

Observer's Handbook



Municipality of Anchorage
Municipal Clerk's Office

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Introduction

The Municipal Clerk's Office has developed this handbook to familiarize observers with relevant election laws and to define the responsibilities and obligations of an observer during the election process. Before assuming your duties as an observer, please review this handbook to gain a better understanding of municipal election activities.

This handbook is an overview intended to help you understand your basic responsibilities. This handbook is not intended as a complete summary of election law, but as a useful guide on topics most often encountered by observers. In the event of a conflict between this handbook and applicable law, the law will be controlling.

GUIDING PRINCIPLE

The right to vote is a cornerstone to our democracy. It is the objective of the election officials and observers together to protect this democratic right. The integrity of elections is important to all citizens. Although you, as an observer, may represent a particular candidate, organization, or organized group, your principle interest is in the conduct of a fair and honest election.

If you have any questions regarding the municipal election process or this handbook, contact the Municipal Clerk's Office at 243-VOTE (8683) or elections@anchorageak.gov.

About Observers

Observers monitor the election process to ensure their candidate's or organization's interest in a fair and honest election is represented.

Observers are allowed at each vote center, each polling location (only applicable during a poll-based election), and the designated return location (referenced as the "Election Center" in this document). Observers have more access than the general public to areas within these various election locations because observers have agreed to follow the rules and expectations in this handbook.

The role of an observer is to witness the election process and, as appropriate, ask procedural questions of the Municipal Clerk, challenge the eligibility of individual voters or the manner in which votes are counted, lodge complaints, and offer suggestions regarding election administration and management. Observers should conduct themselves in a professional manner and should not interfere with voters or disrupt the conduct of the election. Observers should be familiar with the electoral law, procedures, and election calendar. Observers should monitor constructively and question election procedures in a courteous and factual manner. It is imperative that appointed observers maintain a high level of respect for the voters, the elections process, and election officials.

Observer Qualifications

An observer must be designated by a candidate on the ballot in the election, or by an organization or organized group that sponsors or opposes an initiative, referendum, or recall measure on the ballot in the election. A candidate may be an observer.

A write-in candidate may register observers if, at the time of registering observers:

- the write-in candidate provides information that the write-in candidate meets all candidate qualifications specified in the municipal charter and in municipal code for the office sought; and
- the write-in candidate provides a signed copy of the public official financial disclosure form (POFD) filed with the Alaska Public Offices Commission (APOC).

Number of Allowed Observers

As defined in AMC 28.50.300, candidates and organizations are allowed to assign one observer at each vote center or polling location. At the Election Center, with consideration of and subject to constraints of space, regulations, or unforeseen circumstances, candidates and organizations

may have at least one observer and a maximum of four. It is the policy of the municipality to accommodate the highest total number of observers allowed under these rules. The Municipal Clerk may restrict the total number of observers to less than the maximum only based on good cause, and each candidate and organization shall be allocated an equal share of the total number of observers allowed. The reduction in the number of observers to fewer than one per candidate and organization shall be limited to extraordinary circumstances.

Observer Registration

Each candidate or organization shall register by submitting the following forms to the Municipal Clerk:

- A registration form
- A confidentiality agreement
- A training and tour agreement
- A certificate of training

Once the four forms are submitted, the Municipal Clerk shall provide credentials available for pickup within 48 hours, in the form of an observer identification badge stating the observer's name, who they represent, and the date. The badge must be signed by the Municipal Clerk, Election Administrator, or designee before the observer may begin to observe at an election location.

Observers who are registered for a regular election may observe during a runoff election without submitting another registration form, if the candidate that the observer represents is one of the candidates in the runoff election.

The registration form must be signed by the observer and the candidate or candidate's campaign manager, or the chairperson of the organization or organized group.

During the election process, observers will see information that is confidential. This information may include the voter number, social security number or last four digits of the social security number, date of birth, Alaska driver's license or state identification number, some residence addresses, and other personal information. Observers shall sign a confidentiality agreement stating that they will not reveal the confidential information to a third party or use it for any purpose other than for determining whether to challenge a ballot envelope or voter qualification. The confidentiality agreement shall be submitted with the registration form.

Information regarding election processes, such as the dates and times the vote centers and Election Center will be open for the election, the time and place of public session of canvass,

and, if applicable, hours of operation of polls, is publicly noticed at www.muni.org/PublicNotice/Pages/default.aspx, or posted on the Elections website at www.muni.org/elections.

Observer Training

All observers shall complete training, either online or in-person, and take a tour of the Election Center provided by the Municipal Clerk prior to being credentialed. Once a registration form has been submitted for an observer, information regarding access to the online training or in-person training will be provided to the observer. A schedule of tours will be provided to all candidates and posted on the Elections website by the end of the candidate filing period.

An observer who has completed the training and attended a tour of the Election Center provided by the Municipal Clerk within the six months prior to any election will be credentialed and may observe.

Observer Rights and Obligations

SIGN-IN

Each time observers participate in the election process, they will be required to sign in at the vote center, polling location, or Election Center, and show their signed observer badge. An observer may be requested to provide identification. At a vote center or polling location, an observer must check in with the chair of the location.

IDENTIFICATION

While in a vote center, a polling location, or the Election Center, observers must wear the badge in a noticeable location on their person at all times. Observers shall wear their badge with the observer name showing. The back of the badge is only to be viewed by the election officials upon arrival at the election location. If the back of the badge is visible to the general public, it is a violation of municipal code prohibiting campaigning within 200 feet of a polling location, vote center, or Election Center (AMC 28.50.050).

At the Election Center, an observer is also required to wear an identifying lanyard. The lanyard will be provided when the observer signs in and shall be returned when the observer signs out.

CAMPAIGNING

Observers may not campaign while inside a vote center, a polling location, or the Election Center, or within 200 feet of any entrance, or within 50 feet of a drop box (AMC 28.50.050).

Campaigning includes the following:

- Discussion of an issue or candidate
- Displaying a campaign sign or vehicle bumper sticker
- Wearing campaign buttons, pins, stickers, etc.
- Displaying marked sample ballots or candidate pamphlets

If an observer sees campaigning by another person, the observer should immediately report it to the municipal clerk, the clerk's designee, or an election official.

THE OBSERVER'S ROLE

Observers may watch the set-up procedures before the vote center or polling location opens. They may observe the election officials as official ballots are prepared for distribution.

