

Kenai Peninsula Borough

Office of the Borough Mayor

MEMORANDUM

TO: Kelly Cooper, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Charlie Pierce, Borough Mayor 

DATE: July 6, 2020

RE: Veto of Ordinance 2020-24 Which Amends KPB Title 4 Regarding Borough Elections to Provide for Vote by Mail Elections, for More Time Between a Regular Election and a Run-Off Election, and to Remove Proposition Statements

For the reasons discussed below, I hereby veto ordinance 2020-24, which changes the current borough voting process from mainly in-person voting to mostly by-mail voting.¹ Although the new process leaves open the option to vote in person at voting centers, ballots will be mailed to all registered voters with the expectation that most votes will be submitted by mail.

Following are my reasons for this veto:

1. This ordinance will significantly change our election process, which directly impacts the fundamental right to vote, a basic tenet of our democracy. I strongly believe the people should be able to vote on whether or not to significantly change this process as set out in ordinance 2020-24.
2. Many concerns have been raised about the security of the vote-by-mail process. These include the potential for fraudulent ballots being mailed which could easily include using discarded unused ballots, and other similar concerns stemming from the drastically reduced lack of neutral in-person guidance and involvement in the voting precincts.
3. Sending a ballot to every registered voter in the Borough without the voter affirmatively requesting a ballot should not be part of the mail-in-vote process. At a minimum, it should be part of our civic duty to request a ballot similar to what the State of Alaska has implemented online. Voter information should be validated before a ballot is mailed.
4. Voting by mail may also impact the integrity of the voting process due to the loss of guaranteed privacy when voting in a voting booth, opening the door for improper influence on voting. In some family environments pressures could be placed on other family members in the home to all vote the same way.
5. Although people will still be able to vote in person at voting centers, the ordinance limits that option to voters who were "unable to vote by mail whether

¹ Per KPB 4.50.015, if voter turnout was less than 200 voters at the last regular election the assembly may, by resolution, designate that precinct as an "absentee by mail" precinct.

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inside the borough or not." Also, neither the number of voting centers nor their hours of operation are clear and may not be sufficient to accommodate the people wishing to vote in person.

6. We can fix the ADA issues without making our current voting system less secure, and without drastically changing the current voting system that has worked successfully for many years in the borough.
7. Finally, if voters want to vote by mail they can do so by using the current absentee ballot by mail process in the code if they believe they won't be able to get to their precinct on election day or cannot do so due to a physical disability.

AS 29.20.270 provides that a veto may be overridden within 21 days following the exercise of the veto or during the next regular meeting, whichever is later. The next regular meeting is July 7, 2020.