

Proposed Amendment #2 to AO 2021-110(S)

ORDINANCE NO. AO 2021-110(S), AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 28, ELECTIONS, TO UPDATE AND CLARIFY PROVISIONS OF THE CODE.

PROPOSED AMENDMENT

Purpose/Summary of amendment(s): This amendment adds a definition of the term “facsimile” and a definition of the term “designated return location.”

TEXT OF AMENDMENT

(adding new language, [DELETING CURRENT CODE LANGUAGE] and [~~Deleting words proposed by the unamended AO or AO(S) that are not in current code~~])

Amendment No. 2: Section 1 , Page 1 , Line(s) 30 , as follows:

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Day means a calendar day.

Designated return location means the MOA Election Center, or an alternative location designated by the municipal clerk, such as City Hall, the Dena’ina Center, the Egan Center, or the like.

Election includes a regular, special or runoff municipal election.

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Election official includes election officials at the polls, early or absentee voting officials appointed by the clerk, the election commission, boards appointed or created under this title, counting teams, receiving teams, the clerk, and the clerk’s office staff.

Facsimile means an exact copy.

Municipal election means any election:

1. To fill a municipal office;
2. Upon a proposition submitted to the voters under the Charter or ordinances of the municipality; or
3. That the municipality is required by law to administer.

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Proposed Amendment to AO 2021-110(S)

ORDINANCE NO. AO 2021-110(S), AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 28, ELECTIONS, TO UPDATE AND CLARIFY PROVISIONS OF THE CODE.

PROPOSED AMENDMENT

Purpose/Summary of amendment(s): This amendment is proposed to codify the existing practice of pausing adjudication to ensure the observer has time to write down the ballot number on the challenge form.

TEXT OF AMENDMENT

(adding new language, [DELETING CURRENT CODE LANGUAGE] and ~~[Deleting words proposed by the unamended AO or AO(S) that are not in current code]~~)

Amendment No. 3: Section 12 , Page 14 , Line(s) 18-21 , as follows:

- D. A registered observer may challenge the adjudication of a vote under this section by:
1. requesting a brief pause in adjudication to note the ballot number;
and
 2. submitting a form to the municipal clerk that sets forth with specificity the rule that has been improperly applied by election officials.

Proposed Amendment #4 REVISED to AO 2021-110(S)

ORDINANCE NO. AO 2021-110(S), AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 28, ELECTIONS, TO UPDATE AND CLARIFY PROVISIONS OF THE CODE.

PROPOSED AMENDMENT

Purpose/Summary of amendment(s): This amendment clarifies that at a vote center, an observer is documenting the names of voters but not using electronic devices to *record* them.

Also, the prohibition on recording confidential information is moved sooner on the list as it is an important overarching rule.

Additionally, the prohibition on possessing any mechanical or electronic device is changed so the device may be possessed but not operated to record images or sound in designated areas where it is likely confidential information would be recorded.

Videos of the process are likely to assure the public that the system is sound. Banning videos creates skepticism.

TEXT OF AMENDMENT

(adding new language, [DELETING CURRENT CODE LANGUAGE] and [Deleting words proposed by the unamended AO or AO(S) that are not in current code])

Amendment No. 4 - REVISED: Section 6 , Page 8 , Line(s) 1-20 , as follows:

- 4[3].** Observers at a polling location or vote center may not sit in the area behind the table where election officials are working or in between election officials handling voter registers, and shall remain a distance away from voting machines, if any, and voting booths to ensure the privacy of the ballots. The observer may be in close enough proximity to hear and document *[RECORD]* the name of a person who is voting.
- 5[4].** While in the polling location, vote center, or designated return location, observers:
 - a. Shall not make or receive phone calls from designated areas, as specified in the Observer's Handbook;

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- b. Shall not record confidential information by any means or method; ~~[possess any mechanical or electronic means of recording images or sound within designated areas;]~~

- c. Shall not operate any mechanical or electronic device to record images or sound within designated areas where ballot processing occurs and confidential information could be easily recorded [TAKE A PHOTOGRAPH OF OR OTHERWISE] [RECORD CONFIDENTIAL INFORMATION]]~~[by any means or method]~~;

Proposed Amendment #5 to AO 2021-110(S)

ORDINANCE NO. AO 2021-110(S), AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 28, ELECTIONS, TO UPDATE AND CLARIFY PROVISIONS OF THE CODE.

PROPOSED AMENDMENT

Purpose/Summary of amendment(s): This amendment adds a definition of the term “designated area” where observers may possess electronic devices. No ballot processing occurs in designated areas. Observers are not allowed to have electronic devices in areas where ballot processing occurs because confidential information such as voter name, date of birth, and/or voter number is available in these areas. Observers are entitled to have non-ballot marking pens in ballot processing areas, where they can “challenge” election official decisions on “challenge forms.” Observers complete the “challenge form” with the voter name (at signature verification) or the ballot number (at ballot adjudication). Observers have the opportunity to challenge certain election official decisions as set forth in code, and may file a complaint with the clerk or designee regarding allegations of election worker misconduct, including the date, time, and the area of the misconduct. Because video footage can be pulled to determine what the issue is, voter confidentiality can be maintained without the risk of having confidential voter information on recording devices of observers that could be disclosed to the public.

