

Submitted by: Assembly Chair Constant,
and Vice Chair Zaletel
Prepared by: Municipal Clerk's Office
Reviewed by: Assembly Counsel
For reading: December 19, 2023

**ANCHORAGE, ALASKA
AR No. 2023-423**

1 **A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY UPDATING**
2 **AND AMENDING THE ELECTION OBSERVER'S HANDBOOK AND**
3 **ASSOCIATED FORMS.**
4

5 **WHEREAS**, the Municipal Clerk's Office with the assistance of Assembly Counsel,
6 the Anchorage Election Commission, and the Assembly Ethics and Elections
7 Committee, conducts a regular review of the election code, Anchorage Municipal
8 Code (AMC) Title 28, Elections, each year; and
9

10 **WHEREAS**, each observer receives the most current version of the Election
11 Observer's Handbook prior to appointment; and
12

13 **WHEREAS**, an observer is entrusted with challenges to the critical issues of voting
14 eligibility, signature verification, and adjudication of votes; and
15

16 **WHEREAS**, the Election Commission has certain duties under AMC 28.120.060;
17 and
18

19 **WHEREAS**, the Ombudsman conducted an investigation and the Assembly
20 conducted an inquiry of an election complaint following the 2023 regular election;
21 and
22

23 **WHEREAS**, the Election Observer's Handbook is incorporated by reference into the
24 code at AMC subsection 28.50.300D.2, and may be revised by resolution; now,
25 therefore,
26

27 **THE ANCHORAGE ASSEMBLY RESOLVES:**
28

29 **Section 1.** The Election Observer's Handbook, attached as Exhibit A, is hereby
30 approved as amended.
31

32 **Section 2.** This resolution shall be effective immediately upon passage and
33 approval by the Assembly.
34

35 PASSED AND APPROVED by the Anchorage Assembly this _____ day of
36 _____, 2023.
37

38 _____
39 Chair

40 ATTEST:
41

42 _____
43 Municipal Clerk

Observer's Handbook



Municipality of Anchorage
Municipal Clerk's Office

FINAL – AMENDED BY AR ~~2022-328~~2023-XXX

DECEMBER ~~6, 2022~~X, 2023

EXHIBIT A - REDLINE VERSION



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For questions regarding this handbook, please call
~~Barbara A. Jones~~**Jamie Heinz, MMC**, Municipal Clerk, 907-343-4312
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For General Municipal Voting Information,
Call 907-243-VOTE (8683) or e-mail elections@anchorageak.gov.

EXHIBIT A - REDLINE VERSION

Document Revision Log

Version	Author	Description of Changes	Date
Draft V0.1	Henry Covey	Merged the following documents' content: - Observers' Handbook with BAJ edits.docx - 2015_GuideForPollWatchers w BAJ edits.docx - Ballot Rules to include in Observer hadbook.docx Also copyedited text and reformatted document.	02/08/2017
Final V1.0			02/10/2017
Final V1.1		Updated: Dates; Staff; Contents table; Accessible Vote Centers; Role of Election Officials; grammatical errors; and Ballot Reject Codes and Definitions.	03/29/2019
Final V1.2	Erika McConnell; Barbara A. Jones	Updated: email address; how to register an observer; terminology for vote centers; observer guidelines; information regarding ID required voters; how to be a voter assistant; the Challenge Form.	03/10/2021
Final V2	Erika McConnell; Barbara A. Jones	Reorganization of information; updates to conform with code revisions	12/28/2021
Draft V2.1	Erika McConnell; Barbara A. Jones	Conforming amendments to AO 2021-110(S), As Amended	1/25/2022
Draft V3.	Jamie Heinz; Barbara A. Jones	Amended by AR 2022-328 Simplify registration process; expand suggestion and complaint process	12/06/2022
Draft V4	Jamie Heinz	Amended by AR 2023-XXX; Describe Edits	XX/XX/XXXX

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Contents

Introduction 6

 Guiding Principle 6

About Observers 7

Observer Qualifications 7

Number of Allowed Observers 7

Observer Registration 8

Observer Training..... 9

Observer Rights and Obligations 9

 Sign-In 9

 Identification 9

 Campaigning 10

 The Observer’s Role 10

 Observer Conduct 10

Challenges 12

 Challenge of Voter Eligibility 13

 Challenge that Ballot Was Not Properly Cast or Ballot was Improperly Rejected 14

 Challenge of Signature Verification 15

 Challenge of Adjudication of Vote 15

Observer Concerns with Election Administration and Management..... 16

Election Official Conduct and Misconduct..... 17

Election Process 17

 At The Vote Center Or Polling Location 18

 Voting Process..... 18

 Questioned Ballots..... 19

 Providing Assistance To Voters 19

 Voter Instructions 20

 At The Election Center 20

 Review Process..... 20

 Review Requirements 21

 Questioned Ballots..... 22

EXHIBIT A - REDLINE VERSION

Facsimile Ballots..... 22

Adjudication: Proper vs. Improper Ballot Markings 22

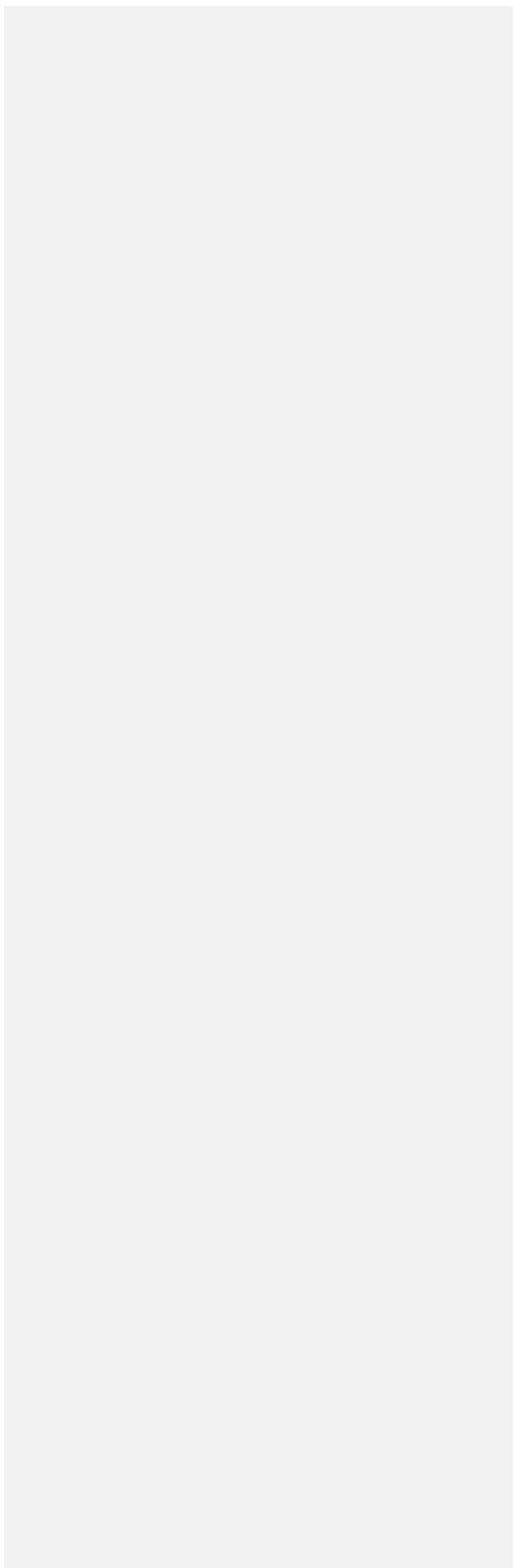
Ballot Rejection 23

Public Session of Canvass..... 26

Election Certification..... 26

Recount 27

Election Contest 27



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~~principal 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 in writing 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, and challenge the eligibility of individual voters or the manner in which votes are counted. Additionally, observers may lodge complaints, and offer suggestions regarding election administration and management to the Municipal Clerk. Observers ~~should be expected to~~ conduct themselves in a professional manner and ~~should~~ must not interfere with voters or disrupt the conduct of the election. Observers ~~should be~~ expected to be familiar with the electoral law, procedures, and election calendar. Observers ~~should be expected to~~ 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, election officials, and 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~~ observer who is present 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~~ and 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, in writing, 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 refiling 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. The observer making the challenge must specify the basis of the challenge in writing, on a form provided at the end of this handbook. 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. An observer may not delay or impede the election officials performing signature verification, however,~~ 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., or 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. [If a contest is accepted, the Assembly may request the Election Commission investigate the contest and report its findings to the Assembly pursuant to 28.120.60A4 and 28.85.040D.](#)

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
- Security Personnel
- 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~~ballot return 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:

EXHIBIT A - REDLINE VERSION

- 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 when the voter is in line to do so no later than 8:00 p.m. on Election Day;
 - Voted at a vote center ~~before the closing of the election~~ when the voter is in line to do so no later than 8:00 p.m. on Election Day; 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.

