot shall be sent to the address stated on the official  
5 registration list unless the voter has notified the election official in writing of a different  
6 address to which the ballot should be sent. The election official is not required to mail a ballot to  
7 any voter who does not have a valid residence address, or is in the condition of purge notice  
8 (PN), undeliverable (UN), or list maintenance undeliverable (LU), as described in AS 15.07.130.  
9 Any qualified voter not mailed a ballot will not later be refused a ballot when requested, but  
10 may be required to vote a questioned ballot. The election official shall send ballots by first class,  
11 non-forwardable mail, on or before the 19th day before the election.

13 (b) The election official shall enclose a privacy envelope and a return envelope to each voter  
14 eligible under subsection (c) above. The return envelope shall have printed upon it a  
15 certification by which the voter shall declare the voter's qualifications to vote, that the voter has  
16 not voted in any other manner in this election, and a space for the voter to include at least one  
17 personal identifier. Specific instructions for voting a by-mail ballot and a list of the vote  
18 center(s) and hours shall be included with the ballot.

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

- 22 (1) By mail as provided in the instructions from the election official;
- 23 (2) In person at the election official's office or at a vote center; or

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(3) Under the following, absentee voting procedures, which would also be the same methods followed if the election was being held as a poll-based election:

(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.

(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.

**29.07.110 Absentee election officials. Reserved.**

~~The election official may designate one or more registered voters as absentee election officials. After taking an oath in the form required of election workers, an absentee election official may perform all the duties of the election official with respect to the issuance, witnessing and receipt of absentee ballots at such places and times as the election official may designate.~~

**29.07.120 Voting procedure. Vote center, ballot drop boxes, and polling place, procedures.**

(a) Before processing any ballots, the election ~~board~~ team must, in the presence of any persons assembled at the vote center or 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



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2 provided and not be opened again until the polls finally close at the end of each day and the vote  
3 center or polling place or vote center is open. At the end of each day, ballot envelopes containing  
4 voted ballots will be counted and sealed with the security seals that will be recorded on the  
5 daily transmission log and prepared for transport to election central or the ballot processing  
6 center as required by written directive of the election official for transportation from the ~~polling~~  
7 ~~place~~ vote centers, post office box, ballot drop boxes, or polling places.  
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9 (b) A voter shall give the election worker the voter's name and place the voter's signature by  
10 the voter's name in the registration book unless the qualifications of the voter are questioned.

11 (c) Every election worker shall question, and every watcher and any other person qualified to  
12 vote in the precinct or vote center, may question a person attempting to vote if the questioner  
13 has good reason to suspect that the questioned person is not qualified to vote. All questions  
14 regarding a person's qualifications to vote shall be made in writing setting out the reason the  
15 person has been questioned. A questioned person, before voting, shall subscribe to a declaration  
16 in a form provided by the election official attesting to the fact that, in each particular, the  
17 person meets all the qualifications of a voter, that the person is not disqualified, that the person  
18 has not voted at the same election, and certifying that the person understands that a false  
19 statement on the declaration may subject the person to prosecution for a misdemeanor under  
20 this title, under state law, or both. The election official shall provide a registration book for  
21 questioned voters to sign. If the questioned person refuses to execute the declaration, the person  
22 may not vote.  
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 2 (d) A voter who casts a questioned ballot shall vote the ballot in the same manner as  
 3 prescribed for other voters. The voter shall insert the ballot into a secrecy sleeve and then put  
 4 the secrecy sleeve into an envelope on which the statement the voter previously signed is  
 5 located. The envelope shall be sealed and deposited in the ballot box. When the ballot box is  
 6 opened, the envelopes shall be segregated, counted, compared to the voting list, and delivered to  
 7 the official or body supervising the election. The merits of the question shall be determined by  
 8 this official or body in accordance with election policies.

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 10 (e) If the voter is not questioned, the voter shall be given one ballot and shall ~~retire to a voting~~  
 11 ~~booth~~ proceed to the voting booth or to the electronic ballot marking device to mark their ballot.  
 12 There the voter, without undue delay, shall mark the ballot. A voter may write in the name of a  
 13 candidate or candidates of the voter's choice; provided, however, that a voter who writes in a  
 14 candidate's name must also mark the ballot in the area provided for that purpose opposite the  
 15 name of such candidate in order for the voter's indication to be counted as a vote for such  
 16 candidate. Upon the voter's determination that the voter has satisfactorily marked the ballot,  
 17 the voter shall place the ballot within the secrecy sleeve and voter certification envelope  
 18 provided and deposit the ballot in the ballot box.

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 20 (f) A voter who by accident or mistake mutilates or spoils the voter's ballot shall, upon  
 21 returning the same to the election workers, be given another ballot, to a maximum of three  
 22 ballots. The worker shall record the number of ballots spoiled, void the spoiled ballot, and  
 23 without examining it, place it in the spoiled ballot envelope for final ballot accountability. ~~The~~  
 24 ~~voter or election worker shall immediately destroy the spoiled ballot without examining it.~~

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2 (g) The voter may choose to use an electronic alternative ballot marking device as provided at  
3 a vote center or polling place in accordance with instructions provided by the election officials.

4 Alternatively, a voter who cannot read, mark the ballot, or sign the voter's name, may be  
5 assisted in doing so by an election worker, or not more than two willing persons of the voter's  
6 choice if the voter requests such assistance. If any person other than an election worker assists  
7 the voter in reading or marking the ballot, such person shall state upon oath before the election  
8 worker that such person will not reveal the vote cast by the assisted voter.

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10 (h) On election day, Fifteen minutes before the closing of the polls, and all other locations  
11 where ballots may be cast, an election worker shall proclaim to any persons present the time  
12 remaining before the polls close. When the polls are closed, that fact shall be similarly  
13 proclaimed, and thereafter no ballots shall be received except those of qualified voters already  
14 present at the vote centers, ballot drop boxes, election official's office, or the precinct polling  
15 location, in a poll-based election, polls and waiting to vote when the polls are closed. Ballots  
16 must be provided to an election official, received by the vote center, placed in a ballot drop box,  
17 or received at a polling place, in a poll-based election, by 8:00 p.m. on election day, or be  
18 postmarked by the post office on or before election day. Any ballots cast by a voter present in  
19 line awaiting the opportunity to vote at a vote center, or to drop a ballot into a secure ballot  
20 drop box, or present in line awaiting the opportunity to vote at a polling place, for a poll-based  
21 election, at 8:00 p.m. on election day, will be considered as having voted in a timely manner.  
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**29.07.130 Unused ballots.**

All ballots issued to vote centers or polling places not voted shall be sealed ~~destroyed~~ by the election workers after recording the numbers of the unvoted ballots. Election workers shall return the sealed unused ballots and stubs of ballots in an envelope provided by the election official, to the election official, who shall give a receipt therefor, and keep a record of the numbers of the returned stubs indicating when and by which worker each was returned.