Throughout the day, observers may watch the general conduct of the election. Observers may remain in the vote center, polling location, or Election Center until all procedures are complete.

An observer may watch the processing of ballot return envelopes at the Election Center, which is the only place where ballot collection and processing will occur.

Any present observer may submit a challenge, as described in the Challenges section.

Observers have no duties in the conduct of the election.

OBSERVER CONDUCT

While in a vote center, a polling location, or the Election Center, observers must adhere to the following rules:

1. Observers are encouraged to work in shifts (e.g., opening to 11:00 a.m.; 11:00 a.m. to 2:00 p.m.; 2:00 p.m. to closing) to minimize disruptions at elections locations. Observers may come and go from election locations at will, **within the limitations on number of observers** and following the requirements for signing in and out of election locations. The opening time of all election locations will be publicly noticed or posted on the elections website, and election officials will begin conducting the work no earlier than at

the scheduled time. Election officials will not wait for the arrival of observers to begin conducting the work.

2. The observer may be present in designated positions inside the location that allows the observer a full view of all actions regarding ballot preparation and ballot return processing.

At vote centers and polling locations, designated observer locations shall not be located behind election officials, and shall be a minimum of six feet away from the voting booths and the ballot box to ensure the privacy of the voter.

At drop boxes, designated observer locations shall be a minimum of ten feet away from the drop box.

3. Observers shall not approach voters or talk directly to voters for any reason.
4. Election officials are concentrating on their duties. To avoid distracting them, discussions among observers must be conducted outside of designated areas or the election location. Observers should not talk to election officials while they are working.
5. Observers shall not record confidential voter information by any means or method, or record information in violation of applicable municipal, state or federal laws.
6. Observers may not operate any electronic or mechanical devices to record images or sound in designated areas. Computers are not provided by the elections office for use.
7. Telephone calls are not allowed in designated areas in the locations. Telephones are not provided by the elections office.
8. Coats and large bags are not allowed in the election locations, except outside of designated areas. In polling locations and vote centers, observers are expected to keep coats, bags, purses, etc. to a minimum. Observers are encouraged to leave personal items in their vehicles or at home; the Municipal Clerk is not responsible for any personal items brought into an election location.
9. Only water in sealable containers is permitted in designated areas. Other food and drink is limited to specific areas determined by the Municipal Clerk. Observers shall clean up after themselves.
10. In vote centers and the Election Center, observers who are badged into areas beyond the public reception area or designated pathway (in the Election Center), may not carry any device capable of marking a ballot (example: blue or black pen) but may carry a red pen for taking notes.
11. At the Election Center, questions shall be submitted to the Municipal Clerk or designee. At a polling location or vote center, the chair is the Municipal Clerk's designee.

12. Observers are not allowed to touch or handle ballot envelopes, ballots, election materials and equipment, security equipment and fixtures, or computers in the election locations.
13. Observers are not allowed to be disruptive or impolite to election officials. It is important for observers to realize that election officials are trying to do an important job that requires long hours of hard work and attention to detail. An observer should establish a cooperative relationship with election officials to best facilitate the election. A negative attitude by the observer may create unnecessary stress and disruption.
14. Observers shall follow all reasonable directions of election officials, the Municipal Clerk, and on-site security personnel.
15. An observer who creates a public disturbance may be asked to leave the location.

Designated areas are identified by the Municipal Clerk prior to the processing of each election. Designated areas at the Election Center are shown on the map at the end of this handbook.

These rules are to be followed at all times. The Municipal Clerk or designee will monitor and ensure that conduct is followed in the location. Candidates and organizations are responsible for the proper conduct of observers according to applicable law and these rules.

Observers who do not comply with applicable law or this handbook may be immediately removed from an election location at the direction of the Municipal Clerk or designee without prior notification to the candidate or organization, may have their observer credentials revoked, and may be subject to such further action as may be authorized by law. If an observer is requested to leave an election location or if the authorization for an observer is revoked, the Municipal Clerk will notify the candidate, campaign manager, or chairperson of the organization/organized group that the observer represents.

Challenges

Registered observers may challenge:

1. Voter eligibility
2. Ballot not properly cast or ballot improperly rejected
3. Signature verification
4. Adjudication of vote

These are the only allowed challenges. Concerns about other election procedures and election official actions may be addressed through the procedures, set forth elsewhere in this handbook.

CHALLENGE OF VOTER ELIGIBILITY

1. Municipal law allows observers to challenge the eligibility of a voter if the person has good reason to suspect that the challenged voter is not qualified to vote.
2. Reasons for questioning a voter's qualifications to vote in the election under Anchorage Municipal Code Title 28:
 - a) The voter is not a citizen of the United States.
 - b) The voter is not 18 years of age or older.
 - c) The voter is not a resident in the Municipality of Anchorage and the district in which the person seeks to vote at least 30 days before.
 - d) The voter is registered to vote in another jurisdiction.
3. The observer making the challenge must specify the basis of the challenge in writing, on a form provided at the end of this handbook.
4. Responses to challenges to voter eligibility:
 - a) Upon receipt of a challenge request regarding a voter, the challenged ballot envelope will be separated from the group of ballot envelopes and placed in a secure location. A copy of the challenge form with the signature of the candidate, campaign manager, or chairperson of the organization/organized group must be provided within 24 hours (1 business day) of the submittal of the challenge form, otherwise the challenged ballot envelope will be returned to the group of ballot envelopes for continued processing.
 - b) Once the challenge is validated by the signature of the candidate, campaign manager, or chairperson of the organization/organized group, the Municipal Clerk or designee will respond to the challenge in writing, to the candidate, campaign manager, or chairperson of the organization/organized group, prior to the final ballot count. Challenges and responses will be shared with all candidates or organizations/organized groups who have registered observers for the relevant race or issue.
 - c) The candidate, campaign manager, or chairperson of the organization/organized group may appeal the Municipal Clerk's response to the Anchorage Election Commission at the Public Session of Canvass by refileing a validated challenge within 24 hours (1 business day) of receiving the Municipal Clerk's response.

