



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
No. AM XXX-2023

Meeting Date: Month Day, 2023

1 **From: Assembly Member XXX XXX**

2
3 **Subject: AN OMNIBUS ORDINANCE OF THE ANCHORAGE MUNICIPAL**
4 **ASSEMBLY AMENDING AND UPDATING ANCHORAGE**
5 **MUNICIPAL CODE TITLE 28, ELECTIONS.**
6
7

8 Amendments updating the Elections Code, Title 28, include the following:
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- 10 • **AMC 28.10.040 Definitions – Defining “Voter registration file”**

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12 There are two references to the voter registration file in Title 28 and a definition would
13 provide clarification.

14
15 Voter registration file means a voter’s registration file maintained by the State
16 of Alaska, Division of Elections, pursuant to Alaska Statutes Chapter 15.07.
17

- 18 • **AMC 28.80.015 – Supervision and observation of ballot tabulation.**

19
20 This section clarifies that the municipal clerk’s role is to invite at least one of three
21 specified municipal employees to observe tabulation.
22

- 23 • **AMC 28.100.020 – Contest Procedure.**

24
25 When first enacted in 1985, code provisions required election contests to be
26 submitted to the Assembly for possible action at the same meeting where the
27 Assembly would vote to certify the election. Election contests, the election
28 commission’s report, and the Clerk’s report would go to the Assembly at the same
29 time.
30

31 The code was changed in 2020 to provide that election contests could be submitted
32 within nine days after the certification of the election. This provided both the person
33 or group attempting to contest the election and the election staff additional time after
34 the meeting of the Election Commission to gather facts for and against the contest to
35 present to the Assembly. However, the 2020 code did not provide direction to the
36 Assembly on how to handle contests filed after it has already voted to certify the
37 election.
38

39 By the time Anchorage elections are before the Assembly for certification, the
40 Election Team has been processing the election for over five weeks which is
41 sufficient time to identify if there are sufficient grounds for filing a contest.
42

43 A requirement to include specific details is being added as well so that the Assembly
44 has evidence to which to determine if an investigation is merited.

The proposed changes are as follows:

B. The notice of contest shall:

1. Specify the election being contested,
2. The grounds of the contest, including specific details,
3. Shall bear the notarized signatures of the candidate or the qualified voters bringing the contest. [,] The notarization shall be in the following form: I hereby certify that on the _____ day of _____, _____, before me, _____ (notary's name), a notary public of the State of Alaska, personally appeared, _____ (affiant's name) and made his/her oath/affirmation in due form of law that the matters and facts set forth in the Election Contest are true to best of the affiant's knowledge.
4. Shall contain the printed or typed names and residence addresses of the candidate or qualified voters, and
5. Shall designate two persons as representatives and include the phone numbers, mailing addresses, and residence addresses of the representatives.

C. The assembly shall vote whether to hear the contest or to certify the results of the [CONTESTED] election at a meeting held pursuant to AMC 28.85.040B. [IN ACCORDANCE WITH THE REPORTS OF THE ELECTION COMMISSION AND MUNICIPAL CLERK.] If the assembly decides to hear the contest, it may appoint one or more persons to take evidence concerning the grounds for the contest and report to the assembly.

• **Citation Corrections**

Two citation references in AMC Section 28.80.050 and AMC 28.90.025. are corrected. There are no substantive changes to these provisions made by these corrections.

There are no economic effects associated with this ordinance and so a summary of economic effects is not provided.

We respectfully request support for this ordinance.

Prepared by: Municipal Clerk's Office

Respectfully submitted:

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2 XXXXXXXXXXXX
3 Assembly Member, District X (Area of town)