~~**29.07.140 Spoiled ballots. Reserved.**~~

~~If a voter marks more names than there are persons to be elected to an office, that race shall not be counted. A failure to properly mark a ballot as to one or more candidates or issues shall not invalidate the entire ballot.~~

~~**29.07.150 General procedures for ballot count.**~~ **Ballot envelope review and signature verification.**

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

(b) The election ~~board~~ team 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;

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2 (5) The ~~board~~ team shall count the number of questioned ballots and shall compare that  
3 number to the number of questioned voters in the register. Discrepancies shall be noted  
4 and the numbers shall be included in the ballot statement; and

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

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

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

21  
22 ~~(e)(c)~~ Ballot review procedure. The ballot review team shall examine each ballot envelope and  
23 shall determine whether the voter is a qualified voter as required under CBJ Charter Section  
24 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 team 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 subsection (3) below; or
- or
- (B) Reserved.
- (C) The ballot return envelope, if mailed, is received after election day, has no postmark, and ~~USPS~~ United States Postal Service (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 subsection (3) below; and

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- (B) Reserved.
- (C) The ballot return envelope was received via mail at a voter center, polling place, in a poll-based election, 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~~ United States Postal Service (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.~~3250~~.
- (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) In this section, Signature verification process, if all other factors match for voter's eligibility, the election official and/or canvass review board may approve the

counting of a ballot if it meets the following “fuzzy match” criteria for the personal identifier:

(i) “Date of Birth” fuzzy match includes ONE of the following:

(a) Two dates with the maximum of 1 digit in difference “03/27/1945” and “03/27/1946” or

(b) Transposition of month and day portion of the Date of Birth: “05/11/1935” and “11/05/1935.”

(ii) A “Social Security Number” or Alaska Driver’s license or State ID fuzzy match include ONE of the following:

(a) Two numbers with a maximum of 2 digits in difference, any number position or

(b) Two consecutive numbers are transposed.

~~(C)~~(D) 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



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(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.

(E) Ballot cure policies and procedures will be established pursuant to the election policies developed under CBJ 29.07.250

(4) The ballot review ~~board~~ team 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, i~~ 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.

**29.07.160 General procedures for ballot count.**

(a) Adjudication of votes shall use the following rules:

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(1) A vote shall be counted if the oval preceding the name of the candidate or answer to a proposition question is wholly or partially filled-in.

(2) A failure to properly mark a ballot as to one or more candidates or proposition questions 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 to that office shall not be counted. Marks for both a write-in and a candidate named on the ballot shall not be counted, unless the write-in name is the same as the candidate printed on the ballot marked by the voter.

(5) Candidates and answers to proposition questions marked with a strikethrough across the oval and name or answer shall be treated as indicating the voter's intent to not vote for the candidate or answer so stricken:

Race

<input checked="" type="radio"/> <del>Dec, John</del>	Valid vote for Mary Smith.
<input checked="" type="radio"/> Smith, Mary	

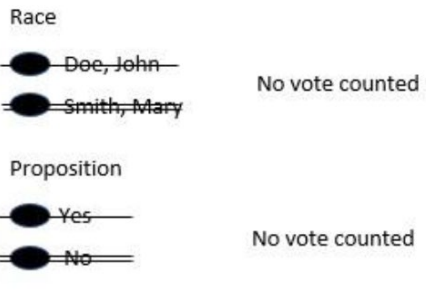
Proposition 1

<input checked="" type="radio"/> Yes	Valid vote "yes" on Prop 1.
<input checked="" type="radio"/> <del>No</del>	

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(6) To invalidate a vote without making an alternate choice, the voter must vote and strike through more than one oval and name or answer.

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(7) All other over votes shall not be counted as a vote for any candidate or for an answer to a proposition question, regardless of markings or handwritten notes.

(8) The mark specified in 1 of this subsection shall be counted only if it is substantially inside the oval provided, or touching the oval so as to indicate clearly that the voter intended the particular oval to be designated.

(9) Improper marks on the ballots shall not be counted and shall not invalidate marks for candidates or propositions properly made.

(10) 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.

(11) In order to vote for a write-in candidate, the voter should:

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(A) Write in the candidate's first and last name in the space provided;

(B) Mark the oval preceding the candidate's name in accordance with subsection (a) (1) of this section; and

(C) Not mark ovals for additional candidates for the same office in excess of the number of offices available, except as otherwise provided in this code.

(12) A sticker bearing a candidate's name may not be used on the ballot and the vote shall not be counted for that office.

(b) The rules set out in this section are mandatory and there shall be no exceptions to them. A ballot or vote shall not be counted unless marked in compliance with these rules, except that when it can be clearly and convincingly determined how the voter intended to vote it shall be counted accordingly. The rejection of a ballot or vote for counting under these rules is a final determination and only reviewed in an election recount or election contest.

(c) A registered observer may challenge the adjudication of a vote under this section by:

(1) Requesting a brief pause in adjudication to note the ballot number; and

(2) Submitting a form to the municipal clerk that sets forth with specificity the rule that has been improperly applied by election officials.

**29.07.16070 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

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2 numbered stubs, registers, tally sheets, and other records of the election shall be similarly  
3 returned to the election official as directed in election policies.

4 ~~**29.07.170 Destruction of ballots and election materials.**~~

5 ~~Upon the expiration of the later of 90 days from the date of the election or 90 days from the~~  
6 ~~determination of a contest of the election, the City and Borough Election Official may destroy~~  
7 ~~the ballots, stubs and other election records.~~

8 **29.07.180 Reserved.**

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10 ~~**29.07.190 Absentee ballots time**~~ **Ballot eligibility.**

11 To be counted in the election, ~~absentee~~ ballots must be received by the election official  
12 before closing of the polls on the day of the election, if voted in the office of the election official  
13 or other place designated by the election official, or post-marked not later than the day of the  
14 election and received by the election official before the review of election returns under section  
15 29.07.290. The election official shall mark return envelopes received after such time as  
16 "Invalid," and the time and date of receipt by the election official shall be noted thereon. Such  
17 envelopes shall be retained with other election records and destroyed with them, as provided by  
18 this chapter for destruction of ballots. ~~Absentee b~~Ballots received before the closing of the polls  
19 may be reviewed at any time for voter qualification and may be counted by one or more  
20 counting teams appointed by the election official, commencing at the time the polls close on  
21 election day.  
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2 **29.07.200 Voting systems.**

3 The election official may provide for one or more voting systems at one or more voting places for  
4 one or more questions or offices on the ballot.

5 **29.07.210 Boards and Teams.**

6 The election official shall appoint workers to serve as an election ~~board~~ team in accordance with  
7 section 29.07.020, a voting system control board, ~~an absentee and questioned a~~ ballot review  
8 ~~board~~ team, and a canvass review board. The election official shall appoint ~~a chair of each~~  
9 election workers to serve on each board and team and administer the oath prescribed for  
10 election workers to chairs and the members of each of the boards and teams.