CHALLENGE THAT BALLOT WAS NOT PROPERLY CAST OR BALLOT WAS IMPROPERLY REJECTED

1. Municipal law allows observers to challenge that a ballot was not properly cast or that a ballot was improperly rejected.
2. Reasons for questioning whether a ballot was properly cast or improperly rejected under the standards of AMC 28.70.030:
 - a) The voter did not sign the voter declaration.
 - b) The voter who is unable to sign did not make a mark and/or have the mark properly witnessed.
 - c) The voter's ballot envelope was received after the date of the election and was not postmarked on or before the date of the election, has no postmark, or the postmark is unreadable.
 - d) The ballot was received after 8:00 p.m. on the date of the election, if not returned through the U.S. Postal Service.
 - e) The voter already voted in the election.
 - f) The voter did not provide required identification before the opening of the Public Session of Canvass.
 - g) The voter's ballot was rejected improperly.
3. The observer making the challenge must specify the basis of the challenge in writing, on a form provided at the end of this handbook.
4. Responses to challenges that a ballot was not properly cast or was improperly rejected:
 - a) Upon receipt of a challenge regarding whether a ballot was properly cast or improperly rejected, the challenged ballot envelope will be separated from the group of ballot envelopes and placed in a secure location. A copy of the challenge form with the signature of the candidate, campaign manager, or chairperson of the organization/organized group must be provided within 24 hours (1 business day) of the submittal of the challenge form, otherwise the challenged ballot envelope will be returned to the group of ballot envelopes for continued processing.
 - b) Once the challenge is validated by the signature of the candidate, campaign manager, or chairperson of the organization/organized group, the Municipal Clerk or designee will respond to the challenge in writing, to the candidate, campaign manager, or chairperson of the organization/organized group, prior to the final ballot count. Challenges and responses will be shared with all candidates or organizations/organized groups who have registered observers for the relevant race or issue.

- c) The candidate, campaign manager, or chairperson of the organization/organized group may appeal the Municipal Clerk's response to the Anchorage Election Commission at the Public Session of Canvass by refiling a validated challenge within 24 hours (1 business day) of receiving the Municipal Clerk's response.

CHALLENGE OF SIGNATURE VERIFICATION

1. Municipal law allows observers to challenge the verification of a voter's signature on the ballot return envelope. An observer may not delay or impede the election officials performing signature verification.
2. Reasons for questioning the verification of a voter's signature under the standards of AMC 28.70.030:
 - a) The signature was improperly determined to be an invalid signature.
 - b) The signature was improperly determined to be a valid signature.
3. The observer making the challenge must specify the basis of the challenge in writing, on a form provided at the end of this handbook. The observer may request a brief pause in signature verification in order to document the voter name on the form.
4. Responses to challenges to signature verification:
 - a) Upon receipt of a challenge request to signature verification, the Municipal Clerk and the Deputy Clerk shall review the signature on the challenged ballot envelope(s) to make a final determination.
 - b) All signature verification challenges that are signed by the candidate, campaign manager, or chairperson of the organization/organized group, may be provided to the Municipal Prosecutor after certification of the election, along with a copy of the ballot envelope image and a copy of available reference signatures.

CHALLENGE OF ADJUDICATION OF VOTE

1. An observer may challenge the adjudication of ballot marks. In this type of challenge, the observer must explain how the ballot adjudication rules set forth at AMC 28.80.050 have been improperly applied by election officials. The observer may request a brief pause in ballot adjudication in order to document the ballot number on the form.
2. Reasons for challenging the adjudication of a vote under AMC 28.80.050:
 - a) Improper interpretation of the oval being wholly or partially filled in (28.80.050B.1. or B.4.);
 - b) Improper interpretation of voter's correction (28.80.050B.5., B.6. or B.10.);
 - c) Improper interpretation of markings or handwritten notes (28.80.050B.7.); or

- d) Improper interpretation of write-in vote (28.80.050B.11., B.12., B.13. or B.14.).
- 3. The observer making the challenge must specify the basis of the challenge in writing, on a form provided at the end of this handbook.
- 4. Responses to challenges to adjudication of vote:
 - a) Upon receipt of a challenge regarding adjudication of a vote, the Municipal Clerk or designee will review the challenge and make a determination.
 - b) If the observer is dissatisfied with the Municipal Clerk’s determination, the observer may submit a validated challenge within 24 hours (1 business day) of the Municipal Clerk’s determination, to appeal to the Anchorage Election Commission at the Public Session of Canvass. A challenge is validated by the signature of the candidate, campaign manager, or chairperson of the organization/organized group.
 - c) Challenges will be shared with all candidates or organizations/ organized groups who have registered observers for the relevant race or issue.

Observer Concerns with Election Administration and Management

Observers are entrusted with challenges to the critical issues of voting and counting. In the course of this primary duty, Observers may raise other concerns:

1. Administrative concerns and management concerns.
 - a. *Administrative concerns* include matters such as storage of supplies, empty boxes, and signage.
 - b. *Management concerns* include practices such as issuing special needs ballots requests, improvements in witness verification, staffing concerns, and election volunteers following Election Center protocols.
 - c. *Informal Resolution.* Both administrative concerns and management concerns are often addressed informally between observers and the Election Officials. As a result, administrative concerns and management concerns may be handled informally and/or submitted on a suggestion form. To ensure adequate and timely response, suggestions and concerns should be filed immediately after the events giving rise to the concern.
 - d. *Administrative and management concerns* that are not resolved by the Municipal Clerk or Election Administrator and that would change the outcome of the election, if found to be true, may be renewed by the observer or candidate. The renewed concern shall be submitted to the Election Administrator in writing on a form entitled – “Election Commission – Alleged Failure to Comply with Law or Alleged Illegal Election Practices”. The form must be submitted forty-eight (48) hours prior to the Public Session of Canvass and requires a) an explanation of all events creating the concern; b) citation(s) to applicable provisions of Anchorage Municipal Code or other law; and c) an explanation of how the concern would change the outcome of the election. This information on the

form ensures that, in addition to the observers' challenges on voting and counting, matters that could change the outcome of the election are available for the Commission's review.

Election Official Conduct and Misconduct

Outside of challenging voter eligibility, signature verification, ballot adjudication, observers do not have the right to challenge an act of an election official, yet may file a complaint about election official conduct or alleged misconduct. When an observer witnesses a perceived administrative error or irregularity by an election official, the observer should courteously call it to the Municipal Clerk or designee's attention, or if at a polling location or vote center, to the attention of the chair of the location. Election officials may be removed from the election location for misbehavior or neglect of duty. The observer may be asked to submit a written complaint signed by the candidate, campaign manager, or chairperson of the organization/organized group, using the form provided at the end of this handbook.