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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

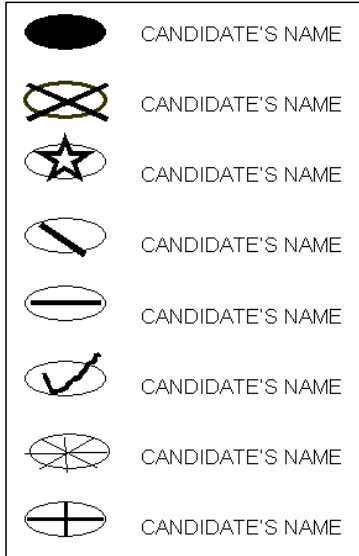
Only those marks that are substantially inside the oval will be counted. The marks must indicate clearly that the voter intended that particular oval to be designated. *Improper marks invalidate only that section of the ballot in which they appear.*

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

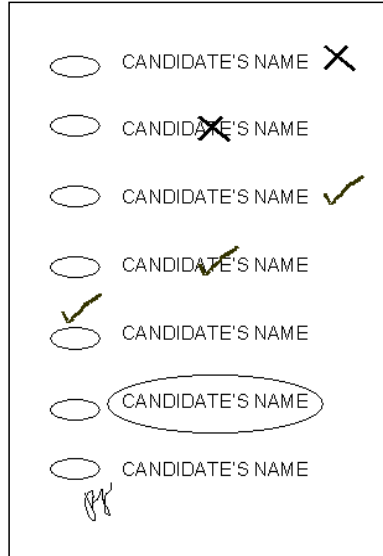
- Solid marks
- Diagonal, horizontal or vertical marks
- "X" marks
- Stars, circles, asterisks, checks, or plus signs

EXHIBIT A - REDLINE VERSION

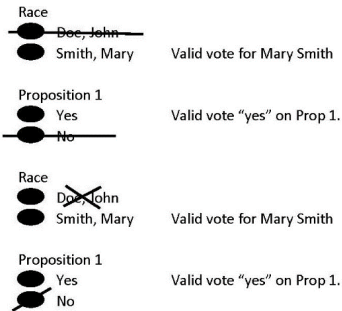
Examples of Valid Marks:



Examples of Invalid Marks:



Examples of Valid Corrections:



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.

EXHIBIT A - REDLINE VERSION

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

EXHIBIT A - REDLINE VERSION

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 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 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 certification of the election, there are four circumstances in which a recount may be performed:~~

- ~~1. 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.
- ~~2. 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.~~
- ~~3. 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.~~
- ~~4. 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.

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~~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.~~

EXHIBIT A - REDLINE VERSION

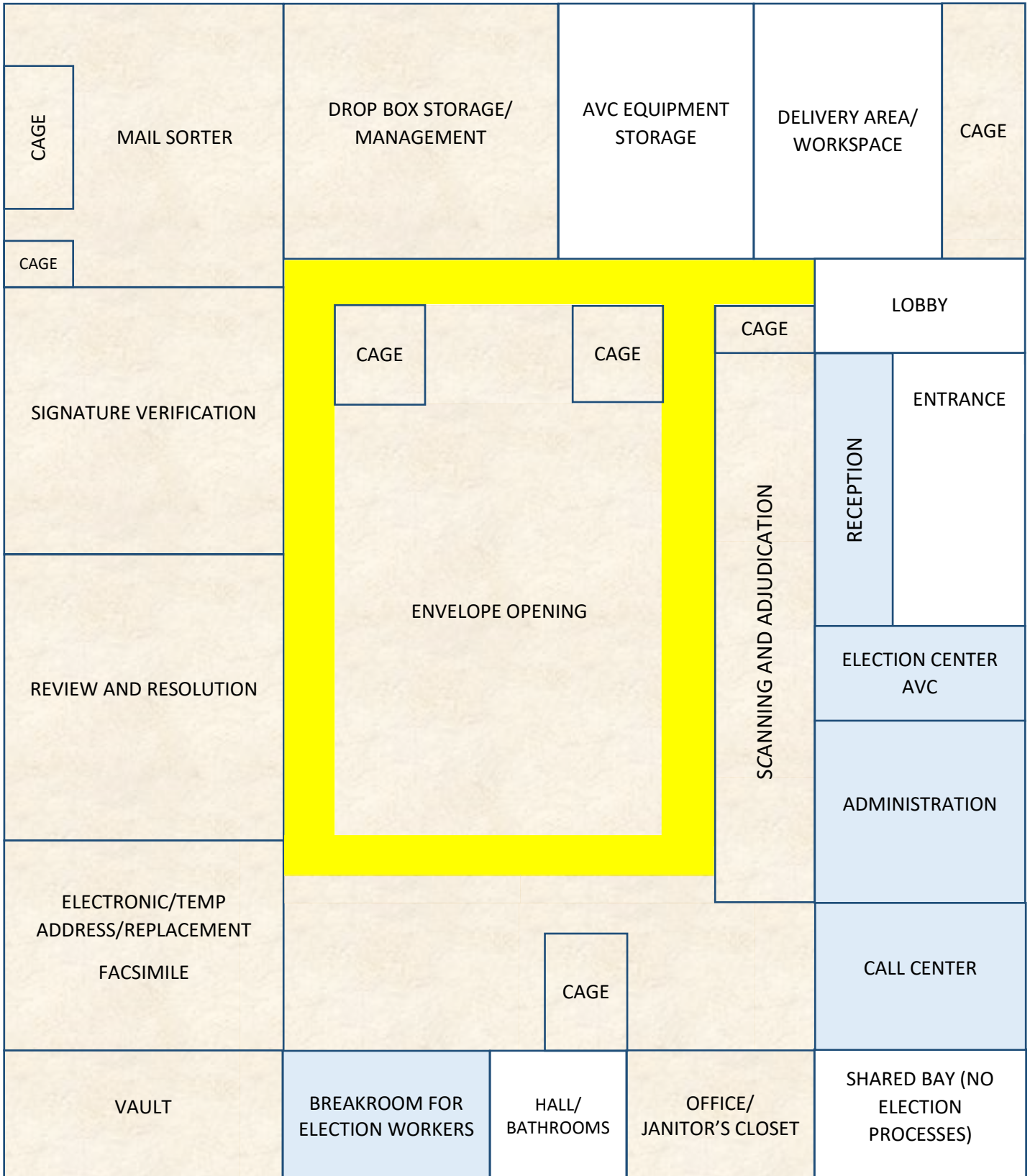


EXHIBIT A - REDLINE VERSION

Municipality of Anchorage April 2, 2024 Regular Municipal Election Adjudication Challenge Form

OBSERVER INFORMATION	<hr style="border: 1px solid red;"/> <hr style="border: 1px solid red;"/> <p style="color: red; margin: 0;">Date</p> <hr/> <p>Printed Name Of Observer</p> <hr/> <p>Name Of Candidate Or Organization/Group Representing</p>
---------------------------------	--

BALLOT NUMBER BEING CHALLENGED <small>(ICC # - BATCH # - BALLOT #)</small>	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	<p style="color: red; font-size: small;"><i>NOTICE OF UNSWORN FALSIFICATION PENALTY: False statements made on this form with the intent to mislead the Municipality are punishable as unsworn falsification in the second degree, a class A Misdemeanor. AS 11.56.210 and/or AMC 8.30.170. 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></p>	
	Signature of Observer _____	Date Submitted _____
	Signature of Candidate, Campaign Manager, or Chairperson _____	Date & Time Submitted _____