11 **29.07.220 Procurement of voting technology.**

12 The election official may negotiate and contract with one or more government or private sources  
13 for the hardware, software, ~~and supplies,~~ and contractual services required by the voting  
14 system used in the election.  
15

16 **29.07.230 Tests and security.**

17 The voting system must be tested in the presence of and to the satisfaction of the voting system  
18 control board, according to election policies.  
19

20 **29.07.240 Voting system; demonstration.**

21 Voters shall be informed at the polling place or vote center that they may request a  
22 demonstration of the proper way to mark a ballot with either a paper ballot or an electronic  
23 ballot marking device.  
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**29.07.250 Processing ballots at the polling place Election policies established.**

The election official shall establish election policies in writing at least twenty days before an election so as to expedite the process and to guarantee the integrity of the election. ~~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.~~

**29.07.260 Delivery of ballots to election central ballot processing center.**

Ballots shall be delivered from the ~~precinct polling place to election central~~ to the ballot processing center from the post office, vote centers, ballot drop boxes, and polling places, in a poll-based election, by a delivery team consisting of at least two ~~members of the precinct election board. election workers.~~ The receiving board shall issue a receipt for ballots received, such receipt to be signed by the delivery team and the receiving board. The delivery team and election official shall each sign a chain of custody receipt for ballots and election materials.

**29.07.270 Manual counting.**

The election official may appoint one or more counting teams to count qualified write-in votes and ballots, which the voting system cannot process. Manual counting shall be done in accordance with election policies.

**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~~

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2 ~~and such assistants as may be appointed by the election official shall count such ballots in~~  
3 ~~accordance with the voting systems determined for use in an election.~~ The ballot review team  
4 may begin reviewing and processing by-mail ballots prior to election day as part of the election  
5 review process to prepare them for counting. The tabulation of ballots will not begin until after  
6 8:00 p.m. on election day. Unofficial results will published online and updated periodically  
7 during the ballot review process according to a schedule established by the election official. The  
8 election official will continue to process ballots until the review of the election returns by the  
9 canvass review board. The election official and such assistants as may be appointed by the  
10 election official shall count such ballots in accordance with the voting systems determined for  
11 use in an election.

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

4 (c) Reserved.

5 **29.07.290 Certification of election.**

6 (a) If the election official concludes that the election was validly held, such conclusion shall be  
7 certified by the election official. The certificate also shall include the number of votes cast in the  
8 election, the names of the persons voted for, the propositions and questions voted upon at the  
9 election, the offices voted for, the number of votes cast for each candidate for each office, and the  
10 number of votes for and against each proposition and question voted upon. The certificate and a  
11 sample ballot shall be filed with the City and Borough Municipal Clerk as a public record. If the  
12 election official concludes that the election was not validly held, the election official shall refer  
13 the matter to the assembly for the calling of another election.

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15 (b) Following certification of the election, the election official shall deliver to each person  
16 elected to office, a certificate of election, signed by the election official and the City and Borough  
17 Manager, and authenticated by the seal of the City and Borough.

18 **29.07.300 Election recounts.**

19 (a) A defeated candidate or ten qualified voters may file an application, within two days after  
20 the completion of the review of the election returns, with the election official for a recount of the  
21 votes from any particular precinct or precincts and for any particular office, proposition, or  
22 question. The date on which the election official receives an application rather than the date of  
23 mailing determines whether the application is filed within the time allowed.  
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(b) The application shall state the particular election, ~~precinct or precincts~~ office, proposition, and/or question for which the recount is to be held, and that the person making the application is a candidate or that the ten persons making the application are qualified voters. The candidate or persons making the application may designate by full name and mailing address two persons who may represent the applicant and be present 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 applicants as chair. The candidate or person making application shall sign the application and shall print or type their full name and mailing address.

(c) If the election official determines that the application is substantially in the required form, the election official shall fix the date of the recount to be held within five days after the receipt of an application. The election official shall give the candidate or designated chair signing the application and the two persons appointed to represent the applicant during the recount, notice of the time and place of the recount by certified mail, by facsimile, or by telephone.

(d) The election official shall appoint a board of at least three qualified voters to conduct the recount of the ballots voted in those precincts stated in the application for recount, and the board shall recount all of the voted ballots for those precincts. The election official may appoint additional qualified voters to assist in the recount. The recount shall be completed within two days.

(e) The election official shall certify results of the election recount.

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(f) All expenses of conducting a recount shall be paid by the candidate or voters requesting the recount, provided that in the following circumstances the City and Borough shall pay the expenses:

- (1) Where the candidates or proposition received a tie vote;
- (2) Where the difference between the number of votes cast for each of the candidates or for and against the proposition was ten or less or was less than one-half of one percent of the total number of votes cast for the candidates involved or the proposition;
- (3) Where the results of the election are changed by the recount; or
- (4) Where the vote is determined to be four percent or more in excess of the vote certified by the election official in the election review for the candidate who requested the recount or for or against the proposition as stated in the recount application.

**29.07.310 Oath of office.**

All officers elected before entering upon the duties of office shall take and subscribe to the following oath and affirmation:

I \_\_\_\_\_, do solemnly swear (or affirm) that I will support the Constitution 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 \_\_\_\_\_.

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**29.07.320 Contest of election.**

(a) Any candidate or any ten qualified voters may contest the election of any person and the approval or rejection of any question or proposition by filing a notice of election contest with the election official before or during the review of the election returns.

(b) The notice of election contest shall state the following grounds of the contest in detail and shall be signed under oath by the candidate or each of the voters filing it:

(1) Malconduct, fraud, or corruption on the part of an election official, sufficient to change the result of the election;

(2) The person certified as elected or nominated is not qualified as required by law;

(3) Any corrupt practice as defined by law, sufficient to change the results of the election.

(c) Upon receiving a notice of contest, the election official, with the assistance of the City and Borough Attorney, shall conduct an investigation, may conduct a public hearing, and shall issue written findings. Those contesting the election, those whose election is contested and the public shall be allowed to attend any public hearings on the contest of the election.

(d) If the contestant charges a candidate obtained votes, or a proposition was voted for or against, by reason of an act or practice prohibited by ordinance or AS 15.56, election offenses, corrupt practices, and penalties, and the charges are proven to and sustained by the election official, the election official shall, to the extent of such proof, purge the illegally induced votes from the returns and certify the amended returns.

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**29.07.330 Judicial review.**

A person may not appeal or seek judicial review of an election for any cause unless the person is a qualified voter, has exhausted all administrative remedies, and has commenced, within ten days after the election official has certified the election results, an action in the superior court. If court action is not commenced within the ten-day period, the election and election results are conclusive and valid.

**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.

**29.07.350 Destruction of ballots and election materials.**

Upon the expiration of the later of 90 days from the date of the election or 90 days from the determination of a contest of the election, the City and Borough Election Official may destroy the ballots, stubs and other election records.

