

Observer's Handbook



Municipality of Anchorage
Municipal Clerk's Office

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Contents

| | |
|---|----|
| Introduction | 6 |
| Guiding Principal | 6 |
| About Observers | 7 |
| Observer Qualifications | 7 |
| Number of Allowed Observers | 7 |
| Observer Registration | 8 |
| Observer Training..... | 8 |
| 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 |
| Election Official Conduct..... | 16 |
| Election Process | 17 |
| At The Vote Center Or Polling Location | 17 |
| Voting Process..... | 17 |
| Questioned Ballots..... | 18 |
| Providing Assistance To Voters..... | 19 |
| Voter Instructions | 19 |
| At The Election Center | 19 |
| Review Process..... | 20 |
| Review Requirements | 20 |
| Questioned Ballots..... | 21 |
| Facsimile Ballots..... | 21 |

| | |
|---|----|
| Adjudication: Proper vs. Improper Ballot Markings | 21 |
| Ballot Rejection | 22 |
| Public Session of Canvass..... | 25 |
| Election Certification..... | 25 |
| Recount | 25 |
| Election Contest | 26 |

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 PRINCIPAL

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 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 to follow the rules and expectations in this handbook.

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

Observer Qualifications

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

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 and not more than four observers at the Election Center. In the event of space or regulatory constraints, the Municipal Clerk may impose restrictions, including limiting the number of observers at the Election Center for each candidate and organization or requiring multiple candidates and organizations to designate a single observer to work on their collective behalf. The Municipal Clerk may also employ technologies, such as closed circuit video, at a separate location, in lieu of allowing observers to crowd and impede the election process. In the event of overcrowding and in the absence of voluntary agreement, the Municipality Clerk shall use a random selection to reduce the overcrowding. The reduction in the number of observers to fewer than one per candidate shall be limited to extraordinary circumstances.

Observer Registration

Each candidate or organization shall submit a registration form and confidentiality agreement for each observer to be registered. Registration forms will be accepted by the Municipal Clerk:

- no earlier than 62 days before the election (the day after the candidate withdrawal deadline) and no later than 22 days before the election (the day before the deadline to mail ballot packages) for a regular election;
- no earlier than 37 days before the election (the day after the candidate withdrawal deadline) and no later than 22 days before the election (the day before the deadline to mail ballot packages) for a special election;
- no earlier than 28 days before the election (one week before certification of the election that creates the runoff election) and no later than 18 days before the election, for new observers in a runoff election.

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 at least one training provided by the Municipal Clerk prior to being issued an observer identification badge. An effort will be made to offer three training sessions

before a regular election, two trainings before a special election, and one training before a runoff election. The proposed schedule of trainings, along with how to sign up, will be provided to all candidates and posted on the Elections website by the end of the candidate filing period. The number of allowed attendees for each training session may be limited; signing up early is recommended. If no observers sign up for a training session at least 24 hours in advance, the session will not be held.

An observer who has not attended a training session provided by the Municipal Clerk within the six months prior to the election will not be credentialed and may not observe.

If a registration form and confidentiality agreement have been timely submitted and the observer has attended a training session within the six months prior to the election, an observer identification badge stating the observer's name, who they represent, and the date, will be prepared by the Municipal Clerk's Office for each observer and made available for pickup. The badge must be signed by the candidate or campaign manager, or the chairperson of the organization/organized group before the observer may begin to observe at an election location.

Observer Rights and Obligations

SIGN-IN

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

IDENTIFICATION

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

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

CAMPAIGNING

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

Campaigning includes the following:

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

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

THE OBSERVER'S ROLE

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

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

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

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

Observers have no duties in the conduct of the election.

OBSERVER CONDUCT

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

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

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

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

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

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

3. Observers shall not approach voters or talk directly to voters for any reason.
4. Election officials are concentrating on their duties. To avoid distracting them, discussions among observers must be conducted outside of the election location or in specific areas designated by the Municipal Clerk. Observers should not talk to election officials while they are working.
5. Electronic or mechanical devices, such as cell phones, laptop computers, tablets, cameras, or the like, are not allowed in designated areas at the locations. Observers shall not take pictures or video or record audio within designated areas. Computers are not provided by the elections office for use.
6. Telephone calls are not allowed in the locations, unless a specific area is designated by the Municipal Clerk. All calls must be conducted outside the election location or in a designated area. Telephones are not provided by the elections office.
7. Observers shall not record confidential voter information by any means or method, or record information in violation of applicable municipal, state or federal laws.
8. Coats and large bags are not allowed in the election locations, except in designated areas established by the Municipal Clerk for these items. 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 the Election Center.
9. Only water in sealable containers is permitted in designated areas. Other food and drink is limited to specific areas designated 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 designated 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.