Complaints that are not resolved by the Municipal Clerk or Election Administrator and that would change the outcome of the election, if found to be true, may be renewed by the observer or candidate. The renewed complaint shall be submitted to the Election Administrator in writing on a form entitled – "Election Commission – Alleged Failure to Comply with Law or Alleged Illegal Election Practices". The form must be submitted forty-eight (48) hours prior to the Public Session of Canvass and requires a) an explanation of all events creating the complaint; b) citation(s) to applicable provisions of Anchorage Municipal Code or other law; and c) an explanation of how the complaint would change the outcome of the election. This information on the form ensures that, in addition to the observers' challenges on voting and counting, matters that could change the outcome of the election are available for the Commission's review.

A candidate or ten qualified voters may contest an election due to malconduct, fraud, or corruption on the part of an election official sufficient to change the result of the election, in accordance with AMC Chapter 28.100.

Election Process

What follows is a general overview of the election process. It is not intended to address every possible circumstance that may be encountered during an election. In the event of a conflict between this section and applicable law or procedure, the law or procedure will be controlling.

This section may refresh but does not replace the training required for an observer, which is more detailed so that observers have a more thorough understanding of the complexities of the process.

AT THE VOTE CENTER OR POLLING LOCATION

In polling locations or vote centers, election officials are appointed to conduct the election. One of the election officials is appointed chair and is primarily responsible for the administration of the election in the location.

Election officials conduct the election, administer the voting procedures, determine voter qualifications, and maintain the decorum of the location under the direction of the Municipal Clerk, including within 200 feet of any entrance to a polling location or vote center or within 50 feet of a secure drop box. Election officials may refer any questions that arise and cannot otherwise be answered to the Municipal Clerk or designee.

Persons other than election officials and observers allowed to remain in the polling location or vote center are:

- Voters while voting
- Municipal Clerk's Office representatives
- Municipal Attorney's Office representatives
- Members of the news media

Voting Process

When a voter enters the polling location or vote center to vote, the election official will ask for the voter's name and a piece of identification. The ID requirement may be waived if an election official personally knows the voter, except when "Must Show ID" is printed in the signature block above the voter's name on the voter register, or the voter has a condition code of "ID" in the voter database, and in this case the voter must present identification.

Valid identification includes:

- Official voter registration card,
- Driver's license or state ID card,
- Passport,
- Hunting or fishing license, or
- Other identification recognized by the state for its elections (AS 15.15.225), including:
 - Current and valid photo identification (employer ID card, for example),
 - Birth certificate, or

- Original or copy of utility bill, bank statement, paycheck, government check or other government document. An item exhibited under this paragraph must show the name and current address of the voter.

If a voter does not have identification and is not personally known by an election official at the location, the voter is allowed to vote a questioned ballot.

A voter may bring to the vote center or polling location, for personal use, notes and reminders such as a pre-marked sample ballot or an official election pamphlet. A voter may take these items into a voting booth and is expected to take the materials with them when they leave. Materials left behind will be disposed of immediately.

Questioned Ballots

A questioned ballot is a ballot voted by a voter whose qualifications to vote in the election must be more closely examined before the ballot can be accepted for counting. The voter's ballot return envelope is placed inside a second questioned envelope and is segregated from other ballot envelopes for special handling (described on page 21).

The following persons may only vote a questioned ballot:

- A person requesting a ballot at a polling place or vote center without proper identification;
- A person whose address has changed or whose address is different from the voter registration database, unless the person votes an areawide ballot;
- A person whose name, in whole or part, is different than the name in the voter registration database;
- A person whose qualifications to vote are questioned by an election official, an observer, or another voter; or
- A person whose name does not appear in the voter registration database as eligible to vote within the municipality.

Providing Assistance To Voters

Qualified voters who need assistance (e.g., cannot read, mark the ballot, sign their names, or speak English) may request one or two people of their choice, including election officials but not including observers, to assist them. If an election official is requested, the election official shall assist the voter. If any other person is requested, that person shall state under oath before the election official, by signing the Voter Assistant Register, that they will not vote the ballot for the voter, coerce the voter, or divulge the vote cast by the assisted voter. This help may be

provided by anyone who is not a candidate, an employee or volunteer for the candidate, the voter's employer, an agent of the voter's employer, or an officer or agent of the voter's union.

The person providing assistance may accompany the voter into the voting booth.

The person providing assistance may read the ballot to the voter and may mark the voter's ballot. The person may complete any form for the voter except that the person **CANNOT SIGN** forms requiring the voter's signature.

Voters having difficulty in signing their name on the ballot return envelope may make a mark or an "X" in the signature space. In this instance, a witness signature is required.

Voter Instructions

It may be necessary for an election official to explain to the voter, in full view of everyone in the polling location or vote center, how to properly cast a ballot. To the extent possible, instructions to the voter are given by posting informative and pictorial signs in the polling location or vote center and in each voting booth.

Any instructions necessary should be given before the voter enters the voting booth.

AT THE ELECTION CENTER

All voted ballots in ballot return envelopes are brought to the Election Center, using security procedures to ensure chain of custody, for processing and eventual tabulation. Under the direction of the Municipal Clerk, election officials shall review the ballot return envelopes (including questioned ballot envelopes). The review of ballot return envelopes may commence upon receipt and shall commence no later than the day after Election Day, provided that no votes shall be tabulated before 8:00 p.m. on Election Day or the closing of the polls (whichever is later). The review of ballot return envelopes shall continue daily until completed. The Municipal Clerk may designate the hours each day during which the election officials are to conduct the review of ballot envelopes.

The Municipal Clerk is responsible for ensuring all return ballot envelopes and ballots are stored in a secured location with limited access.

Review Process

Upon receipt of a ballot return envelope, teams of election officials perform the following tasks:

- Run each ballot return envelope through the mail sorter machine to document the receipt of the envelope from the voter and capture an electronic image of the voter's signature.
- Compare the voter signature on the envelope (electronic image) to the voter's reference signature(s) from the State of Alaska Division of Elections Voter Registration Database. Two trained election officials review each signature.
- Contact the voter by first class mail if there is an issue with their signature (e.g., the voter did not sign the return envelope; the voter's signature is determined not to match the reference signature(s); there is no reference signature on file), to give the voter an opportunity to cure the issue.
- Open ballot return envelopes and align and flatten ballots.
- Scan ballots through ballot scanners.
- Adjudicate improperly marked ballots (overvotes, ambiguous marks), qualified write-ins, and blank ballots in accordance with AMC 28.80.050.
- After 8:00 p.m. on Election Day (or after the polls close if extended in an emergency—whichever is later), tabulate votes of all ballots scanned to date and publish unofficial results.