**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:~~

~~Ballot means any document provided by the municipal clerk on which votes may be cast for candidates or propositions. As used in this title, the term "ballot" shall mean the official ballot, except where the context clearly indicates it means the sample ballot or both types of ballots.~~

~~Ballot drop box or drop box means a device placed or designated by the municipal clerk for the purpose of receiving voted ballot envelopes.~~

~~Clerk and municipal clerk means the clerk of the municipality or an authorized designee.~~

~~Election policies means instructions for conducting elections issued by the election official in writing at least ten days before an election.~~

~~Mark means a voter's indication of choice on a ballot in a manner appropriate to the voting system used for the election.~~

~~Personal identifiers as used in this chapter, shall include the following: voter registration identification number, the last four digits of the voter's Social Security number, the voter's date of birth, or the voter's Alaska driver's license number.~~

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

~~Vote center means any location designated by the election official for the purpose of providing voter assistance that is not solely for casting votes for a specific precinct.~~

~~Voting system means the mechanical, optical, electronic, or other physical system used for marking, counting, and processing ballots and other election materials.~~

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2 **29.07.360 Elections by mail. Reserved.**

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

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

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

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23 ~~(c) When the election official conducts an election by mail, the election official shall mail a~~  
24 ~~ballot to each person whose name appears on the voter registration list prepared under AS~~  
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2 ~~15.07.125 for that election. The ballot shall be sent to the address stated on the official~~  
3 ~~registration list unless the voter has notified the election official in writing of a different~~  
4 ~~address to which the ballot should be sent. The election official is not required to mail a ballot to~~  
5 ~~any voter who does not have a valid residence address, or is in the condition of purge notice~~  
6 ~~(PN), undeliverable (UN), or list maintenance undeliverable (LU), as described in AS 15.07.130.~~  
7 ~~Any qualified voter not mailed a ballot will not later be refused a ballot when requested, but~~  
8 ~~may be required to vote a questioned ballot. The election official shall send ballots by first class,~~  
9 ~~non forwardable mail, on or before the 21st day before the election.~~

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

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

- 22 (1) ~~By mail as provided in the instructions from the election official;~~
- 23 (2) ~~In person at the election official's office or at a vote center; or~~
- 24 (3) ~~Under the following absentee voting procedures:~~



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- ~~(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~~

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~~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~~

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~~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.~~

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~~29.07.370 Alteration of election procedures for elections by mail. Reserved.~~

~~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.~~

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2 ~~(e) Official candidate statement. The following time requirements of CBJ 29.07.055 are~~  
3 ~~modified when conducting a by mail election:~~

4 ~~(1) Online publication on the municipal website of candidate statements will take place at~~  
5 ~~least 30 days prior to the election and will not include write in candidates.~~

6 ~~(2) A candidate providing an official candidate statement under CBJ 29.07.055(b) must~~  
7 ~~provide all information to the election official no later than 46 days prior to the~~  
8 ~~election.~~

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10 ~~(d) Boards. In addition to the requirements of CBJ 29.07.210, the election official shall appoint~~  
11 ~~workers to serve as a ballot review board when conducting a by mail election.~~

12 ~~(e) Ballot review procedure. The ballot review board shall examine each ballot envelope and~~  
13 ~~shall determine whether the voter is a qualified voter as required under CBJ Charter Section~~  
14 ~~6.3 and whether the ballot has been properly cast under election policies established for the~~  
15 ~~review, tabulation, and counting of by mail ballots. The ballot review board may begin~~  
16 ~~reviewing and processing by mail ballots prior to election day as part of the election review~~  
17 ~~process to prepare them for counting. The counting or tabulation of ballots that would generate~~  
18 ~~any election results will not begin until after 8:00 p.m. on election day. The following standards~~  
19 ~~shall guide the election policies:~~

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21 ~~(1) A by mail ballot shall not be counted if:~~

22 ~~(A) The voter failed to properly execute the certification on the envelope with a valid~~  
23 ~~signature and personal identifier or the voter's signature and personal identifier~~

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~~cannot be validated in accordance with the process set out in subsection (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  
subsection (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:~~

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~~(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.~~

**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,~~ ballot



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2 drop box location, United States Postal Service (USPS) sites, polling location, in a poll-based  
3 election, or ballot processing center.

4 (c) A write-in candidate may register observers if, at the time of registering observers, the  
5 write-in candidate has met the requirements in subsection 29.07.050(f).

6 (d) Due to limited space at the ballot processing center, one registered observer for each  
7 candidate or group will be allowed at the ballot processing center unless the number of  
8 registered observers exceeds capacity at the ballot processing center and the election official  
9 provides reasonable alternative means of observation. The election official may permit  
10 additional observers on a space available basis provided each candidate and group is allocated  
11 an opportunity for an equal share of the total number of observers permitted. Candidates and  
12 groups may share an observer.  
13

14 (e) Observer registration. Each candidate or organization shall register by submitting the  
15 following forms to the election official and in accordance with election policies as follows:

- 16 (1) An observer registration form; and
- 17 (2) A signed confidentiality agreement; and
- 18 (3) A training and tour agreement; and
- 19 (4) A certificate of training.

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21 Once the above forms are submitted, the election official shall provide credentials available for  
22 pick-up within 72 hours, in the form of an observer identification badge stating the observer's  
23 name, who they represent, and the date. The badge must be signed by the candidate, campaign  
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2 manager, or the chairperson of the group before the observer may begin to observe at an  
3 election location.

4 **29.07.390 Definitions.**

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

8 Ballot means any document provided by the municipal clerk on which votes may be cast for  
9 candidates or propositions. As used in this title, the term "ballot" shall mean the official ballot,  
10 except where the context clearly indicates it means the sample ballot or both types of ballots.

11 Ballot drop box or drop box means a device placed or designated by the municipal clerk for  
12 the purpose of receiving voted ballot envelopes.

13 Ballot processing center is the election central location designated by the election official  
14 where all election materials are secured, reviewed, and processed.

15 Clerk and municipal clerk means the clerk of the municipality or an authorized designee.

16 Election policies means instructions for conducting elections issued by the election official  
17 in writing at least ~~ten~~ 20 days before an election.

18 Mark means a voter's indication of choice on a ballot in a manner appropriate to the voting  
19 system used for the election.

20 Personal identifiers as used in this chapter, shall include the following: voter registration  
21 identification number, the last four digits of the voter's Social Security number, the voter's date  
22 of birth, or the voter's Alaska driver's license number.

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

Polling place, or precinct polling place means a location within each precinct where individuals may go to vote in person on election day for poll-based elections.

Vote center means any location designated by the election official for the purpose of providing voter assistance that is not solely for casting votes for a specific precinct.

Voting system means the mechanical, optical, electronic, or other physical system used for marking, counting, and processing ballots and other election materials.