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EXHIBIT A - REDLINE VERSION

RECEIVED		
	Signature of Municipal Clerk or Designee	Date & Time Received

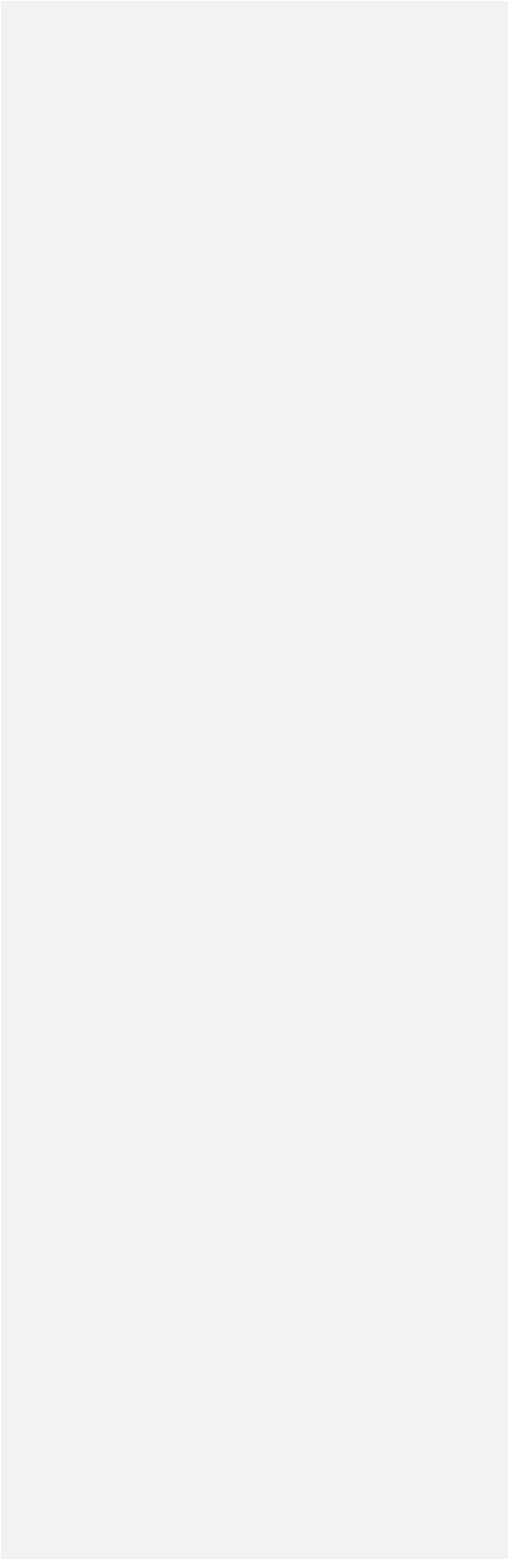


EXHIBIT A - REDLINE VERSION

Municipality of Anchorage
 April 2, 2024 Regular Municipal Election
 Ballot Not Properly Cast or Improperly Rejected Challenge Form

OBSERVER INFORMATION	<hr style="border: 1px solid red;"/> <hr style="border: 1px solid red;"/> <p style="color: red;">Date</p> <hr/> <p>Printed Name Of Observer</p> <hr/> <p>Name Of Candidate Or Organization/Group Representing</p>
---------------------------------	---

CHALLENGE INFORMATION	<p><u>NAME OF VOTER WHOSE BALLOT IS BEING CHALLENGED:</u></p> <hr/> <p>(First Name - Middle Initial - Last Name - Suffix)</p> <p><u>REASON FOR CHALLENGE (check all that apply):</u></p> <p><input type="checkbox"/> The voter did not sign the voter declaration.</p> <p><input type="checkbox"/> The voter who was unable to sign did not make a mark and/or have the mark properly witnessed.</p> <p><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.</p> <p><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.</p> <p><input type="checkbox"/> The voter already voted in the election.</p> <p><input type="checkbox"/> The voter did not provide required identification before the opening of the Public Session of Canvass.</p> <p><input type="checkbox"/> The voter's ballot envelope was improperly rejected. Explain: _____</p> <hr/> <hr/>
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SIGNATURES	<p style="color: red;"><u>NOTICE OF UNSWORN FALSIFICATION PENALTY: False statements made on this form with the intent to mislead the Municipality are punishable as unsworn falsification in the second degree, a class A Misdemeanor. AS 11.56.210 and/or AMC 8.30.170I 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.</u></p> <hr/> <p>Signature of Observer Date Submitted</p> <hr/> <p>Signature of Candidate, Campaign Manager, or Chairperson Date & Time Submitted</p>
-------------------	--

EXHIBIT A - REDLINE VERSION

<u>RECEIVED</u>	<p style="text-align: center;">Signature of Municipal Clerk or Designee Date & Time Received</p>
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EXHIBIT A - REDLINE VERSION

Municipality of Anchorage
April 2, 2024 Regular Municipal Election
Signature Challenge Form

OBSERVER INFORMATION	<hr/> <hr/> 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><u>NOTICE OF UNSWORN FALSIFICATION PENALTY: False statements made on this form with the intent to mislead the Municipality are punishable as unsworn falsification in the second degree, a class A Misdemeanor. AS 11.56.210 and/or AMC 8.30.170I 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.</u></i>
	Signature of Observer Date Submitted
	Signature of Candidate, Campaign Manager, or Chairperson Date and Time Submitted

RECEIVED

EXHIBIT A - REDLINE VERSION

	<hr/> <hr/> <p>Signature of Municipal Clerk or Designee</p>	<hr/> <hr/> <p>Date & Time Received</p>
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EXHIBIT A - REDLINE VERSION

Municipality of Anchorage
April 2, 2024 Regular Municipal Election
Voter Challenge Form

OBSERVER INFORMATION	<hr/> <hr/> Date
	Printed Name Of Observer
	Name Of Candidate Or Organization/Group Representing

CHALLENGE INFORMATION	<u>NAME OF VOTER WHOSE ELIGIBILITY IS BEING CHALLENGED:</u> <hr/>
	(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. <input type="checkbox"/> <u>The voter is deceased.</u> <input type="checkbox"/> <u>The voter has been convicted of a felony involving moral turpitude; rights have not been restored.</u> <input type="checkbox"/> <u>The voter has been judicially determined to be of unsound mind; disability has not been removed.</u>

SIGNATURES	<p><i><u>NOTICE OF UNSWORN FALSIFICATION PENALTY: False statements made on this form with the intent to mislead the Municipality are punishable as unsworn falsification in the second degree, a class A Misdemeanor. AS 11.56.210 and/or AMC 8.30.170I 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.</u></i></p>
	Signature of Observer Date Submitted

EXHIBIT A - REDLINE VERSION

	_____ Signature of Candidate, Campaign Manager, or Chairperson	_____ Date and Time Submitted
--	---	----------------------------------

<u>RECEIVED</u>	_____ Signature of Municipal Clerk or Designee	_____ Date and Time Received
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EXHIBIT A - REDLINE VERSION

Municipality of Anchorage
 April 2, 2024 Regular Municipal Election
 Complaint Form

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OBSERVER INFORMATION	<hr/> <u>Date</u> <hr/> Printed Name Of Observer <hr/> Name Of Candidate Or Organization/Group Representing
COMPLAINT	SPECIFIC INFORMATION REGARDING ELECTION OFFICIAL CONDUCT OR MISCONDUCT:
CODE CITATIONS	CITATIONS TO APPLICABLE PROVISIONS OF ANCHORAGE MUNICIPAL CODE WHICH CONSTITUTES MISCONDUCT:
SIGNATURES	<p><i><u>NOTICE OF UNSWORN FALSIFICATION PENALTY: False statements made on this form with the intent to mislead the Municipality are punishable as unsworn falsification in the second degree, a class A Misdemeanor. AS 11.56.210 and/or AMC 8.30.170</u></i></p> <hr/> Signature of Observer Date Submitted
RECEIVED	<hr/> Signature of Candidate, Campaign Manager, or Chairperson Date & Time Submitted
	<hr/> Signature of Municipal Clerk or Designee Date & Time Received