Review Requirements

Based on the ballot return envelope review, a ballot shall be counted if all of the following are true:

- The voter is qualified to vote in the election.
- The voter declaration is signed with a valid and verified signature, or, if the voter is unable to sign the voter's name, the voter marked the signature line and one other person has properly witnessed the voter's mark.
- The ballot is received timely:
 - Postmarked no later than Election Day and received not later than the opening of the Public Session of Canvass, or if received from a military or overseas voter, no later than noon on the day of certification of the election;
 - Deposited in a drop box no later than 8:00 p.m. on Election Day;
 - Voted at a vote center before the closing of the election; or
 - Received by fax or email no later than 8:00 p.m. on Election Day.
- The voter has not already voted in the election.

Questioned Ballots

Each questioned ballot is reviewed by two election officials to determine whether the voter is qualified to vote in the election. If the voter is qualified and the ballot has been properly cast, the election officials will determine the count of the ballot as a full count ballot (FC) or as a partial count ballot (AW) based upon the established guidelines and the ballot issued to the voter. If the ballot is a partial count ballot (the voter was not qualified to vote for some of the races and/or propositions on the ballot), the ballot will be facsimiled onto an areawide ballot by two election officials, so that only the races for which the voter is qualified to vote will be counted.

Facsimile Ballots

If a ballot cannot be processed through a scanner due to ballot damage or if a ballot is designated a partial count, two designated election officials create a facsimile ballot suitable for scanning. When creating facsimile ballots, the election officials make an exact copy of the ballot markings onto a new blank ballot of the appropriate ballot. After scanning, facsimile ballots are matched to their original ballot in case of challenges.

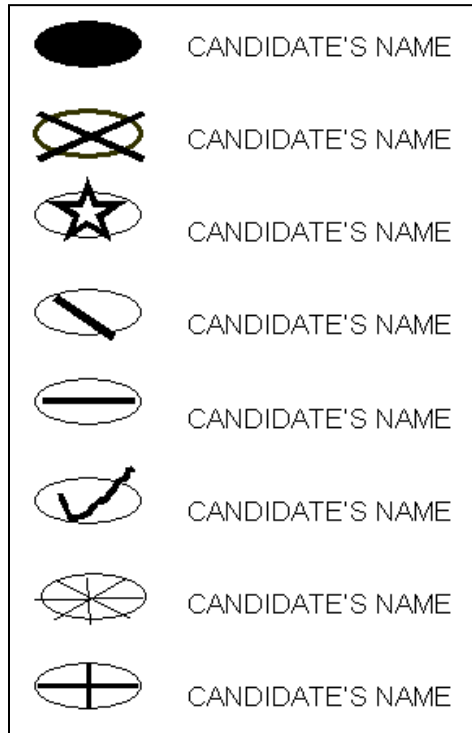
Adjudication: Proper vs. Improper Ballot Markings

Only those marks that are substantially inside the oval will be counted. The marks must indicate clearly that the voter intended that particular oval to be designated. *Improper marks invalidate only that section of the ballot in which they appear.*

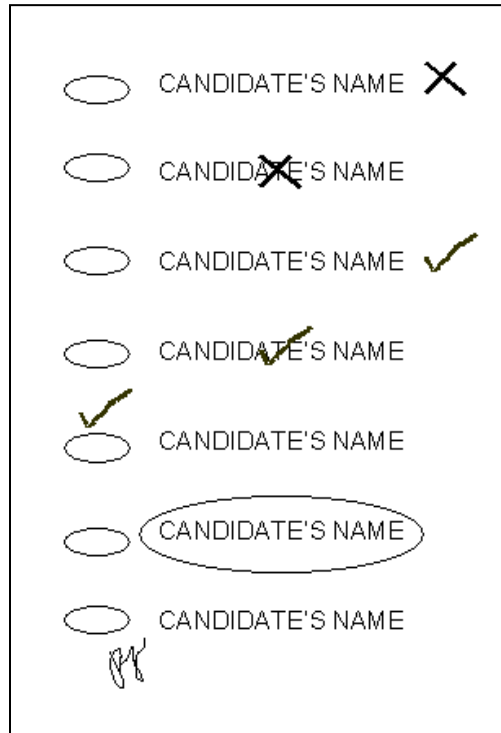
Only the following ballot marks are valid when made within the oval:

- Solid marks
- Diagonal, horizontal or vertical marks
- "X" marks
- Stars, circles, asterisks, checks, or plus signs

Examples of Valid Marks:



Examples of Invalid Marks:



Ballot Rejection

Certain codes are assigned to provisionally rejected ballots for the purpose of reporting to the Election Commission and the Assembly.

Ballot Reject Codes and Definitions

D DUPLICATE BALLOT ENVELOPE

This code is used when it has been determined that the voter has cast more than one ballot.

E BALLOT ENVELOPE EMPTY OR CONTAINED OTHER MATERIALS

This code is used if a voter's ballot envelope does not contain a voted ballot.

E1 BALLOT RETURNED W/O RETURN ENVELOPE; UNABLE TO IDENTIFY VOTER

This code is used when a voter returned a ballot without the return envelope or any other information to identify the voter.

G VOTER FAILED TO PROVIDE IDENTIFYING INFORMATION

This code is used when it has been determined that the voter failed to provide ID when in A/ID status, or failed to provide an identifier such as voter number, last four digits of their social security number, or year of birth and cannot otherwise be identified.

I VOTER IS INACTIVE

This code is used when it has been determined that the voter's status and condition code are inactive because he or she is registered in another jurisdiction (state); requested cancellation of registration; is convicted of a felony involving moral turpitude; or attempted to register in the past on a questioned or absentee ballot but did not provide required registration information.

K BALLOT NOT PROPERLY APPLIED FOR

This code is used when it has been determined that a voted electronic ballot was received from a person who had not applied for the ballot. Municipal code requires each person to apply for a fax or email ballot. For example, a wife applied for the ballot, the husband did not, and the husband fills out the envelope and votes the ballot. This code is also used for special needs ballots when it has been determined that the representative did not properly apply for the ballot.