**Section 3. Effective Date.** This ordinance shall be effective 30 days after its adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Beth A. Weldon, Mayor

Attest:

\_\_\_\_\_  
Elizabeth J. McEwen, Municipal Clerk



**OFFICE OF THE MUNICIPAL CLERK/  
ELECTION OFFICIAL**

City and Borough of Juneau (CBJ)  
155 S. Seward St., Room 202  
Juneau, Alaska 99801

Phone: (907)586-5278 x4175 Fax: (907)586-4552  
email: [Beth.McEwen@juneau.org](mailto:Beth.McEwen@juneau.org)

TO: Deputy Mayor Gladziszewski and Assembly Committee of the Whole  
DATE: April 21, 2023  
FROM: Beth McEwen, Municipal Clerk/Election Official  
RE: Ordinance 2023-24vCOW Election Code Changes

At the January 30, 2023 Regular Assembly meeting, the Assembly directed staff to draft an ordinance which would make by mail elections the default for all CBJ elections going forward unless called for differently by the Assembly. Since that is a paradigm shift in the default method by which we conduct elections, it also required an overhaul of our current election code. The draft Ordinance 2023-24vCOW streamlines the election code by moving by mail election sections 29.07.360 and 29.07.370 into the main body of the election code. It also provides clarity of language and codifies some of the past practices that have been in our policies and procedures into the code to enhance election transparency.

This memo provides a sectional overview of the changes along with a brief explanation for the substantive changes. For clarity in this memo, Current Code sections will be referred to as **CC + section number** (example **CC29.07.010** Election times; notice) and the code sections referenced in Ordinance 2023-24 will be referred to by Draft Code **DC+section number** (example **DC29.07.010** Election times; notice).

**Section DC29.07.010 Election times; notice.**

- This adds a new section DC29.07.010 (a) that calls for all elections to be conducted by mail unless otherwise directed by the Assembly. Subsequent sections renumbered.
- This section change combines the language from CC29.07.360 with that found in CC29.07.010. The revised language clarifies all methods of voting, election hours and specifies how those are to appear in the Notice of Election.
- Special Note: CBJ Charter 6.1 and 6.2, along with this CC29.07.010, require the Notice of Election to be published in a newspaper of general circulation. With the announced changes to the Juneau Empire printing schedule, we will be interpreting “publication in a newspaper of general circulation” to be sufficient if published in the online e-edition. As a matter of practice, we will endeavor to target the largest audience possibly by publishing the notices of election in those editions of the newspaper that will also be printed in hardcopy.

**Section DC29.07.020 Election officials.**

- The language in DC29.07.020 (a)(1) regarding contracting is based on CC29.07.220 and adds the term “or contractor” to this section on line 11 of page 4.
- The language in DC29.07.020 (a)(2) is moving CC29.07.370(a)(2) up to this section and replaces that found in CC29.07.020(d).
- DC29.07.020(b) and (c) modifies the election worker staffing structures to meet the needs of elections conducted by mail with provisions for polling precinct elections when necessary.

**Section DC29.07.030 ~~Voting precincts~~ Precinct Boundaries.**

- DC29.07.030(a) sets the Precinct boundaries based on the boundaries identified in CBJ Code 11.10.030. (Ordinance 2023-25, also in this COW packet will be up for Assembly consideration to change the current CBJ District Boundaries.)
- DC29.07.030(b) adds vote centers to the CC29.07.030(b) language.

**Section DC29.07.040 Candidate districts.**

- This new language provides clarity when there are more than two candidates or more than two vacant seats in a race.

**Section DC29.07.050 Candidates; nomination; write-in.**

- DC29.07.050 combines CC29.07.050 with CC29.07.370 language.
- DC29.07.050(d) clarifies that the full nominating petition packet (consisting of the Declaration of Candidacy, Nominating Petition, and Alaska Public Offices Commission Public Official Financial Disclosure statement), and not just the nominating petition, have to be submitted before the end of the candidate filing period at 4:30p.m. on the 71<sup>st</sup> day before election day. Only when all packet materials are submitted and deemed sufficient, can the Election Official certify a candidate as qualified to appear on the ballot.

**Section DC29.07.055 Official candidate statement.**

- DC29.07.055 combines CC29.07.055 with the timing set out in CC29.07.370 and includes minor changes to some of the candidate statement categories for clarity.

**Section DC29.07.060 Ballots; form.**

- DC29.07.060 provides clarity on the criteria upon which candidates’ names will be placed on the ballot.

**Section DC29.07.070 Ballots; preparation and distribution.**

- DC29.07.070 combines CC29.07.070 with CC29.07.360 language and codifies the chain of custody practices that are already followed in the election policies and procedures.

**Section DC29.07.080 Election materials; preparation and distribution.**

- CC29.07.080 requires instructions to be provided to voters on large printed cards (or posters). DC29.07.080 widens the display of voter instructions to include those used via audio or visual methods on the electronic marking devices for ADA purposes.
- This section further clarifies that the close of the ballot drop boxes will take place at 8:00p.m. on Election Day.

**Section DC29.07.090 Absentee voting; eligible persons; permanent absentee voters.**

- DC29.07.090 provides for the timing and means by which voters on the State of Alaska Division of Election Permanent Absentee Voters list are sent an application for a ballot in the event an election is held as a poll-based election rather than a by mail election.

**Section DC29.07.100 ~~Absentee~~ Voting procedure.**

- CC29.07.100 is replaced by the language in CC29.07.360(e) and that becomes the new DC29.07.100 section.

**Section DC29.07.110 ~~Absentee election officials.~~ Reserved.**

- CC29.07.110 language is no longer necessary as these duties are performed by election workers identified in DC29.07.020.

**29.07.120 ~~Voting procedure.~~ Vote center, ballot drop boxes, and polling place, procedures.**

- DC29.07.120 combines CC29.07.120 with CC29.07.360 language and codifies the manner in which spoiled ballots are handled to ensure ballot accountability.

**Section DC29.07.130 Unused ballots.**

- DC29.07.130 codifies the policies and procedures for unused ballots from vote centers or polling places after the close of the polls on election day to ensure all ballots are accounted for in accordance with chain of custody protocols.

**Section DC29.07.140 ~~Spoiled ballots.~~ Reserved.**

- CC29.07.140 language is actually referring to an over-voted race rather than a spoiled ballot. This deletes that language and reserves this section. DC29.07.160 “General procedures for ballot count” now provides the criteria under which the markings on a ballot are to be counted.

**Section DC29.07.150 ~~General procedures for ballot count.~~ Ballot envelope review and signature verification.**

- DC29.07.150 combines CC29.07.150 language with that in CC29.07.370.
- DC29.07.150(3)(C) language was included at the request of the 2022 Canvass Review Board members after having to reject some of the ballots in the last election due to “fuzzy match” number issues. The fuzzy match practice is followed by the State of Alaska as well as the Municipality of Anchorage and provides that a ballot would be eligible to be counted if one of the digits on their personal identifier had been transposed but all other eligibility criteria, including a signature match, was met.
- When a ballot envelope does not meet the eligibility requirements, it goes through a ballot cure process, which is currently set out in the election policies and procedures. DC29.07.150(E) codifies that the policies and procedures established in accordance with DC29.07.250 are where those cure processes are to be found.

**Section DC29.07.160 General procedures for ballot count.**

- DC29.07.160 codifies the current policies and procedures based on those used by the Municipality of Anchorage. These are the procedures that we have followed since we

began conducting by mail elections in partnership with the Municipality of Anchorage Election team in 2020.

