

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Clerk		11/16		11/22/94	Council (other items)
Division Head:					
Dept. Head:					
Prosecutor:					
Purchasing/Budget:					
Executive:					

**SUBJECT:**

Resolution accepting irrigation district election ballots that have been signed, but not witnessed

**ATTACHMENTS:**

Resolution

**SUMMARY STATEMENT:**

*Please complete sections of box as appropriate & explain the item below.*

Related County contract #:	Should Clerk schedule a hearing? NO /xx/ YES / / Requested date:
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When he prepared the voting instructions accompanying ballots for the irrigation district election, the election supervisor did not indicate that ballot signatures need to be witnessed. A large number of ballots have been returned without the signature of a witness. Those ballots will not be counted and their results will not be included in the election tally unless the Council passes this resolution accepting ballots without witness signatures.

The Council Office has received many irate calls from citizens who returned ballots without a witness' signature because there was nothing in the voting instructions to indicate it was necessary.

The signature of a witness is relatively meaningless, since no one has any way to verify whether the signature is truly that of a person who can attest to the statements made on the ballot envelope. Two voters reported to the Clerk that they intended to sign the witness line themselves, but use the name of a small pet or minor child. The Council Office has no way to determine how many voters took this approach.

**CLERK'S RECOMMENDED MOTION (for final action):**

"I move that the Council approve of the resolution."

**COMMITTEE ACTION TAKEN:**

**COUNCIL ACTION TAKEN:**

11/22/94: Council approved the Resolution, 5 - 2, Henderson and Harris opposed.

**Related File Numbers:**

**Ordinance or Resolution Number (this item only):**

1 RESOLUTION NO. 94-056

2 ACCEPTING IRRIGATION DISTRICT ELECTION BALLOTS  
3 THAT HAVE BEEN SIGNED, BUT NOT WITNESSED

4 WHEREAS, voters in the irrigation district election were directed to sign the  
5 outside of their ballots in order to swear that they were qualified to vote in the election;  
6 and

7 WHEREAS, next to the signature line on the ballot envelope there was a space  
8 for a witness to sign and indicate that they could attest that the voter's sworn statement  
9 was true; and

10 WHEREAS, the voting instructions prepared by the election supervisor and  
11 accompanying the ballot did not indicate a need for the voters' signature to be witnessed;  
12 and

13 WHEREAS, a great number of ballots have been returned to the Council Office  
14 without the signature of witnesses; and

15 WHEREAS, it would be a hardship for voters and for the Council Office staff to  
16 have voters and witnesses come to the Council Office, retrieve their ballots, and witness  
17 them before the election deadline of November 17; and

18 WHEREAS, the witnessing of these ballots is relatively meaningless since there is  
19 no way to verify whether the witness can, in fact, attest to the statements on the ballot  
20 envelope; and