M MULTIPLE BALLOTS IN ONE ENVELOPE

This code is used if there was more than one ballot in the voter's envelope. To the extent possible, the voter and other household members, if obvious, were provided replacement ballots.

MOA NOT REGISTERED IN THE MUNICIPALITY OF ANCHORAGE

This code is used when voter records show the voter was registered outside of the Municipality of Anchorage at the 30 day registration deadline.

O VOTER DOES NOT MEET CERTIFICATION REQUIREMENTS

This code is used if the voter marked through any of the certification requirements on the voter oath or checked "No" on the citizenship, birth date, or residency box.

R VOTER RETURNED BALLOT ENVELOPE AND ASKED TO BE REMOVED FROM VOTER ROLL

This code is used if the voter requested to be removed from the voter rolls in the ballot return envelope.

T VOTER REGISTERED TOO LATE

This code is used if the voter registered after the 30-day cutoff before this election.

V BALLOT ENVELOPE RECEIVED TOO LATE

This code is used if a ballot is received after 8:00 p.m. on Election Day via email or fax, at one of the Anchorage Vote Centers, or Drop Boxes.

W BALLOT ENVELOPE POSTMARKED/VOTED AFTER ELECTION DAY

This code is used when it has been determined that the ballot envelope is postmarked after Election Day.

W1 NO POSTMARK BUT RECEIVED AFTER ELECTION DAY

This code is used if it has been determined that there is no postmark or witnessing date on the ballot envelope, and the USPS could not verify receipt of the envelope on or before election day, and that the ballot was received by the Municipal Clerk's Office after Election Day.

W2 UNCLEAR POSTMARK BUT PO PROVIDED ADDITIONAL INFORMATION

This code is used if it has been determined that the postmark is unclear but the USPS provided additional information that indicates the postmark is after Election Day.

X VOTER NOT REGISTERED

This code is used when it is determined that the voter is not registered to vote in the State of Alaska.

XX VOTER IS DECEASED

This code is used when it is determined that the voter is deceased.

Z VOTER FAILED TO SIGN BALLOT ENVELOPE

This code is used if it is determined that the voter did not sign the ballot return envelope or the required voter certificate.

Z1 NO SIGNATURE MATCH ON BALLOT RETURN ENVELOPE

This code is used if the voter signature on the ballot return envelope doesn't match the reference signature(s) in the voter's State of Alaska Registration Database file.

Z2 NO REFERENCE SIGNATURE

This code is used if there is no digital reference signature in the State of Alaska Voter Registration Database.

2 BALLOT ENVELOPE HAND DELIVERED AFTER ELECTION DAY

This code is used if a by-mail ballot envelope was hand delivered after Election Day.

3 BALLOT ENVELOPE SIGNED BY SOMEONE OTHER THAN THE VOTER

This code is used when it has been determined that a ballot envelope has been signed by somebody other than the voter.

9 POA – BALLOT VOTED BY POWER OF ATTORNEY

This code is used when the mark or signature on the outside of the envelope appears to have been made by a power of attorney.

10 PREVIOUS ELECTION BALLOT ENVELOPE

This code is used when a voter appeared to have voted and returned a previous year's ballot return package.

11 OTHER

This code is used when none of the other codes work for the situation. Each ballot in this category shall be explained to the Commission.

PUBLIC SESSION OF CANVASS

Provisionally rejected ballots and ballot return envelopes are brought to the Anchorage Election Commission at the Public Session of Canvass, a public meeting held on or before the third Friday after Election Day.

The Election Commission reviews each provisionally rejected ballot/ballot return envelope and decides, by majority vote, whether or not to count the ballot.

The Municipal Clerk mails a letter to each voter whose ballot is rejected by the Election Commission with the reason for rejection, within 30 days of certification of the election.

ELECTION CERTIFICATION

As soon as practicable after the Public Session of Canvass, the Election Commission and the Municipal Clerk report to the Assembly. If, after considering the information, the Assembly determines that the election was validly held, the Assembly shall certify the results of the election.

RECOUNT

Within seven days after the certification of the election, a defeated candidate or ten qualified voters may file an application with the municipal clerk for a recount of the votes from any particular precinct, or for any particular office, proposition, or measure.

The assembly, by resolution, may order the municipal clerk to conduct a recount of the votes from any particular precinct, or for any particular office, proposition, or measure, within seven days after the certification of the election.

The municipal clerk, within seven days after the certification of the election, may, on the clerk's own initiative, conduct a recount of the votes from any particular precinct, or for any particular office, proposition, or measure when, in the judgment of the clerk, conducting a recount may increase voter confidence in the election process.

The municipal clerk shall initiate a recount within seven days of the certification of the election if the results show that:

- A candidate wins by less than a 0.5% margin;
- When a runoff election is required between the top two candidates, and the second and third place candidates are separated by less than 0.5%; or
- A proposition or measure passes or fails by less than a 0.5% margin.