**Section DC29.07.16070 Delivery of ballots and other election material.**

- Since we are creating a new section DC29.07.160 above to codify our current policies and procedures for ballot count, we are renumbering this section. CC29.07.160 language for Delivery of ballots and other election material is now DC29.07.170.
- The language in CC29.07.170 is deleted and moved to a new DC29.07.350 to fall into the proper chronological order in which the destruction of ballots and election materials takes place at the end of the 90-day period following election certification.

**Section DC29.07.180 Reserved.** – No change.

**Section DC29.07.190 ~~Absentee ballots time~~ Ballot eligibility.**

- Now that we will be conducting elections by mail as the default, DC29.07.190 removes the reference of “absentee” ballots and replaces that with general language about ballots and how they will be reviewed for counting eligibility.

**Section DC29.07.200 Voting systems.** – No changes were made to this section.

**Section DC29.07.210 Boards and teams.**

- DC29.07.210 incorporates the workers required to conduct by mail elections and reflects the changes to the appointment of election workers to various teams based on different duties.

**Section DC29.07.220 Procurement of voting technology.**

- The language in DC29.07.220 provides for contractual services required to conduct by mail elections including the services of the ballot programmers, the firm hired to print and mail out the ballots, and any other election equipment contractor.

**Section DC29.07.230 Tests and security.** – No changes made to this section.

- Informational Note: The voting system control board conducts tests of ballots and election equipment programming to ensure the logic and accuracy of the programming and the ballots are in alignment with a set of predetermined random election results that are also hand counted. This is a pre-election audit of all the election systems to ensure they are working properly before being placed into live election recording status.

**Section DC29.07.240 Voting system; demonstration.** – No changes made to this section.

**Section DC29.07.250 ~~Processing ballots at the polling place~~ Election policies established.**

- DC29.07.250 combines CC29.07.250 language with that in the *Election Policies* found under the definition section of CC29.07.350.
- DC29.07.250 also requires election policies to be established 20 days prior to Election Day to ensure they are in place prior to the mailing of the ballots.

**Section DC29.07.260 Delivery of ballots to ~~election central~~ ballot processing center.**

- DC29.07.260 codifies the current chain of custody policies and procedures and combines the process for delivery of ballots and election materials to the ballot processing center for both types of elections: by mail and poll-based.

**Section DC29.07.270 Manual counting.** – No changes made to this section.

**Section DC29.07.280 Review of election returns.**

- The main changes in DC29.07.280 are to provide for the timing associated with ballot envelope review and preliminary unofficial results being made available on election day and the subsequent schedule of periodic updated results to be established by the election official.
- The timing of the canvass review board review of election returns and targeted certification date remain the same as the code changes that were made in 2022.

**Section DC29.07.290 Certification of election.** – No changes made to this section.

**Section DC29.07.300 Election recounts.**

- The only change to DC29.07.300 was to remove reference to “precinct” in this section since all ballots, even those received in a poll-based election, will be processed in the same manner as by mail election ballots and there is no way to segregate out ballots received from voters who live in one particular precinct vs. another.

**No substantive changes were made to the following sections:**

**Section DC29.07.310 Oath of office.**

**Section DC29.07.320 Contest of election.**

**Section DC29.07.330 Judicial review.**

**Section DC29.07.340 Expenses.**

**Section DC29.07.350 Destruction of ballots and election materials.**

- This section is a relocation of CC29.07.170 as noted previously in the memo.

**~~Section CC29.07.350 Definitions.~~**

- CC29.07.350 was relocated to the bottom of the code and is now at DC29.07.390.

**All the language in Sections ~~CC29.07.360 Elections by mail~~ and ~~CC29.07.370 Alteration of election procedures for elections by mail~~ have been incorporated into all the various sections of this draft ordinance as noted above.**

**Section DC29.07.380 Observers.**

- The only change to CC29.07.380 was to identify and incorporate into the policies and procedures the various locations where observers may wish to observe election processes occurring.



**Section DC29.07.390 Definitions.**

- As noted above, CC29.07.350 Definitions was relocated to the bottom of the code and is now located at DC29.07.390.
- New or changed definitions in this section include definitions for: “Ballot processing center,” “Election policies,” and “Polling Place, or Precinct Polling Place.”

Should Assemblymembers have any questions, I would be more than happy to discuss these changes and/or election policies and procedures in depth with you. Please give me a call at 907-586-5278 x4175.

**Next Steps:**

**In order for these code changes to be in place prior to the opening of the candidate filing period on July 14, I would recommend the COW forward Ordinance 2023-24vCOW to the Assembly for introduction at the May 8 Assembly meeting and set it for public hearing at the June 12 Assembly meeting.**

Thank you!



**Beth McEwen, MMC  
Municipal Clerk/Election Official**

**Attachments:**

Ordinance 2023-24v.COW



**OFFICE OF THE MUNICIPAL CLERK**  
**ELECTION OFFICIAL**

155 S. Seward St., Room 215  
Phone: (907)586-5278 Fax: (907)586-4552  
email: [city.clerk@juneau.gov](mailto:city.clerk@juneau.gov)

**Date:** May 12, 2023  
**To:** Mayor Weldon & Assembly  
**From:** Beth McEwen, Municipal Clerk/Election Official  
**Subject:** Timelines for October 3, 2023 Regular Municipal Election

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The next CBJ Regular Municipal Election is Tuesday, October 3, 2023.<sup>1</sup> Following the direction of the Assembly to conduct all CBJ elections by mail, the timelines for conducting the October 3, 2023 election are set forth below. All dates referenced below are for the 2023 calendar year unless otherwise noted. Please note that all code citations used in this memo are referring to the current code in place as of the date of this memo. The proposed changes in Ordinance 2023-24 do not affect the timing of the candidate filing period, petition process, or ballot proposition schedules.

**CHARTER AMENDMENTS**

The Assembly may propose a Charter amendment by ordinance.<sup>2</sup> In order for a proposed amendment to be submitted to the voters at the regular election, an ordinance to amend the Charter would need to be adopted no earlier than Monday, June 5, and no later than Friday, August 4.<sup>3</sup> These deadlines are set to avoid the need to hold a special election. The first regular meeting for the Assembly to introduce a Charter amendment was May 8, the last regular scheduled meeting for the Assembly to adopt a Charter amendment is July 31, unless special meetings are scheduled for such purposes.

**GENERAL BALLOT PROPOSITIONS**

Notice of the regular election must be published no later than Sunday, September 3.<sup>4</sup> The notice must state the purposes of the election. All ballot propositions must be finalized prior to the date the notice of election is published.