EXHIBIT A - REDLINE VERSION

Municipality of Anchorage
 April 2, 2024 Regular Municipal Election
 Suggestion Form

OBSERVER INFORMATION	_____ Date
_____ Printed Name Of Observer	_____ Name of Candidate or Organization/Group Representing
<u>CONCERNS</u>	<p style="color: red; margin: 0;"><u>SPECIFIC INFORMATION REGARDING ADMINISTRATIVE OR MANAGEMENT CONCERNS, INCLUDING ELECTION OFFICIAL NAME, IF APPLICABLE:</u></p>
SIGNATURES	<p style="color: red; margin: 0;"><u>NOTICE OF UNSWORN FALSIFICATION PENALTY: False statements made on this form with the intent to mislead the Municipality are punishable as unsworn falsification in the second degree, a class A Misdemeanor. AS 11.56.210 and/or AMC 8.30.170</u></p> _____ Signature of Observer Date Submitted
	_____ Signature of Candidate, Campaign Manager, or Chairperson Date <u>& Time</u> Submitted
	_____ Signature of Municipal Clerk or Designee Date Received
<u>RECEIVED</u>	_____ Signature of Municipal Clerk or Designee Date & Time Received

EXHIBIT A - REDLINE VERSION

Municipality of Anchorage
April 2, 2024 Regular Municipal Election
Election Commission – Failure to Comply with Law or Alleged Illegal Election Practices

OBSERVER INFORMATION	_____
	Date
	Printed Name Of Observer

	Name Of Candidate Or Organization/Group Representing

EXPLANATION OF EVENTS	EXPLANATION OF ALL EVENTS CREATING THE CONCERN:
-----------------------	---

CODE CITATIONS	CITATIONS TO APPLICABLE PROVISIONS OF ANCHORAGE MUNICIPAL CODE WHICH WERE NOT COMPLIED WITH:
----------------	--

EXHIBIT A - REDLINE VERSION

AFFECTS TO OUTCOME OF ELECTION	EXPLANATION OF HOW THE CONCERN WOULD CHANGE THE OUTCOME OF THE ELECTION IF FOUND TO BE TRUE:
--------------------------------	--

SIGNATURES	Signature of Observer	Date Submitted
	Signature of Municipal Clerk or Designee	Date Received

REMOVE ENTIRELY

**Municipality of Anchorage
April 2, 2024 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 2, 2024 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: _____

EXHIBIT A - REDLINE VERSION

Municipality of Anchorage
April 2, 2024 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, <u>and agree to follow the rules.</u>

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

EXHIBIT A - REDLINE VERSION

Training Certificate Attached

Observer's Handbook



Municipality of Anchorage
Municipal Clerk's Office

FINAL – AMENDED BY AR 2023-XXX

DECEMBER 19, 2023

EXHIBIT B - CLEAN VERSION



MOA Elections

619 E. Ship Creek Drive, Door D

Anchorage, AK 99501

907-243-VOTE (8683)

907-343-4313 (fax)

elections@anchorageak.gov (email)

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Call 907-243-VOTE (8683) or e-mail elections@anchorageak.gov.**

EXHIBIT B - CLEAN VERSION

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Contents

Introduction 6

 Guiding Principle..... 6

About Observers 7

Observer Qualifications 7

Number of Allowed Observers 7

Observer Registration 8

Observer Training..... 9

Observer Rights and Obligations 9

 Sign-In 9

 Identification..... 9

 Campaigning 10

 The Observer’s Role 10

 Observer Conduct 10

Challenges 12

 Challenge of Voter Eligibility..... 13

 Challenge that Ballot Was Not Properly Cast or Ballot was Improperly Rejected 14

 Challenge of Signature Verification 15

 Challenge of Adjudication of Vote 15

Observer Concerns with Election Administration and Management..... 16

Election Official Conduct and Misconduct..... 16

Election Process 17

 At The Vote Center Or Polling Location 17

 Voting Process..... 18

 Questioned Ballots..... 18

 Providing Assistance To Voters 19

 Voter Instructions 19

 At The Election Center 20

 Review Process..... 20

 Review Requirements 21

 Questioned Ballots..... 21

EXHIBIT B - CLEAN VERSION

Facsimile Ballots.....	21
Adjudication: Proper vs. Improper Ballot Markings	21
Ballot Rejection	23
Public Session of Canvass.....	26
Election Certification.....	26
Recount	26
Election Contest	Error! Bookmark not defined.

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 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 principal 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 in writing 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, and challenge the eligibility of individual voters or the manner in which votes are counted. Additionally, observers may lodge complaints and offer suggestions regarding election administration and management to the Municipal Clerk. Observers are expected to conduct themselves in a professional manner and must not interfere with voters or disrupt the conduct of the election. Observers are expected to be familiar with the electoral law, procedures, and election calendar. Observers are expected to 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, election officials, and the elections process.

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 observer who is present 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

EXHIBIT B - CLEAN VERSION

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.

EXHIBIT B - CLEAN VERSION

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 and 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, in writing, 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

EXHIBIT B - CLEAN VERSION

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 refiling 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.

EXHIBIT B - CLEAN VERSION

- 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. The observer making the challenge must specify the basis of the challenge in writing, on a form provided at the end of this handbook.
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. An observer may not delay or impede the election officials performing signature verification; however, 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., or B.13).
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.

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.

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. If a contest is accepted, the Assembly may request the Election Commission investigate the contest and report its findings to the Assembly pursuant to 28.120.60A4 and 28.85.040D.

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
- Security Personnel
- 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;

EXHIBIT B - CLEAN VERSION

- 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 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 ballot return 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;
 - Deposited in a drop box when the voter is in line to do so no later than 8:00 p.m. on Election Day;
 - Voted at a vote center when the voter is in line to do so no later than 8:00 p.m. on Election Day; 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

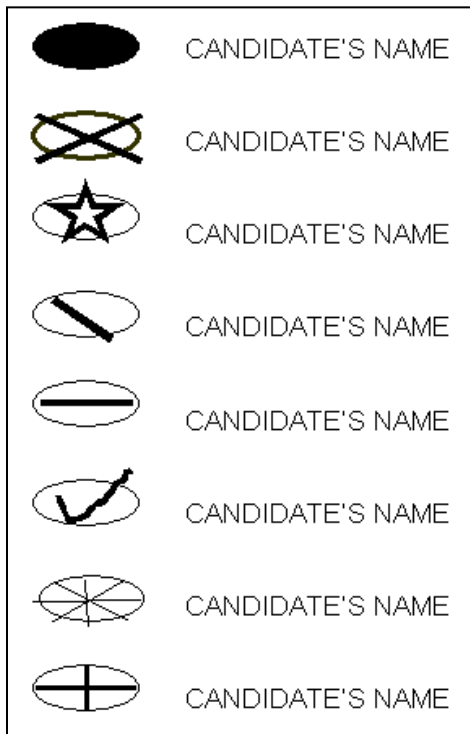
EXHIBIT B - CLEAN VERSION

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.*

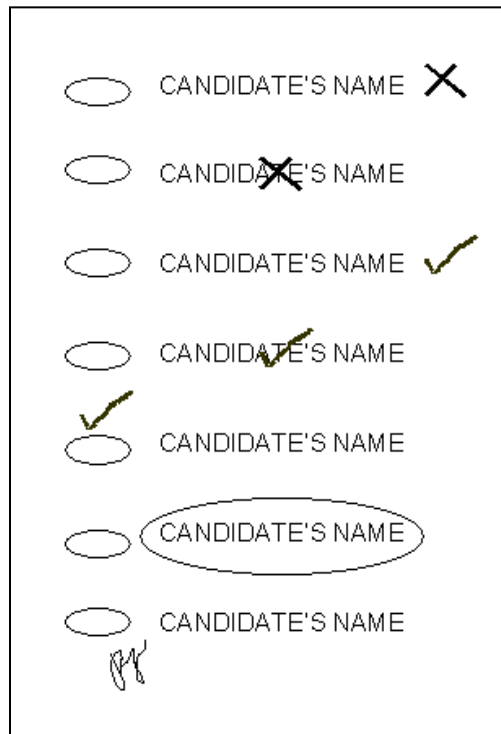
Only the following ballot marks are valid when made within the oval:

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

Examples of Valid Marks:



Examples of Invalid Marks:



Examples of Valid Corrections:

EXHIBIT B - CLEAN VERSION

Race
 Doe, John
 Smith, Mary Valid vote for Mary Smith

Proposition 1
 Yes
 No Valid vote "yes" on Prop 1.