ELECTION CONTEST

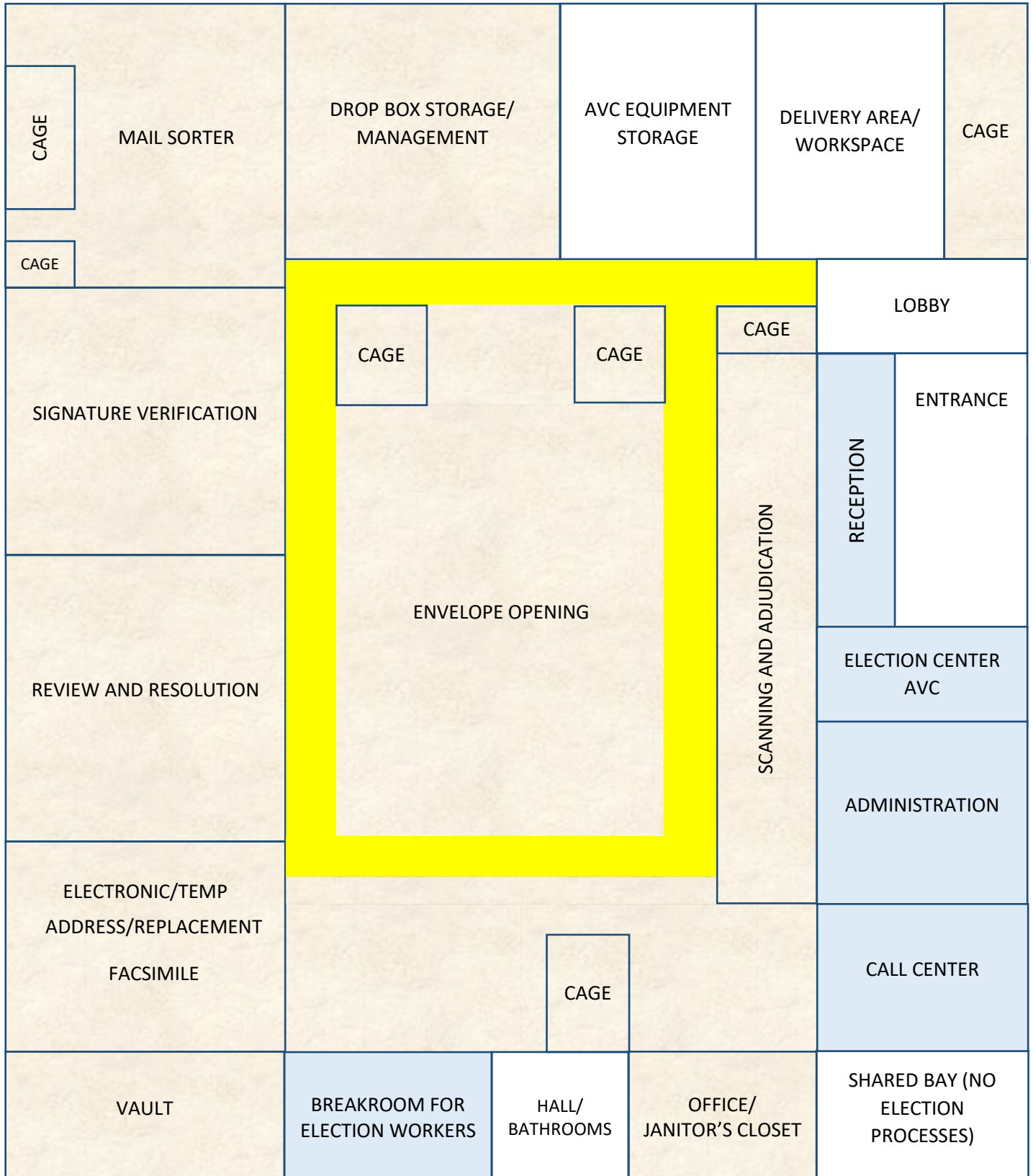
A candidate or ten qualified voters may contest the election of any person or the approval or rejection of any question or proposition upon one or more of the following grounds:

- Malconduct, fraud or corruption on the part of an election official sufficient to change the result of the election.
- The person certified as elected is not qualified as required by law.
- Any corrupt practice as defined by law sufficient to change the result of the election.

Election Center Floor Map



- Designated Area
- Designated Area/Yellow Brick Road
- No Ballot Processing; Observers Not Permitted





Municipality of Anchorage
April 4, 2023 Regular Municipal Election
Adjudication Challenge Form

OBSERVER INFORMATION	_____
	Date
	Printed Name Of Observer
Name Of Candidate Or Organization/Group Representing	

BALLOT NUMBER BEING CHALLENGED (ICC # - BATCH # - BALLOT #)	REASON FOR CHALLENGE (MANDATORY) – How have ballot adjudication rules at AMC 28.80.050 been improperly applied?
	<input type="checkbox"/> Improper interpretation of the oval being wholly or partially filled in (28.80.050B.1.) <input type="checkbox"/> Improper interpretation of voter’s correction (28.80.050B.5. or B.6.) <input type="checkbox"/> Improper interpretation of markings or handwritten notes (28.80.050B.7.) <input type="checkbox"/> Improper interpretation of write-in vote (28.80.050B.11. or B.12. or B.13.) <input type="checkbox"/> Other: _____
	<input type="checkbox"/> Improper interpretation of the oval being wholly or partially filled in (28.80.050B.1.) <input type="checkbox"/> Improper interpretation of voter’s correction (28.80.050B.5. or B.6.) <input type="checkbox"/> Improper interpretation of markings or handwritten notes (28.80.050B.7.) <input type="checkbox"/> Improper interpretation of write-in vote (28.80.050B.11. or B.12. or B.13.) <input type="checkbox"/> Other: _____
	<input type="checkbox"/> Improper interpretation of the oval being wholly or partially filled in (28.80.050B.1.) <input type="checkbox"/> Improper interpretation of voter’s correction (28.80.050B.5. or B.6.) <input type="checkbox"/> Improper interpretation of markings or handwritten notes (28.80.050B.7.) <input type="checkbox"/> Improper interpretation of write-in vote (28.80.050B.11. or B.12. or B.13.) <input type="checkbox"/> Other: _____

SIGNATURES	<i>I swear or affirm, under penalty of unsworn falsification, that to the best of my belief, one or more of the ballot markings on the ballot(s) listed above, were not properly adjudicated by election officials in accordance with the rules set forth in Anchorage Municipal Code at 28.80.050.</i>	
	Signature of Observer	Date Submitted
	Signature of Municipal Clerk or Designee	Date and Time Received
	Signature of Candidate, Campaign Manager, or Chairperson	Date and Time Submitted



Municipality of Anchorage
April 4, 2023 Regular Municipal Election
Ballot Not Properly Cast or Improperly Rejected Challenge Form

OBSERVER INFORMATION	_____
	Date
	Printed Name Of Observer
Name Of Candidate Or Organization/Group Representing	

CHALLENGE INFORMATION	<u>NAME OF VOTER WHOSE BALLOT IS BEING CHALLENGED:</u>

	(First Name - Middle Initial - Last Name - Suffix)
	<u>REASON FOR CHALLENGE (check all that apply):</u>
	<input type="checkbox"/> The voter did not sign the voter declaration.
	<input type="checkbox"/> The voter who was unable to sign did not make a mark and/or have the mark properly witnessed.
	<input type="checkbox"/> The voter's ballot envelope was received after the date of the election and was not postmarked on or before the date of the election, has no postmark, or the postmark is unreadable.
<input type="checkbox"/> The voter's ballot envelope was received after 8:00 p.m. on the date of the election by a method other than through the U.S. Postal Service.	
<input type="checkbox"/> The voter already voted in the election.	
<input type="checkbox"/> The voter did not provide required identification before the opening of the Public Session of Canvass.	
<input type="checkbox"/> The voter's ballot envelope was improperly rejected. Explain: _____	

