Notice of Election Code Amendment
City and Borough of Juneau, Alaska

Notice is given that the Assembly of the City and Borough of Juneau adopted Ordinance 2007-02(c), An Ordinance Authorizing the Election Official to Hold Elections By Mail. This code creates a new voting procedure the the CBJ Election Code.

Ordinance 2007-02(c) creates a new section in CBJ Code Title 29, Section 07.360 called “Elections by Mail,” as follows:

### 29.07.360 Elections by mail.

(a) At the direction of the Assembly by motion, the election official may conduct an election by mail. Except as provided herein or in election policies issued pursuant to CBJ 29.07.350, procedures for the conduct of by-mail elections shall be as provided for regular and/or special elections as appropriate.

(b) The notice of election shall state that the election is to be conducted by mail and that there will be no precinct polling place open for regular in person voting on election day. For each election conducted by mail, the notice of election published pursuant to CBJ 29.07.010(d) shall include:

1. the date and type of the election, regular or special;
2. an explanation that the election will be conducted by mail and that no precinct polling place will be available for regular in-person voting on election day;
3. qualifications of voters;
4. the offices to be filled, the propositions submitted to the electors, and the full text of any proposed charter amendment;
5. the date by which ballots will be mailed to voters;
6. instructions to voters who will not be at their current mailing addresses when the ballots are to be mailed or who do not receive their ballot through the mail;
7. a listing of absentee voting station locations and hours; and
8. an explanation of by-mail voting deadlines;

(c) When the election official conducts an election by mail, he or she shall mail a ballot to each person whose name appears on the voter registration list prepared under AS 15.07.125 for that election. The ballot shall be sent to the address stated on the official registration list unless the voter has notified the election official in writing of a different address to which the ballot should be
sent. The election official shall send ballots by first class, nonforwardable, mail, on or before the 22nd day before the election.

(d) The election official shall enclose a privacy envelope and a return envelope to each by mail voter. The return envelope shall have printed upon it an affidavit by which the voter shall declare his or her qualifications to vote, followed by provision for attestation by a person qualified to administer oaths or one attesting witness who is at least 18 years of age. Specific instructions for voting a by mail ballot and a list of the absentee voting locations and hours shall be included with the ballot.

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

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

2) in person at the election official’s office or at an absentee voting station; or

3) under the absentee voting procedures set forth in CBJ 29.07.100.

(f) In a by-mail election, ballots must be received by the election official, or at an absentee voting station, before the close of business, or be postmarked by the post office, on election day.

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

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Any change in the election procedures of the City and Borough of Juneau requires "Pre-Clearance" by the U.S. Department of Justice, in Compliance with Section V of the Voting Rights Act.

If you have any comments or concerns about this measure, please contact the following persons:

Laurie Sica
Municipal Clerk/Election Official
City and Borough of Juneau
155 S. Seward St.
Juneau, AK 99801
City_clerk@ci.juneau.ak.us
(907) 586-5278 phone
(907) 586-4552 fax

Chief, Voting Section
Civil Rights Division
Room 7254 - NWB
Department of Justice
950 Pennsylvania Ave., N.W.
Washington, DC 20530
(800) 253-3931 or (202) 307-2767

Any individual or group may send to the Attorney General information concerning a change affecting voting in a jurisdiction to which Section 5 of the Voting Rights Act applies. (Juneau is such a jurisdiction).

(a) Communications may be in the form of a letter stating the name, address, and telephone number of the individual or group, describing the alleged change affecting voting and setting forth evidence regarding whether the change has or does not have a
discriminatory purpose or effect, or simply bringing to the attention of the Attorney General the fact that a voting change has occurred.

(b) The communications should be mailed to the Chief, Voting Section, Civil Rights Division, Department of Justice, P.O. Box 66128, Washington, D.C. 20035-6128. The envelope and first page should be marked: Comment under Section 5 of the Voting Rights Act.

(c) Comments by individuals or groups concerning any change affecting voting may be sent at any time; however, individuals and groups are encouraged to comment as soon as they learn of the change.

(d) Department of Justice officials and employees shall comply with the request of any individual that his or her identity not be disclosed to any person outside the Department, to the extent permitted by the Freedom of Information Act, 5 U.S.C. 552. In addition, whenever it appears to the Attorney General that disclosure of the identity of an individual who provided information regarding a change affecting voting "would constitute a clearly unwarranted invasion of personal privacy" under 5 U.S.C. 552(b)(6), the identity of the individual shall not be disclosed to any person outside the Department.