Race
 ~~Doe, John~~
 Smith, Mary Valid vote for Mary Smith

Proposition 1
 Yes
 No Valid vote "yes" on Prop 1.

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

EXHIBIT B - CLEAN VERSION

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

EXHIBIT B - CLEAN VERSION

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 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 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 certification of the election, there are four circumstances in which a recount may be performed:

1. 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.
2. 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.

EXHIBIT B - CLEAN VERSION

3. The municipal clerk 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.

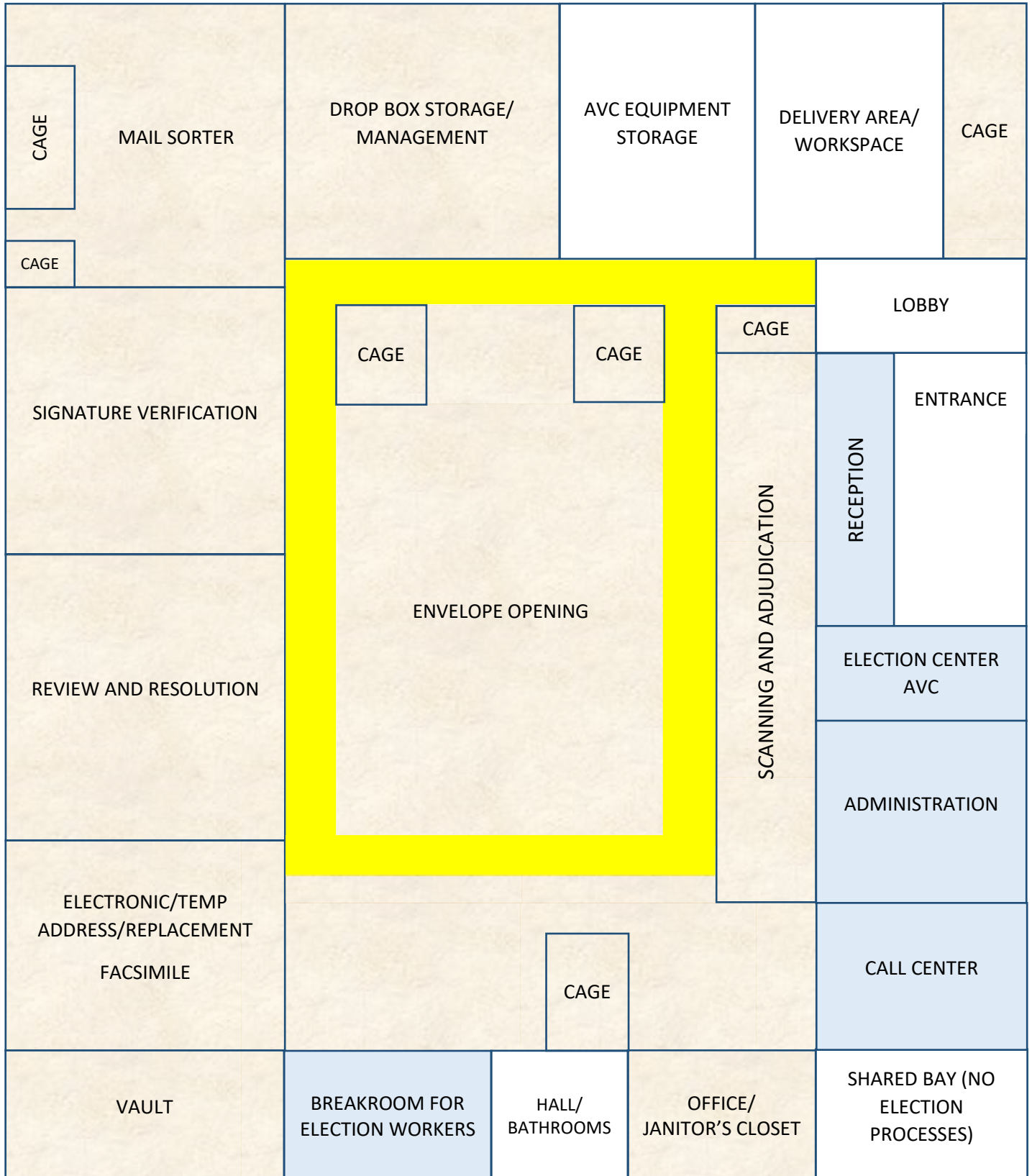
4. The municipal clerk shall initiate a recount of the election if the results show that:
 - A candidate wins by less than a 0.5% margin;
 - When a runoff election is required between the top two candidates, and the second and third place candidates are separated by less than 0.5%; or
 - A proposition or measure passes or fails by less than a 0.5% margin.

EXHIBIT B - CLEAN VERSION

Election Center Floor Map



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





Municipality of Anchorage
 April 2, 2024 Regular Municipal Election
 Adjudication Challenge Form

OBSERVER INFORMATION	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>NOTICE OF UNSWORN FALSIFICATION PENALTY: False statements made on this form with the intent to mislead the Municipality are punishable as unsworn falsification in the second degree, a class A Misdemeanor. AS 11.56.210 and/or AMC 8.30.170.</i>	
	Signature of Observer	Date Submitted
	Signature of Candidate, Campaign Manager, or Chairperson	Date & Time Submitted

RECEIVED	Signature of Municipal Clerk or Designee	Date & Time Received



Municipality of Anchorage
 April 2, 2024 Regular Municipal Election
 Ballot Not Properly Cast or Improperly Rejected Challenge Form

OBSERVER INFORMATION	<hr/> Printed Name Of Observer
	<hr/> Name Of Candidate Or Organization/Group Representing

CHALLENGE INFORMATION	<p><u>NAME OF VOTER WHOSE BALLOT IS BEING CHALLENGED:</u></p> <hr/> (First Name - Middle Initial - Last Name - Suffix) <u>REASON FOR CHALLENGE (check all that apply):</u> <ul style="list-style-type: none"> <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: _____ <hr/> <hr/>
-----------------------	---

SIGNATURES	<p><i>NOTICE OF UNSWORN FALSIFICATION PENALTY: False statements made on this form with the intent to mislead the Municipality are punishable as unsworn falsification in the second degree, a class A Misdemeanor. AS 11.56.210 and/or AMC 8.30.170</i></p> <hr/> Signature of Observer Date Submitted
	<hr/> Signature of Candidate, Campaign Manager, or Chairperson Date & Time Submitted

RECEIVED	<hr/> Signature of Municipal Clerk or Designee Date & Time Received
----------	--



Municipality of Anchorage
 April 2, 2024 Regular Municipal Election
 Signature Challenge Form

OBSERVER INFORMATION	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>NOTICE OF UNSWORN FALSIFICATION PENALTY: False statements made on this form with the intent to mislead the Municipality are punishable as unsworn falsification in the second degree, a class A Misdemeanor. AS 11.56.210 and/or AMC 8.30.170</i>
	Signature of Observer _____ Date Submitted _____ Signature of Candidate, Campaign Manager, or Chairperson _____ Date and Time Submitted _____

<u>RECEIVED</u>	
	Signature of Municipal Clerk or Designee _____ Date & Time Received _____



Municipality of Anchorage
 April 2, 2024 Regular Municipal Election
 Voter Challenge Form

OBSERVER INFORMATION	_____
	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.
	<input type="checkbox"/> The voter is deceased.
	<input type="checkbox"/> The voter has been convicted of a felony involving moral turpitude; rights have not been restored.
	<input type="checkbox"/> The voter has been judicially determined to be of unsound mind; disability has not been removed.