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

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

Challenges

Registered observers may challenge:

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

These are the only allowed challenges. Concerns about election procedures and election official actions may be addressed through the complaint procedure, set forth in the following section.

CHALLENGE OF VOTER ELIGIBILITY

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

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

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

candidates or organizations/organized groups who have registered observers for the relevant race or issue.

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

CHALLENGE OF SIGNATURE VERIFICATION

1. Municipal law allows observers to challenge the verification of a voter's signature on the ballot return envelope. An observer may not delay or impede the election officials performing signature verification.
2. Reasons for questioning the verification of a voter's signature under the standards of AMC 28.70.030:
 - a. The signature was improperly determined to be an invalid signature.
 - b. The signature was improperly determined to be a valid signature.
3. The observer making the challenge must specify the basis of the challenge in writing, on a form provided at the end of this handbook.
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, shall 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.
2. Reasons for challenging the adjudication of a vote under AMC 28.80.050:
 - a) Improper interpretation of the oval being wholly or partially filled in (28.80.050B.1. or B.4.);
 - b) Improper interpretation of voter's correction (28.80.050B.5., B.6. or B.10.);
 - c) Improper interpretation of markings or handwritten notes (28.80.050B.7.); or

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

Election Official Conduct

Observers do not have the right to challenge an act of an election official, but may file a complaint about election official conduct. When an observer witnesses a perceived administrative error or irregularity by an election official, the observer should courteously call it to the Municipal Clerk'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.

If unresolved, copies of complaints will be shared with all candidates or organizations/organized groups who have registered observers for a particular race or issue, or if copies are requested.

If the observer is not satisfied with the action of the Municipal Clerk regarding the complaint, the observer may request that the complaint be brought to the Anchorage Election Commission at the Public Session of Canvass, held on or before the third Friday after Election Day.

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

Election Process

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

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

AT THE VOTE CENTER OR POLLING LOCATION

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

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

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

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

Voting Process

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

Valid identification includes:

- Official voter registration card,

- Driver's license or state ID card,
- Passport,
- Hunting or fishing license, or
- Other identification recognized by the state for its elections (AS 15.15.225), including:
 - Current and valid photo identification (employer ID card, for example),
 - Birth certificate, or
 - Original or copy of utility bill, bank statement, paycheck, government check or other government document. An item exhibited under this paragraph must show the name and current address of the voter.

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

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

Questioned Ballots

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

The following persons may only vote a questioned ballot:

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

Providing Assistance To Voters

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

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

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

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

Voter Instructions

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

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

AT THE ELECTION CENTER

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

Municipal Clerk may designate the hours each day during which the election officials are to conduct the review of ballot envelopes.

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

Review Process

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

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

Review Requirements

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

- The voter is qualified to vote in the election.
- The voter declaration is signed with a valid and verified signature, or, if the voter is unable to sign the voter's name, the voter marked the signature line and one other person has properly witnessed the voter's mark.
- The ballot is received timely:

- Postmarked no later than Election Day and received not later than the opening of the Public Session of Canvass, or if received from a military or overseas voter, no later than noon on the day of certification of the election;
 - Deposited in a drop box no later than 8:00 p.m. on Election Day;
 - Voted at a vote center before the closing of the election; or
 - Received by fax or email no later than 8:00 p.m. on Election Day.
- The voter has not already voted in the election.