Ordinances or resolutions proposing a ballot proposition, other than a Charter amendment, must be adopted by July 31, in order to allow time for publishing the notice of election and for ballot preparation, printing and mailing to Juneau. I recommend introducing any ballot measure no

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1 CBJ Charter Section 6.1 Regular Elections “A regular election shall be held annually on the first Tuesday in October, or such other date as the assembly may provide by ordinance.”  
2 CBJ Charter Section 14.2 Proposal by the Assembly “The assembly may propose Charter amendments by ordinance containing the full text of the proposed amendment and adopted by at least six votes of the assembly.”  
3 CBJ Charter Section 14.5 Election “The election shall be held not less than sixty days and not more than one hundred and twenty days after the amendment has been proposed. If no regular election is to be held within that period, the assembly shall provide for a special election on the proposed amendment.”  
4 CBJ Charter Section 6.1 Regular Elections “At least thirty days published notice shall be given of a regular election.”

later than the June 12 Regular Assembly meeting, with public hearing and Assembly action on July 10. If necessary, the Assembly could delay action until the next regular meeting of July 31. The Assembly can hold a special meeting to introduce or adopt a ballot ordinance, as long as a public hearing on the ordinance is held. The notice of public hearing on an ordinance must be published in a newspaper of general circulation at a minimum of seven days prior to the public hearing.<sup>5</sup>

### **PETITIONS**

A petition may propose to amend the CBJ Charter or the CBJ Municipal Code. There is an outlined procedure for conducting an initiative (to propose something new) or a referendum (to repeal something in existence). To start a petition, petitioners form a committee of five qualified municipal voters and submit an affidavit stating the purpose of the petition to the Clerk's office.<sup>6</sup>

A petitioner's committee is encouraged to submit a copy of the affidavit and the proposed ordinance, resolution or other measure to be initiated to the Municipal Attorney with a request that it be reviewed by the Attorney.<sup>7</sup>

After receipt of a petition affidavit, the Clerk has 15 work days to review and deny or approve the petition affidavit and, if approved, issue petition books. The petition committee then has 30 calendar days in which to obtain the signatures of qualified voters equal to 25% of the votes cast in the preceding regular municipal election. Based on the 9,137 total ballots counted during the 2022 election, twenty-five percent of that would require 2,284 signatures of qualified voters to certify a petition in the City and Borough of Juneau.<sup>8</sup>

The CBJ Charter and Code anticipates a timeframe, which can extend from 66 - 81 days from the time the affidavit is submitted in the Clerk's office to the time it is certified by the Clerk.<sup>9/10</sup> This includes 15 days for the Clerk to review and issue signature booklets to a petitioner's committee, 30 days for the collection of signatures, 10 days for the Clerk to certify signatures, and up to 20 additional days for petitioners to gather, and the Clerk to review, additional signatures if a timely submitted petition is found deficient.

The time frames for a certified petition proposition to be placed on the ballot vary depending on the type of petition proposed.<sup>11</sup> Petitioners are encouraged to contact the Clerk's office in March of each year begin working on the petition process. Below are the filing periods for each type of petition to potentially have a question appear on the October 3 ballot:

**Initiative Petition Filing Period March 25 – April 11**  
**Referendum Petition Filing Period April 11 – April 26**

5 CBJ Charter Section 5.3 Ordinance Procedure (a) "...The public hearing on an ordinance shall follow publication by at least seven days..."

6 CBJ Charter Section 7.2 Commencement of Proceedings. (a) "Any five qualified municipal voters may commence initiative or referendum..."

7 CBJ Code Section 29.10.020 Attorney assistance on initiative petitions.

8 CBJ Charter Section 7.3

9 CBJ Code Section 29.10.025 Certification of Petitioners' Committee Affidavit

10 CBJ Charter Section 7.3 Petition "A petition...shall be filed in proper form with the clerk within thirty days after the date of issuance of petition pages" and 7.6 Examination for Sufficiency "Within ten days following the date on which the petition is filed in proper form, the clerk shall certify if it bears the required number of signatures"

11 CBJ Charter Section 14.5 Election (a) "Proposed (charter) amendments shall be submitted to the qualified voters of the municipality" and CBJ Charter Section 7.10 Action on Petitions (a) "When an initiative or referendum petition has been determined sufficient, the clerk immediately shall submit it to the assembly".

**Charter Amendments**

If the petition proposes a Charter amendment, the Assembly *does not* participate in the process. Once certified, the proposition is placed on the ballot.<sup>12</sup> In order to meet publication deadlines for the Notice of Election and to avoid a special election the following dates are set for 2023:<sup>13</sup>

**Charter Amendments:**

**June 5** - Earliest day Clerk can certify a voter initiated Charter amendment petition. (Petitioner affidavit to be submitted no earlier than **March 31**.)

**August 4** - Last day Clerk can certify a voter initiated Charter amendment petition. (Petitioner affidavit to be submitted by **May 16** at the latest.)

If a Charter amendment petition is submitted outside of the timeframe to fall on a regularly scheduled election, a special election may be required to be held to determine the outcome.

**Code Ordinances**

If the petition proposes adoption by initiative or repeal by referendum of an ordinance, the Assembly *does* participate in the process. Upon certification of an initiative or referendum petition, the Clerk submits it to the Assembly for review and possible action. In order to allow the greatest amount of time possible for the petition process, this timeline proposes a July 31 date by which the Assembly would take action to adopt a substantially similar ordinance or repeal the referred measure.

If the Assembly fails to adopt a proposed initiative measure without any change in substance within forty-five days or fails to repeal the referred measure within thirty days after the date the petition was determined sufficient, the proposed initiative or referred measure is submitted to the voters on the ballot. Since the last *regular* Assembly meeting to act on an ordinance to be placed on the October 3 ballot is July 31, any **referendum petition** should be certified by the Clerk and submitted to the Assembly by **June 30** to allow time for drafting and public notice of a proposed ordinance. The deadline by which the Clerk should certify and submit an **initiative petition** for adoption no later than the July 31 Assembly meeting would be **June 16**.

If a petition is submitted to the Assembly outside of the timeframe that would allow the measure to be placed on the regularly scheduled election, the Assembly determines whether it is in the best interest of the municipality to conduct a special election on the matter before the next scheduled election.<sup>14</sup>

A petitioners' committee for either a Code or Charter amendment is encouraged to discuss the matter with the Municipal Clerk and Municipal Attorney prior to action and is encouraged to start activities at the earliest date possible.

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12 CBJ Charter 14.5 (a) Election.

13 CBJ Charter Section 14.5 (b) Election (b) "The election shall be held not less than sixty days and not more than one hundred and twenty days after the amendment has been proposed."

14 CBJ Charter 7.10 Action on Petitions (b) The election on a proposed initiative or referred measure shall be held at the next regular election, or, if already scheduled, a special election occurring not sooner than 90 days from the last day on which the assembly action may be completed on the proposed initiative or referred measure. If no regular election is scheduled to occur within 75 days after the certification of a petition and the Assembly determines it is in the best interest of the municipality, the Assembly may, by ordinance, order a special election to be held on the matter before the next scheduled election. The notice of election shall contain at least a summary of the proposed initiative or referred measure.