SIGNATURES	<i>NOTICE OF UNSWORN FALSIFICATION PENALTY: False statements made on this form with the intent to mislead the Municipality are punishable as unsworn falsification in the second degree, a class A Misdemeanor. AS 11.56.210 and/or AMC 8.30.170</i>	
	_____	_____
	Signature of Observer	Date Submitted
	_____	_____
	Signature of Candidate, Campaign Manager, or Chairperson	Date and Time Submitted

<u>RECEIVED</u>	_____
	Signature of Municipal Clerk or Designee

	Date and Time Received



Municipality of Anchorage
 April 2, 2024 Regular Municipal Election
 Complaint Form

OBSERVER INFORMATION	<hr/> Printed Name Of Observer <hr/> Name Of Candidate Or Organization/Group Representing
COMPLAINT	SPECIFIC INFORMATION REGARDING ELECTION OFFICIAL CONDUCT OR MISCONDUCT:
CODE CITATIONS	CITATIONS TO APPLICABLE PROVISIONS OF ANCHORAGE MUNICIPAL CODE WHICH CONSTITUTES MISCONDUCT:
SIGNATURES	<p><i>NOTICE OF UNSWORN FALSIFICATION PENALTY: False statements made on this form with the intent to mislead the Municipality are punishable as unsworn falsification in the second degree, a class A Misdemeanor. AS 11.56.210 and/or AMC 8.30.170</i></p> <hr/> Signature of Observer Date Submitted <hr/> Signature of Candidate, Campaign Manager, or Chairperson Date & Time Submitted
<u>RECEIVED</u>	<hr/> Signature of Municipal Clerk or Designee Date & Time Received



**Municipality of Anchorage
April 2, 2024 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 2, 2024 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 2, 2024 Regular Municipal Election
Observer 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, attended a tour of the designated return location, and agree to follow the rules.

--

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



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 964-2023

Meeting Date: December 19, 2023

1 **From: Assembly Chair Constant**

2
3 **Subject: A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY**
4 **UPDATING AND AMENDING THE ELECTION OBSERVER'S**
5 **HANDBOOK AND ASSOCIATED FORMS.**
6
7

8 The Election Observer's Handbook is incorporated by reference into the Election
9 Code, AMC Title 28, and may be amended by resolution. Amendments brought
10 forward by this resolution put the duties of the Election Commission into compliance
11 with the code, protecting the Commission's power to investigate election contests
12 when requested by the Assembly, reiterating the Assembly as the judge of the
13 election, and establishing whether an election contest merits investigation. No other
14 jurisdictions in Alaska provide for suggestions or complaints to be brought to
15 Election Commissions or Canvass Boards; anything that rises to the level of a
16 contest is brought to the elected body.
17

18 Amendments to the handbook include:

- 19
20 • The suggestion and complaint processes and forms have been amended to
21 be addressed by the municipal clerk and removes the provision of bringing
22 unresolved suggestions and complaints to the Election Commission -
23 keeping in compliance with the duties of the Election Commission in the code
24 and protecting the Commission's delegated power to investigate an election
25 contest and make findings when requested by the Assembly.
26
- 27 • Other amendments include additions of code changes brought in 2022,
28 clarifications of the code, and corrections of scrivener's errors.
29
30

31 Respectfully submitted:

32
33
34 Christopher Constant
35 Assembly Chair, District 1 (North Anchorage)



MUNICIPALITY OF ANCHORAGE
Assembly Information Memorandum

No. AIM 231-2023

Meeting Date: December 19, 2023

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From: CHAIR

**Subject: RESEARCH OF OTHER CITIES AND BOROUGHS – ELECTION
CONTESTS AND JUDICIAL REVIEWS**

A compilation of research of other city and borough codes related to election contests and judicial reviews is provided for your review and information.

Prepared by: William Northrop, Acting Election Administrator
Approved by: Jamie Heinz, MMC, Municipal Clerk
Respectfully submitted: Christopher Constant, Chair

Research of Other Cities and Boroughs – Election Contests and Judicial Reviews

City of Fairbanks (sec. 22-27):

The City Clerk and four qualified voters investigate complaints. Assembly's sole role is to certify. If contestant is not satisfied, can pursue court action.

Fairbanks North Star Borough (5.32.050):

Assembly primarily oversees election complaints.

City of Valdez (7.04.190):

Valdez only has a process in place for election recounts.

City of Kenai (6.50), Kenai Borough (4.110), Soldotna (4.40), Wasilla (4.32), Ketchikan (5.50), Mat-Su Borough (25.40):

In each, and depending on the situation, the Council (or Assembly) directs the Clerk and City (Borough) Attorney to investigate.

City and Borough of Juneau (29.07.320):

Muni clerk or designee, with Attorney, conducts investigation into complaint and issues finding. Individual(s) bringing the complaint can appeal to Assembly. It is our understanding Juneau has never dealt with this issue and had observers for the first time in the most recent election.

Homer (4.50):

Complaint is brought to the Assembly by the Clerk. Assembly orders an investigation to be done by Clerk and City Attorney who then submit a report. Clerk may request canvass board to assist in investigation.

From my research, canvass boards/commissions are only advisory in nature when it comes to disputed ballots.

City of Fairbanks:

Sec. 22-27. - Contest of election.

A defeated candidate or any ten qualified voters who caused the recount of an election may bring an action in the superior court within ten days after the city council has concluded that the election was validly held and the results entered upon the minutes. Such legal action shall be upon the grounds set forth in for contesting state elections. The judge shall render a decision as required by AS 15.20.560 for state elections. If no such action is commenced within the ten-

day period, the election and the election results shall be conclusive, final, and valid in all respects.

(Code 1960, § 3.127; Ord. No. 6077, § 1, 6-30-2018)

State Law reference— Election contests, AS 15.20.540 et seq.

Fairbanks North Star Borough:

5.32.50 Certification of the election results.

- A. The Assembly shall meet in public session to receive the report of the Canvass Board, as soon as is practicable. If the Canvass Board report or the Borough Clerk notes a failure to comply with state law and borough code or that an illegal election practice has occurred, then the Assembly may order further investigation or take other appropriate action such as excluding the votes cast or ordering a new election in one or more precincts where such failure or illegal practices occurred if such failure is sufficient to change the outcome of the election. If, after considering the report, the Assembly determines that the election was validly held, the election shall be certified and entered upon the minutes of the meeting, together with the total number of votes cast for each candidate and for or against each proposition or question.
- B. Upon certification of a valid election, the Borough Clerk shall deliver to each person elected to office a certificate of election, signed by the Borough Clerk and authenticated by the seal of the Borough Clerk. (Ord. 2023-37 § 6, 2023; Ord. 2004-45 § 2, 2004. 2004 Code § 2.12.680.)

5.40.010 Appeal or judicial review.

A person may not appeal or seek judicial relief of an election for any cause or reason unless the person is qualified to vote in the Borough, has exhausted the administrative remedies before the Assembly, and has commenced, within 10 days after the Assembly has certified the election results, an action in the superior court. If an action under this section is not commenced within the 10-day period, the election and the election result shall be conclusive, final, and valid in all respects. (Ord. 2004-45 § 2, 2004. 2004 Code § 2.12.740.)

City of Valdez:

7.04.190 Recounts.

- A. Application. Any defeated candidate or any ten qualified electors who believe that a mistake has been made by an election official or by the city council in counting the votes in any election may make an application, in writing, to the city council for a recount of the votes from the precinct for any particular offices or on any particular question. The application shall be filed with the city clerk within twenty-four hours, excluding any Saturday, Sunday or holiday, after the city council declares the results of the vote being

questioned. In case of a tie vote between two or more candidates, the city council shall recount the votes without an application.