SIGNATURES	<i>I swear or affirm, under penalty of unsworn falsification, that to the best of my belief, the person named above does not meet one or more of the requirements of law and is not entitled to vote in this election.</i>	
	Signature of Observer	Date Submitted
	Signature of Municipal Clerk or Designee	Date and Time Received
Signature of Candidate, Campaign Manager, or Chairperson	Date and Time Submitted	



Municipality of Anchorage
April 4, 2023 Regular Municipal Election
Signature Challenge Form

OBSERVER INFORMATION	_____
	Date

	Printed Name Of Observer

	Name Of Candidate Or Organization/Group Representing

CHALLENGE INFORMATION	<u>NAME OF VOTER WHOSE SIGNATURE IS BEING CHALLENGED:</u>

	(First Name - Middle Initial - Last Name - Suffix)

	<u>REASON FOR CHALLENGE (check one):</u>
	<input type="checkbox"/> The signature was improperly determined to be a valid signature.
	<input type="checkbox"/> The signature was improperly determined to be an invalid signature.

SIGNATURES	<i>I swear or affirm, under penalty of unsworn falsification, that to the best of my belief, the person named above does not meet one or more of the requirements of law and is not entitled to vote in this election.</i>	
	_____	_____
	Signature of Observer	Date Submitted
	_____	_____
	Signature of Municipal Clerk or Designee	Date and Time Received
	_____	_____
	Signature of Candidate, Campaign Manager, or Chairperson	Date and Time Submitted



Municipality of Anchorage
April 4, 2023 Regular Municipal Election
Voter Challenge Form

OBSERVER INFORMATION	_____
	Date
	Printed Name Of Observer

	Name Of Candidate Or Organization/Group Representing

CHALLENGE INFORMATION	<u>NAME OF VOTER WHOSE ELIGIBILITY IS BEING CHALLENGED:</u>

	(First Name - Middle Initial - Last Name - Suffix)
	<u>REASON FOR CHALLENGE (check all that apply):</u>
	<input type="checkbox"/> The voter is not a citizen of the United States. <input type="checkbox"/> The voter is not 18 years of age or older. <input type="checkbox"/> The voter is not a resident of the Municipality of Anchorage and/or the district in which the person seeks to vote at least 30 days before the election. <input type="checkbox"/> The voter is registered to vote in another jurisdiction.

SIGNATURES	<i>I swear or affirm, under penalty of unsworn falsification, that to the best of my belief, the person named above does not meet one or more of the requirements of law and is not entitled to vote in this election.</i>	
	_____	_____
	Signature of Observer	Date Submitted
	_____	_____
	Signature of Municipal Clerk or Designee	Date and Time Received
	_____	_____
	Signature of Candidate, Campaign Manager, or Chairperson	Date and Time Submitted



Municipality of Anchorage
April 4, 2023 Regular Municipal Election
Complaint Form

OBSERVER INFORMATION	<hr/> <p>Date</p> <hr/> <p>Printed Name Of Observer</p> <hr/> <p>Name Of Candidate Or Organization/Group Representing</p>
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COMPLAINT	<p>SPECIFIC INFORMATION REGARDING ELECTION OFFICIAL CONDUCT OR MISCONDUCT:</p>
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CODE CITATIONS	<p>CITATIONS TO APPLICABLE PROVISIONS OF ANCHORAGE MUNICIPAL CODE WHICH CONSTITUTES MISCONDUCT:</p>
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SIGNATURES	<hr/> <p>Signature of Observer Date Submitted</p> <hr/> <p>Signature of Municipal Clerk or Designee Date Received</p>
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Municipality of Anchorage
April 4, 2023 Regular Municipal Election
Election Commission – Failure to Comply with Law or Alleged Illegal Election Practices

OBSERVER INFORMATION	<hr/> <p>Date</p> <hr/> <p>Printed Name Of Observer</p> <hr/> <p>Name Of Candidate Or Organization/Group Representing</p>
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EXPLANATION OF EVENTS	<p>EXPLANATION OF ALL EVENTS CREATING THE CONCERN:</p>
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CODE CITATIONS	<p>CITATIONS TO APPLICABLE PROVISIONS OF ANCHORAGE MUNICIPAL CODE WHICH WERE NOT COMPLIED WITH:</p>
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**Municipality of Anchorage
April 4, 2023 Regular Municipal Election
Observer Registration Form**

PRINTED NAME OF OBSERVER	
OBSERVER CONTACT INFORMATION	
EMAIL	PHONE
NAME OF CANDIDATE OR ORGANIZATION\GROUP REPRESENTING	
SIGNATURE OF CANDIDATE, CAMPAIGN MANAGER, OR CHAIRPERSON OF ORGANIZATION/GROUP	
PRINTED NAME OF CANDIDATE, CAMPAIGN MANAGER, OR CHAIRPERSON OF ORGANIZATION/GROUP	
DATE	
EMAIL	PHONE

Municipal Clerk or Designee

Received on: _____



April 4, 2023 Regular Municipal Election

Confidentiality Agreement for Election Observer

I, _____, swear or affirm that I have read the applicable guide for observers and I will not disclose confidential information, including voter identification numbers, social security numbers or the last four digits of the social security numbers, dates of birth, Alaska driver's license or state identification numbers, place of birth, confidential residence addresses and telephone numbers, and for whom or for what propositions a person voted. I also swear or affirm I will not use confidential information for purposes other than determining whether to challenge a ballot or voter qualification.

Signature

Date

Municipal Clerk or Designee

Received on: _____



**Municipality of Anchorage
April 4, 2023 Regular Municipal Election
Observer Training and Tour Agreement**

PRINTED NAME OF OBSERVER

NAME OF CANDIDATE OR ORGANIZATION\GROUP REPRESENTING

DATE OF TOUR ATTENDED

SIGNATURE OF OBSERVER
I swear or affirm that I completed the training for observers, received the Observer's Handbook, and attended a tour of the designated return location.

DATE

SIGNATURE OF CANDIDATE, CAMPAIGN MANAGER, OR CHAIRPERSON OF ORGANIZATION/GROUP
I swear or affirm that this observer has been provided the most current version of the Election Observer's Handbook, this observer personally completed the required training, and I have instructed this observer on their rights and obligations.

DATE

_____ Received on: _____
Municipal Clerk or Designee

Training Certificate Attached