TEXT OF AMENDMENT

(adding new language, [DELETING CURRENT CODE LANGUAGE] and [Deleting words proposed by the unamended AO or AO(S) that are not in current code])

Amendment No. 5: Section 1 , Page 1 , Line(s) 30 , as follows:

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Day means a calendar day.

Designated area means an area, within either the designated return location or a vote center, identified by the municipal clerk prior to the processing of each election.

Election includes a regular, special or runoff municipal election.

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Proposed Amendment #7 to AO 2021-110(S)

ORDINANCE NO. AO 2021-110(S), AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 28, ELECTIONS, TO UPDATE AND CLARIFY PROVISIONS OF THE CODE.

PROPOSED AMENDMENT

Purpose/Summary of amendment(s): This amendment is proposed to add information to the demonstrate the intent to use the best technology and all tools available to support meeting the MOA Elections Team vision of openness and transparency in all elections. To demonstrate the vision of openness and transparency in Municipal elections and to use the best technology and tools available, and those tools allow live-streaming of election processes 24/7, (understanding there may be limit for the length of time for a single streaming session), it is expected that the MOA Elections Center will be live streamed during any election processes.

TEXT OF AMENDMENT

(adding new language, [DELETING CURRENT CODE LANGUAGE] and ~~[Deleting words proposed by the unamended AO or AO(S) that are not in current code]~~)

Amendment No. 7: Page 1 , Line(s) 14-19 , as follows:

WHEREAS, following the 2021 Regular Election and Runoff Election, provisions of the Anchorage Municipal code could be updated to streamline administration of municipal elections and improve efficiency and voter accessibility; and

WHEREAS, some election processes are not codified but are done at the direction of the Assembly, and the Assembly supports the vision of openness and transparency in Municipal elections and the use of the best technology and tools available, and those tools allow live-streaming of election processes, it is expected that the MOA Elections Center will be live streamed 24/7 during any election processes; and

WHEREAS, it is wise and desirable to review and update Code governing our local electoral system periodically to maintain integrity and build public confidence; now, therefore,

Proposed Amendments #9 - #10 to AO 2021-110(S) REV

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Submitted by: Assembly Members Petersen and Constant

PROPOSED AMENDMENT

Purpose/Summary of amendment(s): Sponsors may speak to each amendment.

TEXT OF AMENDMENT

(adding new language, [DELETING CURRENT CODE LANGUAGE] and [Deleting words proposed by the unamended AO or AO(S) that are not in current code])

Amendment No. 9: Page __ 13 __, Line(s) _ 10 _, including for amendment subsection 28.80.050B.10. and amending it as follows:

10. *Reserved. [EXCEPT AS PROVIDED IN SUBSECTION 5., AN ERASURE OR CORRECTION INVALIDATES THAT SECTION OF THE BALLOT IN WHICH IT APPEARS.]*

Amendment No. 10: Page __ 14 __, Line(s) _ 22 __, as follows:

- C. The rules set out in this section are mandatory and there shall be no exceptions to them. A ballot or vote shall not be counted unless marked in compliance with these rules, except that when it can be clearly and convincingly determined how the voter intended to vote it shall be counted accordingly. The rejection of a ballot or vote for counting under these rules is a final determination and only reviewed in an election recount or election contest.

December 21, 2021

Agenda Item No. 14.A.3.
Allard-Kennedy Amendment No. 13

Proposed Amendment #13 to AO 2021-110(S) REV

ORDINANCE NO. AO 2021-110(S), AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 28, ELECTIONS, TO UPDATE AND CLARIFY PROVISIONS OF THE CODE.

Submitted by: Assembly Members Allard and Kennedy

PROPOSED AMENDMENT

Purpose/Summary of amendment(s): This amendment will guarantee that a write-in candidate may register observers also, and will allow an observer to register who is not affiliated with a candidate or campaign organization. There are some who follow elections and the process but are not affiliated with someone in the race or a campaign for or against a ballot proposition. They will be allowed wherever observers are allowed.

TEXT OF AMENDMENT

(adding new language, [DELETING CURRENT CODE LANGUAGE] and ~~[Deleting words proposed by the unamended AO or AO(S) that are not in current code]~~)

Amendment No. 13: Section 6 , Page 5 , Line(s) 31-32 , as follows:

- A. A candidate or organization must register their observers with the municipal clerk for each election, except as specifically noted in this section ~~below~~.
A write-in candidate may register observers.