- B. Deposit. The person applying for a recount shall deposit one hundred dollars in cash or by certified check except in the case of a tie vote for candidates when no deposit shall be required. If on the recount a candidate other than the candidate who was first declared elected is declared elected or if the result of the vote on a question is reversed, or if the vote on recount is determined to be four percent or more in excess of the vote reported after the first canvass for the candidate applying for the recount, or in favor of or opposed to the question stated in the application, the deposit shall be refunded; otherwise, it shall be placed in the general fund of the city.
- C. Procedure. The city council shall begin the recount within twenty-four hours after receiving the application, excluding any Saturday, Sunday or holiday, shall proceed with it as fast as practicable and shall declare the results thereof. The city clerk shall promptly issue another election certificate if a change in the results requires it. (Ord. 21-04 § 1; Ord. 14-02 (part); Ord. 93-15 § 1 (part); prior code § 7-19)

City of Kenai:

6.50.020 Contest procedure.

(a) Notice of contest of an election shall be submitted in writing to the Clerk before 5:00 p.m. on the day of the certification of the election or to the Council at its meeting to certify the election returns. The notice of contest shall specify the election being contested, the grounds of the contest, and shall bear the notarized signatures of the candidate or qualified voters bringing the contest. The notice shall be in substantially the following form:

NOTICE OF ELECTION CONTEST

The undersigned contest the regular (or special) election of the City of Kenai held on the _____ day of _____. The grounds for the contest are as follows:

Signature and date

(Notarization)

- (b) Upon receiving a notice of contest, the Council shall order an investigation be conducted by the Clerk and City Attorney. Those contesting the election, those whose election is contested, and the public shall be allowed to attend all investigation and recounting proceedings.
- (c) If the contest involves the eligibility of voters, the Council shall direct the Clerk to recheck the most current State registration lists. After considering the reports of the investigating officials and any other proof, the Council shall determine whether any illegally cast votes could have affected the election results. If they could not have, the Council may so declare and determine the election valid and certify the results pursuant to this title.

(d) If the contest involves other prohibited election practices which are shown to have taken place, the Council, in certifying the election returns, shall exclude the vote of the precincts where such practices occurred. If it is determined that such exclusion could not affect the election results, the Council shall declare the election valid and certify the results pursuant to this title.

(e) The contestants shall pay all costs and expenses incurred in a recount of an election as provided by KMC 6.45.010.

6.50.030 Appeal or judicial review.

A person may not appeal or seek judicial relief of an election for any cause or reason unless the person is qualified to vote in the City, has exhausted all administrative remedies before the Council, and has commenced within ten (10) days after the Council has finally declared the election results, an action in the Superior Court. If an action under this section is not commenced within the ten (10) day period, the election and the election result shall be conclusive, final, and valid in all respects. (Repealed and Reenacted Ord. 3224-2021 (Substitute))

Kenai Borough:

4.110.020. - Contest procedure.

A. Notice of contest of an election shall be submitted in writing to the clerk before five p.m. on the day of the certification of the election or to the assembly at its meeting to certify the election returns. The notice of contest shall specify the election being contested, the grounds of the contest, and shall bear the notarized signatures of the candidate or qualified voters bringing the contest. The notice shall be in substantially the following form:

NOTICE OF ELECTION CONTEST

The undersigned contest the regular (or special) election of the Kenai Peninsula Borough held on the _____ day of _____, _____. The ground for the contest are as follows:

EXPAND

Signature of Candidate or Persons Contesting Election

SUBSCRIBED AND SWORN to before me this _____ day of _____, _____.

EXPAND

/s/

Notary Public for Alaska

- B. Upon receiving a notice of contest, the assembly shall order an investigation be conducted by the clerk and borough attorney. Those contesting the election, those whose election is contested, and the public shall be allowed to attend all investigation and recounting proceedings.
- C. If the contest involves the eligibility of voters the assembly shall direct the clerk to recheck the most current state registration lists. After considering the reports of the investigating officials and any other proof, the assembly shall determine whether any illegally cast votes could have affected the election results. If they could not have, the assembly may so declare and determine the election valid.
- D. If the contest involves other prohibited election practices which are shown to have taken place, the assembly in certifying the election returns shall exclude the vote of the precincts where such practices occurred. If it is determined that such exclusion could not affect the election results, the assembly shall declare the election valid and certify the results pursuant to this title.
- E. The contestants shall pay all costs and expenses incurred in a recount of an election as provided by KPB 4.100.060.

(Ord. No. 94-08, § 1(part), 1994)

4.110.030. - Appeal or judicial review.

A person may not appeal or seek judicial relief of an election for any cause or reason unless the person is qualified to vote in the borough, has exhausted the administrative remedies before the assembly, and has commenced within ten days after the assembly has finally declared the election results, an action in the superior court. If an action under this section is not commenced within the ten-day period, the election and the election result shall be conclusive, final, and valid in all respects.

(Ord. No. 94-08, § 1(part), 1994; Ord. No. 84-28, § 1(part), 1984)

Soldotna:

- **4.40.020 - Contest procedures.**
 - A. Notice of contest of an election shall be submitted in writing to the clerk before 5:00 p.m. on the day of the certification of the election or to the council at its meeting to

certify the election returns. The notice of contest shall specify the election being contested, the grounds of the contest, and shall bear the notarized signatures of the candidate or qualified voters bringing the contest. The notice shall be in substantially the following form:

NOTICE OF ELECTION CONTEST

The undersigned contest the regular (or special or run-off) election of the City of Soldotna held on the ____ day of _____. The grounds for the contest are as follows:

Signature and date

(Notarization)

- B. Upon receiving a notice of contest, the council shall order an investigation be conducted by the clerk and city attorney. Those contesting the election, those whose election is contested, and the public shall be allowed to attend all investigation and recounting proceedings.
- C. If the contest involves the eligibility of voters, the council shall direct the clerk to recheck the voter qualifications set forth in SMC 4.08.010. After considering the report provided by the clerk and any other proof, the council shall determine whether any illegally cast votes could have affected the election results. If they could not have, the council may declare the election valid and certify the results.
- D. If the contest involves other prohibited election practices which are shown to have taken place, the council shall exclude the vote of the precincts where the practices occurred. If it is determined that the exclusion could not affect the election results, the council shall declare the election valid and certify the results.
- E. The contestants shall pay all costs and expenses incurred in a recount of an election as provided by SMC 4.36.060.

(Ord. No. 2014-015, § 1, 5-28-2014)

4.40.030 - Appeal or judicial review.

A person qualified to file an election contest pursuant to SMC 4.40.010 may not appeal or seek judicial review of an election for any cause unless the person is qualified to vote in the city, has exhausted the administrative remedies before the council, and has commenced an action in the Superior Court within ten days after the council has finally certified the election results. If an action under this section is not commenced within the ten-day period, the election and the election result shall be conclusive, final, and valid in all respects.

(Ord. No. 2014-015, § 1, 5-28-2014)

Wasilla:

4.32.020 Contest application and procedure.

A. Notice of contest of an election shall be submitted in writing to the clerk by noon on the day of the certification of the election and shall include a \$1,000 payment by cash, certified check, or credit card.

B. The notice of contest shall be filed in person and contain:

1. The election being contested;
2. A summary of the grounds for the contest;
3. The contact information of a representative who will receive communications from the city regarding the contest; and
4. The legal name, residence address, contact information, and notarized signature of each candidate or city voter who is an applicant.

C. Upon receipt of the notice to contest an election, the clerk shall submit it to the council. The clerk and city attorney shall investigate the grounds of the contest and submit a report of findings to the council. The clerk may request the canvass board, or additional personnel as necessary, assist with the investigation. The council shall defer the certification of the contested election results pending receipt of the report, but shall proceed with certification of all election results that are not contested.

D. If the council determines that the grounds of the contest are valid and would change the results of the election, the council shall proceed in a manner that is consistent with its determination. If the council finds that the grounds for the contest are not sufficient to change the election results, it shall declare the election valid and certify the contested election results.

E. Should the contestant prevail with the election contest, the \$1,000 shall be refunded to the contestant. (Ord. 16-15 § 21, 2016; Ord. 15-24(AM) § 3, 2015; prior code § 18.40.020)

4.32.030 Appeal or judicial review.

No person may appeal or seek judicial review of an election for any cause unless the person has exhausted the administrative remedies before the council, and has commenced an action in the Superior Court for the State of Alaska, Third Judicial District at Palmer, within 10 calendar days after the council has certified the election results. If court action is not commenced within the 10-

day period, the election and the election results shall be conclusive, final, and valid. (Ord. 15-24(AM) § 3, 2015; prior code § 18.40.030)

Ketchikan Gateway Borough:

5.50.020 Contest procedure.

- A. Notice of contest of an election shall be submitted in writing to the borough clerk before 5:00 p.m. on the day of the meeting scheduled for certification of the election or to the assembly at its meeting to certify the election returns. The notice of contest shall specify the election being contested, the grounds of the contest, and shall bear the notarized signatures of the candidate or qualified voters bringing the contest. The notice shall be in substantially the following form:

NOTICE OF ELECTION CONTEST

The undersigned contest the regular (or special) election of the Ketchikan Gateway Borough held on the _____ day of _____, 20__ . The grounds for the contest are as follows:

Signature of Candidate or Persons Contesting Election

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20__ .