**CANDIDATE FILING PERIOD**

Since we are conducting the October 3, 2023 as a by-mail election in accordance with current CBJ Code 29.07.370, nominating petitions for the municipal election must be submitted no earlier than 8:00 a.m., Friday, July 14, and no later than 4:30 p.m., Monday, July 24.<sup>15</sup> These petitions are available in the Clerk’s office and require the signatures of 25 registered CBJ voters.

In addition, to be considered a certified candidate, a printed/signed copy of the electronically submitted Alaska Public Offices Commission Public Official Financial Disclosure (APOC POFD) Statement must be submitted to the Clerk’s office no later than the July 24, 4:30 p.m. deadline.<sup>16</sup>

A candidate may withdraw his or her name from the printed ballot no later than 4:30 p.m. on Friday, July 28.<sup>17</sup>

Candidates may submit an official candidate statement for publication on the CBJ website as early as the filing of their nominating petition but no later than August 18.<sup>18</sup>

Attached is our *Quick Reference Dates-Working Draft* document that outlines all the above timelines.

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15 CBJ Code Section 29.07.370 (b) Candidates – Nomination

16 AS 39.50.020 (a)... Candidates for elective municipal office shall file the statement at the time of filing a nominating petition, declaration of candidacy, or other required filing for the elective municipal office. Refusal or failure to file within the time prescribed shall require that the candidate's filing fees, if any, and filing for office be refused or that a previously accepted filing fee be returned and the candidate's name removed from the filing records....(b)... Municipal officers, former municipal officers, and candidates for elective municipal office, shall file with the municipal clerk or other municipal official designated to receive their filing for office. All statements required to be filed under this chapter are public records.

17 CBJ Code 29.07.370 (b) Any candidate nominated may withdraw his or her nomination not later than 4:30 p.m. of the 67th day before the election.

18 CBJ Code 29.07.370(c), Official Candidate Statement. Please contact the Election Official for the necessary forms/procedures for filing of these official candidate statements.

# Quick Reference Dates for October 3, 2023 CBJ Regular Election

**WORKING DRAFT-Updated May 12, 2023** All dates are 2023 unless otherwise noted.

See <https://juneau.org/clerk/elections> for full details.

- January 30** *Assembly meeting at which they passed a motion to conduct the October 3, 2023 Election as a By Mail Election and to draft an ordinance to make by mail elections the default method for conducting CBJ elections in the future.*
- March 28<sup>th</sup> – April 11<sup>th</sup> Initiative Petition Filing Period (to enact new law)
- March 31 Earliest day for a Petitioner's committee to file a Charter Amendment Affidavit to start the petition process.
- April 11<sup>th</sup> – April 26<sup>th</sup> Referendum Petition Filing Period (to repeal existing law)
- April 24 Assembly COW meeting – discuss Election Code Changes & Redistricting map change
- May 8 Regular Assembly Meeting for Introduction of Election Code Ordinance  
Earliest Regular Assembly meeting for introduction of a Charter Amendment if Public Hearing/Adoption is to be scheduled for June 12 Assembly Meeting.
- May 16 Final day for a Petitioner's committee to file a Charter Amendment Affidavit to start the petition process for the October 3, 2023 Election without having to hold a Special Election.
- May 17** **Special Assembly Meeting for Public Hearing and Adoption of Ordinance 2023-24 An Ordinance Amending the Elections Code Relating to Election Procedure.**
- June 5** **[120 days prior to Election Day]**  
Earliest day for the clerk to certify a petition for a Charter amendment.
- June 12** Final regular Assembly meeting to hold Public Hearing & Assembly action on Election Code ordinance(s) so the ordinance(s) will be effective prior to the July 14 candidate filing period.  
First Regular Assembly Meeting to adopt any Charter Amendment Ordinances
- June 16** Deadline for the Clerk to certify an Initiative Petition and submit it to the Assembly for Action.
- June 24** **How to Run for Local Office Workshop** (8:45am-1:30pm, Chambers) by Juneau League of Women Voters, CBJ Clerk's Office, Juneau School District, and Juneau Public Libraries
- June 25** **[100 Days until Election Day]**
- June 30** Deadline for the Clerk to certify a Referendum Petition and submit it to the Assembly for Action.
- July 5** **[90 days prior to Election Day]**
- July 14** Filing for Assembly and School Board Candidacy opens - 8:00 a.m.
- July 24** Filing for Assembly and School Board Candidacy closes - 4:30 p.m.
- July 28** Last day for candidates to withdraw their name from the printed ballot – 4:30 p.m.
- July 31** Last Regular Assembly Meeting to Adopt all Ballot ordinances (including any Charter amendments or to make a motion placing an advisory question on the ballot.)
- Aug. 4** **[60 days prior to Election Day]**  
Last day for Assembly to adopt or the Clerk to certify a petition for a Charter amendment proposition (This date would require a Special Assembly meeting.)
- Aug. 18** Candidate Profiles due to Clerk
- Sept. 3** **[30 days prior to Election Day]**  
Last day for residents to register to vote in this election; Notice of Election Posted / Published

# Quick Reference Dates for October 3, 2023 CBJ Regular Election

**WORKING DRAFT-Updated May 12, 2023** All dates are 2023 unless otherwise noted.

See <https://juneau.org/clerk/elections> for full details.

- Sept. 4** Labor Day Holiday Observed
- Sept. 14** Ballots mailed out from printer/contractor (in WA) to all qualified registered voters
- Sept. 18-Oct. 3** Assembly Chambers and Mendenhall Valley Library Large Meeting Room in use for Election purposes. Vote Center(s) open for 16 days prior to and including Election Day.
- Sept. 26** [7 days prior to Election Day]  
Last day to receive applications for a ballot to be mailed to a temporary absentee address  
Last day to file "write-in" candidacy letter of intent and Candidacy Packet.
- Oct. 2** 5:00pm Deadline to submit application for a fax/e-ballot (by electronic transmission).
- Oct. 3** Election Day: Vote Centers open 7 a.m. - 8 p.m. [Unofficial Results will be published on the above website no later than 11:59p.m. on 10/3 with continuous updates published during the review period.]
- Oct. 16-17** Final ballot review and tabulation by the Canvass Review Board will be held at the Ballot Processing Center from October 16-17 with up to three additional days, as may be needed on a case by case basis. **FINAL RESULTS** will be published online upon certification by the Canvass Review Board and the Election Official.
- Oct. 19** (Within 2 days after certification) Any request for a Recount of election returns (CBJ Code 29.07.300) must be filed with the Clerk.  
  
Within 5 days of recount application being deemed sufficient, the Clerk conducts a recount of election returns to be completed within 2 days.
- Oct. 27** Last Day to file for Judicial Review of Election in Superior Court (Within 10 days after certification)
- Oct. 23** First Assembly Meeting with newly elected Assemblymembers, Election of Deputy Mayor

Please check the CBJ Elections Website at <https://juneau.org/clerk/elections> for periodic updates or contact the Municipal Clerk's office at 907-586-5278 or via email at [CBJElections@juneau.gov](mailto:CBJElections@juneau.gov).