Questioned Ballots

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

Facsimile Ballots

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

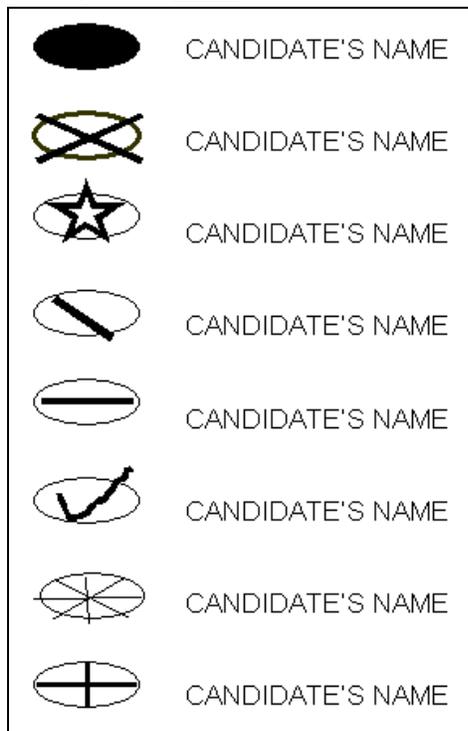
Adjudication: Proper vs. Improper Ballot Markings

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

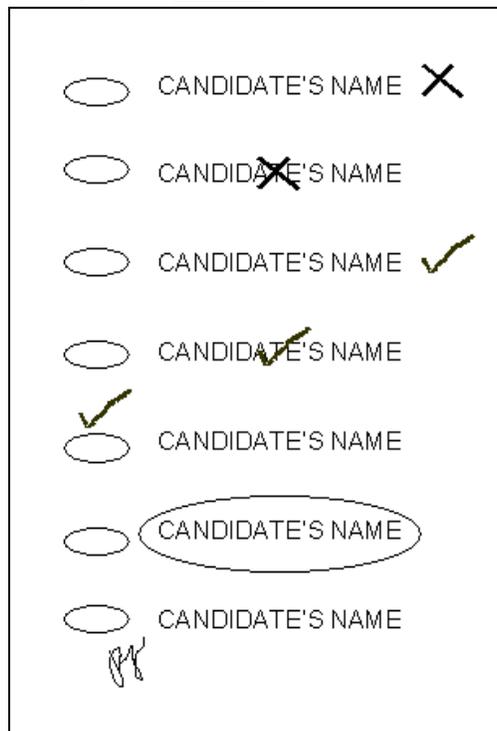
Only the following ballot marks are valid when made within the oval:

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

Examples of Valid Marks:



Examples of Invalid Marks:



Ballot Rejection

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

Ballot Reject Codes and Definitions

D DUPLICATE BALLOT ENVELOPE

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

E BALLOT ENVELOPE EMPTY OR CONTAINED OTHER MATERIALS

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

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

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

G VOTER FAILED TO PROVIDE IDENTIFYING INFORMATION

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

I VOTER IS INACTIVE

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

K BALLOT NOT PROPERLY APPLIED FOR

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

M MULTIPLE BALLOTS IN ONE ENVELOPE

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

MOA NOT REGISTERED IN THE MUNICIPALITY OF ANCHORAGE

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

O VOTER DOES NOT MEET CERTIFICATION REQUIREMENTS

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

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

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

T VOTER REGISTERED TOO LATE

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

V BALLOT ENVELOPE RECEIVED TOO LATE

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

W BALLOT ENVELOPE POSTMARKED/VOTED AFTER ELECTION DAY

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

W1 NO POSTMARK BUT RECEIVED AFTER ELECTION DAY

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

W2 UNCLEAR POSTMARK BUT PO PROVIDED ADDITIONAL INFORMATION

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

X VOTER NOT REGISTERED

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

XX VOTER IS DECEASED

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

Z VOTER FAILED TO SIGN BALLOT ENVELOPE

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

Z1 NO SIGNATURE MATCH ON BALLOT RETURN ENVELOPE

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

Z2 NO REFERENCE SIGNATURE

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

2 BALLOT ENVELOPE HAND DELIVERED AFTER ELECTION DAY

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

3 BALLOT ENVELOPE SIGNED BY SOMEONE OTHER THAN THE VOTER

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

9 POA – BALLOT VOTED BY POWER OF ATTORNEY

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

10 PREVIOUS ELECTION BALLOT ENVELOPE

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

11 OTHER

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

PUBLIC SESSION OF CANVASS

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

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

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

ELECTION CERTIFICATION

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

RECOUNT

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

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

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

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

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

ELECTION CONTEST

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

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