/s/ _____

Notary Public for Alaska

- B. Upon receiving a notice of contest, the assembly shall order an investigation be conducted by the borough clerk and borough attorney or such other persons as the assembly deems appropriate. Those contesting the election, those whose election is contested, and the public shall be allowed to attend all investigation and recounting proceedings.
- C. If the contest involves the eligibility of voters the assembly shall direct the borough clerk to recheck the most current state registration lists. After considering the reports of the investigating officials and any other proof, the assembly shall determine whether any illegally cast votes could have affected the election results. If they could not have, the assembly may so declare and determine the election valid.
- D. If the contest involves other prohibited election practices which are shown to have taken place, the assembly in certifying the election returns shall exclude the vote of the precincts where such practices occurred. If it is determined that such exclusion could not affect the election results, the assembly shall declare the election valid and certify the results pursuant to this title.

- E. Unless the grounds for which the contest was brought are determined to be valid, the contestant or the contestants shall be individually liable for the whole amount of the expenses incurred by the borough in its investigation and deliberation of the election contest. [Ord. No. 1357, §2, 7-5-05. Code 1974 §25.100.020.]

5.50.030 Appeal or judicial review.

A defeated candidate or any ten (10) qualified voters who contested an election may bring an action in superior court within ten (10) days after the assembly has concluded that said election was validly held and the results entered upon the minutes. If no such action is commenced within the ten (10) day period, the election and the election result shall be conclusive, final, and valid in all respects. [Ord. No. 1357, §2, 7-5-05. Code 1974 §25.100.030.]

Mat-Su Borough:

25.40.020 CONTEST PROCEDURE.

- A. Notice of contest of an election shall be submitted in writing to the clerk before 3 p.m. on the day of the certification of the election. A notice of contest shall include a \$1,000 payment by cash or check. The notice of contest shall specify the election being contested, the grounds of the contest, and shall bear the notarized signatures of the candidate or qualified voters bringing the contest. The notice shall be in substantially the following form:

NOTICE OF ELECTION CONTEST

The undersigned contest the regular (or special) election of the Matanuska-Susitna Borough held on the _____ day of _____.

The grounds for the contest are as follows:

Signature/date

(Notarization)

- B. Upon receiving a notice of contest, the assembly shall order an investigation be conducted by the clerk and borough attorney. Those contesting the election, those whose election is contested, and the public shall be allowed to attend all investigation and recounting proceedings.
- C. If the contest involves the eligibility of voters, the assembly shall direct the clerk to recheck the voter qualifications pursuant to MSB 25.10.010. After considering the report provided by the clerk and any other proof, the assembly shall determine whether any illegally cast votes could have affected the election results. If they could not have, the assembly may declare the election valid and certify the results.
- D. If the contest involves other prohibited election practices which are shown to have taken place, the assembly shall exclude the vote of the precincts where the practices occurred. If it is determined that the exclusion could not affect the election results, the assembly shall declare the election valid and certify the results.
- E. The contestants shall pay all costs and expenses incurred in a recount of an election as provided by MSB 25.45.060.
- F. Should the contestant prevail with the election contest the applicant shall be refunded \$1,000.

25.40.030 APPEAL OR JUDICIAL REVIEW.

A person qualified to file an election contest pursuant to MSB 25.40.010 may not appeal or seek judicial review of an election for any cause unless the person is qualified to vote in the borough, exhausted the administrative remedies before the assembly, and has commenced an action in the superior court within ten calendar days after the assembly has finally certified the election results. If an action under this section is not commenced within the ten-day period, the election and the election result shall be conclusive, final, and valid in all respects.

(Ord. 99-081, § 41, 1999; Ord. 95-020, § 28, 1995; Ord. 94-040AM1, § 3 (part), 1994)

City and Borough of Juneau

29.07.320 - Contest of election.

- A. Any candidate or any ten qualified voters may contest the election of any person and the approval or rejection of any question or proposition by filing a notice of election contest with the election official before or during the review of the election returns.
- B. The notice of election contest shall state the following grounds of the contest in detail and shall be signed under oath by the candidate or each of the voters filing it:

1. Malconduct, fraud, or corruption on the part of an election official, sufficient to change the result of the election;
 2. The person certified as elected or nominated is not qualified as required by law;
 3. Any corrupt practice as defined by law, sufficient to change the results of the election.
- C. Upon receiving a notice of contest, the election official, with the assistance of the City and Borough Attorney, shall conduct an investigation, may conduct a public hearing, and shall issue written findings. Those contesting the election, those whose election is contested, and the public shall be allowed to attend any public hearings on the contest of the election.
- D. If the contestant charges a candidate obtained votes, or a proposition was voted for or against, by reason of an act or practice prohibited by ordinance or AS 15.56, election offenses, corrupt practices, and penalties, and the charges are proven to and sustained by the election official, the election official shall, to the extent of such proof, purge the illegally induced votes from the returns and certify the amended returns.

29.07.330 - Judicial review.

A person may not appeal or seek judicial review of an election for any cause unless the person is a qualified voter, has exhausted all administrative remedies, and has commenced, within ten days after the election official has certified the election results, an action in the superior court. If court action is not commenced within the ten-day period, the election and election results are conclusive and valid.

(Serial No. 2023-24, § 2, 5-17-2023, eff. 6-17-2023)

Homer:

4.50.020 Notice of contest procedure.

- A. Notice of contest of an election shall be submitted in writing to the Clerk by 5:00 p.m. on the day of the certification of the election and shall include payment by cash, certified check, or credit card for the amount listed in the most current City of Homer Fee Schedule.
- B. The notice of contest shall be filed in person and contain:
1. The election to be contested;
 2. The specific grounds of the contest;
 3. Documentation or evidence supporting the contest, if any;
 4. The contact information of the representative who will receive communications from the City regarding the contest; and
 5. The legal name, residence address, contact information, and notarized signature of each candidate or City voter who is an applicant.

- C. The notice shall include a deposit for the amount listed in the most current City of Homer Fee Schedule
- D. Upon receipt of the notice to contest an election, the Clerk shall submit it to the Council. The Council shall order an investigation to be conducted. The Clerk and City Attorney shall investigate the grounds of the contest and submit a report of findings to the Council. The Clerk may request that the Canvass Board, or additional personnel as necessary, assist with the investigation. The Council shall defer the certification of the contested election results pending receipt of the report, but shall proceed with certification of all election results that are not contested. Those contesting the election, those whose election is contested and the public shall be allowed to attend all investigation proceedings.
- E. If the contest involves the eligibility of voters the Council shall direct the Clerk to recheck the most current state registration lists. After considering the reports of the investigating officials and any other proof, the Council shall determine whether any illegally cast votes could have affected the election results. If they could not have, the Council shall so declare and determine the election valid.
- F. If the contest involves other prohibited election practices which are shown to have taken place, the Council, in certifying the election returns, shall exclude the vote of the precincts where such practices occurred. If it is determined that such exclusion could not affect the election results, the Council shall declare the election valid and certify the results pursuant to this title.
- G. If the investigation determines election misconduct has occurred sufficient to change the results of an election, a recommendation for remedy will be included in the investigation report to the Council.
- H. Should the contestant prevail with the election contest, the payment will be refunded to the contestant. If the contest results in a recount, the contestants shall pay all costs and expenses incurred in a recount of an election as provided by HCC 4.45.070. [Ord. 21-35 § 4, 2021].

4.55.010 Judicial review.

A qualified voter of the City may seek judicial review in the Superior Court of the State of a City election only after he has exhausted his administrative remedies as prescribed by the Homer City Code. Such legal action shall be upon the grounds set forth in AS 15.20.540 for contesting State elections. The judge shall render a decision as required by AS 15.20.560 for State elections. If no such action is commenced within the 10-day period immediately following the declaration of the Council's determination of the contested election, the election results shall be conclusive, final and valid in all respects. [Ord. 95-1(S), 1995; Ord. 82-6 § 25, 1982].