



**OFFICE OF THE MUNICIPAL CLERK/
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Date: February 20, 2025
To: Mayor Weldon & Assemblymembers
From: Beth McEwen, Municipal Clerk/Election Official
Subject: Election Code Rewrite Ordinance 2025-14

In 2024, the Clerk's Office received four petitions from citizens trying to engage in direct democracy. Due to requirements written in code, about 15% of the signatures initially turned in were rejected. Of those more than half were rejected due to the strict requirements laid out in CBJ Code 29.10.090 about what is an "adequate" address which disproportionately impacted people who live in apartments, mobile home parks, harbors, or do not have a fixed address. This section of code was written before the Election Official had real-time access to the State Division of Elections Voter Database which allows staff to quickly verify if a person is a Juneau resident who is eligible to sign a petition. For comparison, about 1.5% of ballots in the 2024 election were rejected for any reason. The ballot review process falls under a different portion of the election code with similar but less proscriptive language. The primary purpose of both code sections is to determine a voter's eligibility to participate as a qualified Juneau voter in the election process.

This experience led Clerk staff to propose Ordinance 2025-14, with the help of the Law Department. To start, this Ordinance asks you to make a policy call regarding how our election code is drafted and codified. This ordinance recommends moving procedural actions that are currently outlined in code and placing them into Rules of Procedure. This should result in:

- **Greater public access to Election procedures.** This ordinance requires the Rules of Procedure to be published online, making it easier for people to find and read it.
- **Greater ability for Election Officials to adapt to changing technologies.** The current Election Code has many sections that are prohibitively specific, such as the address example above. Rules of Procedure can be more easily updated to adapt to changing circumstances, with reasonable limitations on how close to an election such changes can be made.
- **Election code that is more easily understood by the public.** Our current election code contains a lot of redundancies and unnecessarily complex language. This ordinance cleans up the language of the code to make it more readable by the public.

Additionally, this ordinance provides some minor changes in timing, including the candidate filing period and when ballots are mailed out. Details are specified below.

This ordinance has changes to almost every section of Election Code. The outline below provides a section-by-section analysis of each change.

Recommendation:

Discuss, modify if desired, and move Ordinance 2025-14 to the Assembly for public hearing and adoption.

ELECTION PROCEDURES

29.07.005 Election Policies Established and Rules of Procedure. This section replaces 29.07.250 and provides the following changes:

- Election policies and rules of procedure must be published online. They are currently only available in paper in the Clerk's Office and the Thane Ballot Processing Center.
- Election policies and rules of procedure must be published at least 40 days before an election and cannot be changed during those 40 days. Current code requires procedures to be set at least 20 days before the election. Prior to conducting by mail elections, they were only required to be finalized 10 days before election day.

29.07.010 Election Times; notice. This removes the code language that requires publication in a newspaper of general circulation, which will have no effect on current procedures as Charter 10.5 Notice of Bond Election requires publication in a newspaper of general circulation. If the Charter is ever changed, then future Election Officials would still publish the Notice of Election but would not be required to publish it in a "newspaper of general circulation." All other changes in this section remove redundant language or rewrite sentences to be more understandable.

29.07.020 Election Officials. Changes in this section would allow 16- and 17-year-olds to work elections, with limitations to be put in place in the rules of procedure. Currently only qualified voters, aka people ages 18 and up, can work elections. The other change removes the Manager's ability to designate assistants (election workers) to the Election Official. The Manager's office has never used this authority, and this removes the appearance of potential political interference with election work.

29.07.040 Multimember races. This is a title change to better reflect the content of this section.

29.07.050 Candidates; nomination; write-in. Changes to this section would increase the length of the candidate filing period. The current candidate filing period opens on a Friday and closes on a Monday, with 7 business days to turn in paperwork. This change would open the candidate filing period on a Monday and close it on a Friday, with 10 business days to turn in paperwork. For 2025, the candidate filing period would be Monday July 7 at 8:00am to Friday July 18 at 4:30pm. Candidates would then have until Tuesday, July 22 to withdraw their name from the ballot. Shortening the withdrawal period from a full week to five days will allow staff to help meet the tight ballot design deadline. Clerk staff believe this filing period will be easier for the public to remember. This section also removes minutia about candidacy forms from the code and puts it in the rules of procedure.

29.07.055 Official Candidate statement. This section moves specific details about what is offered on a candidate statement from code and puts it in rules of procedure while retaining the right for official candidates to have an online statement provided.

29.07.060 Ballots; form. This section moves specific details from code to rules of procedure, including how to write instructions on a ballot, how candidates will randomly be placed on the ballot, and what kind of paper the ballots are printed upon; it also rewrites some sentences to make them more readable.

29.07.070 Ballots; preparation and distribution. Change in language to better match current by mail election procedures.

29.07.080 Election materials; preparation and distribution. Removal of redundant language.

29.07.100 Voting procedure. This moves ballot mail out day from 19 days before the election (a Thursday) to 18 days before the election (a Friday). Due to State deadlines regarding voter registration, the window between getting the final voter list and mailing out ballots is incredibly small. This allows our printer one additional day to meet that timeline.

This section moves specific details about how a ballot envelope is designed from code and puts it in rules of procedure. This will result in no changes to current procedure but would allow a future Election Official to update envelope design when a better option becomes available.

29.07.120 Vote center, ballot drop boxes, and polling place; procedures. Changes in this section remove minutia, rewrite sentences for better readability, and remove redundant language.

29.07.130 Unused ballots. This section moves chain of custody and security procedures for unused ballots into rules of procedure.

29.07.150 Ballot envelope review and signature verification. Changes for this section include allowing Voter ID to use a fuzzy match like all other personal identifiers; this was meant to be included in the last update to this section but was missed. This section also moves specifics of the cure process and ballot accountability to the rules of procedure instead of the code; for example, in the current code it requires us to send a letter, but many issues can be cured over the phone. It also removes a significant amount of duplicative language.

29.07.160 General procedures of ballot adjudication. Change in title to better reflect the section.

29.07.170-29.07.300. All changes in these sections are primarily language updates to improve clarity and/or eliminate redundancy.

29.07.390 Definitions. This section updates language to simplify some definitions while also adding clarifying language to care for current election practices.

INITIATIVE AND REFERENDUM

29.10.010 Purpose. Simplification and clarification of language.

29.10.030 Petition Format. This section removes the minutia of how petition booklets are physically created from code and moves them to policies and procedures.

29.10.060 Submission and receipt of petitions. This changes a rarely used submission time from 9:00am to noon.

29.10.070 Supplemental petition. Adds the ability to contact people by email.

29.10.080 Validation of signatures. Election officials now have real-time access to the State's Voter Registration database. Therefore, much of this section had become needlessly prohibitive. If the recommended updates pass, the new standard would be that a person must be a registered Juneau voter on the day they sign the petition, sign legibility enough for staff to read their name and address, sign in ink, and only sign once.

Should election officials every lose real-time access, we will still be able to verify people's ability to sign using an electronic point-in-time voter registration list provided by the State.

29.10.090 Residence address requirements. This entire section was removed given the Election Official's real-time access to the State's Voter Registration database.

29.10.100 Petition and signature rejection for other reasons. This adds State legal language of fraud or misconduct (AS15-56-070 through 15-56.090) and requires fraud or misconduct to be reported to the Juneau Police Department.

Attachments

Ordinance 2025-14 *An Ordinance Amending the City and Borough Title 29 Code Relating to Elections Processes and Procedures.*