ANCHORAGE, ALASKA
AO No. 2023-XXX

AN OMNIBUS ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY
AMENDING AND UPDATING ANCHORAGE MUNICIPAL CODE TITLE 28,
ELECTIONS.

WHEREAS, the Municipal Clerk’s Office, with the assistance of Assembly Counsel,
the Anchorage Election Commission, and the Assembly Ethics and Elections
Committee, conducts a regular review of the election code, Anchorage Municipal
Code Title 28, Elections, each year; and

WHEREAS, following the 2023 Regular Election, the Municipal Clerk’s Office drafted
proposed updates to provisions of the Elections Code to streamline administration
correct mistaken cross-references; and

WHEREAS, the Assembly Ethics and Elections Committee reviewed this ordinance at
their meeting on October 25, 2023, and the Election Commission reviewed and
recommended _________ at their meeting on October 25, 2023; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 28.10.040 is hereby amended to add
(the remainder of the section is not affected and therefore not set out):

28.10.040 Definitions

The following words, terms, and phrases, when used in this title, shall have the
meanings ascribed to them in this section, except where the context clearly
indicates a different meaning:

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

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(GAAB 7.05.010; AO No. 85-75; AO No. 90-81; AO No. 91-166; AO No. 2002-
179(S), § 1, 1-7-03; AO No. 2004-176, § 1, 6-1-05; AO No. 2013-130(S-1), § 2,
1-14-14; AO No. 2016-10(S), § 1, 2-9-16; AO No. 2017-29(S), § 1, 6-1-17; AO
No. 2018-4(S), § 1, eff. retroactively 12-1-17; AO No. 2020-5(S), § 1, 2-11-20;
AO No. 2020-131(S), § 2, 1-14-21; AO No. 2021-110(S), § 1, 12-28-21; AO
No. 2022-98, As Amended, § 2, 12-6-22)
Section 2. Anchorage Municipal Code section 28.80.015 is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

28.80.015 – Supervision and observation of ballot tabulation.

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B. All ballot tabulation processing using a software application shall be under the supervision of the municipal clerk, and [OBSERVED BY] at least one of the following shall be invited [SELECTED] by the municipal clerk to observe:

1. Internal auditor or designee,
2. IT director or designee, or
3. Municipal ombudsman or designee.

(AO No. 2013-130(S-1), § 6, 1-14-14; AO No. 2017-29(S), § 37, 6-1-17; AO No. 2020-5(S), § 5, 2-11-20; AO No. 2021-110(S), § 12, 12-28-21)

Section 3. Anchorage Municipal Code section 28.80.050 is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

28.80.050 – Rules for counting votes.

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12. A write-in vote shall not be counted for an individual candidate:

a. In a runoff election, because the only qualified candidates in a runoff are the names printed on the ballot; no write-in candidate is qualified;

b. For a service area supervisory board candidate if the candidate has not registered as a qualified write-in pursuant to section 28.30.020; or

c. Except as set forth in paragraph 12.b [13.B.] above, unless the aggregate of all votes cast for all write-in candidates for the particular office is

i. The highest number of votes received by any candidate for the office; or

ii. The second highest number of votes received by any candidate and within the margin requiring an automatic recount in section 28.90.025C;

In which case the write-in votes will be allocated to the individual candidates in an automatic recount.
Section 4. Anchorage Municipal Code section 28.90.025 is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

28.90.025 – Recount by order of the assembly or municipal clerk; automatic recount.

D. The municipal clerk shall initiate a recount within seven days of the certification of the election if the results show that the aggregate of all votes cast for a write-in candidate meet the requirements of section 28.80.050B.12 [28.80.050B.13.C.] and must be allocated to the individual write-in candidates.

Section 5. Anchorage Municipal Code section 28.100.020 is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

28.100.020 Contest procedure.

A. Notice of contest of an election shall be submitted in writing to the municipal clerk after the election commission has adopted its report of the results of the election, and not later than noon on [WITHIN NINE DAYS AFTER] the day of the first meeting for which the Assembly has issued a public notice that it may take up the question of whether to certify the election [CERTIFICATION OF THE ELECTION].

B. The notice of contest shall:

1. Specify the election being contested,

2. The grounds of the contest, including specific details,

3. Shall bear the notarized signatures of the candidate or the qualified voters bringing the contest. The notarization shall be in the following form: I hereby certify that on the day of , , before me, (notary’s name), a
notary public of the State of Alaska, personally appeared, 
________________________ (affiant’s name) and made his/her 
oath/affirmation in due form of law that the matters and facts set 
forth in the Election Contest are true to best of the affiant's 
knowledge.

4. Shall contain the printed or typed names and residence 
addresses of the candidate or qualified voters, and

5. Shall designate two persons as representatives and include the 
phone numbers, mailing addresses, and residence addresses of 
the representatives.

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

(GAAB 7.05.200; CAC 2.68.550; AO No. 85-75; AO No. 2004-176, § 12, 6-1-
05; AO No. 2013-130(S-1), § 9, 1-14-14; AO No. 2017-29(S), § 47, 6-1-17; AO 
No. 2020-131(S), § 13, 1-14-21)

Section 6. This ordinance shall be effective immediately upon passage and 
approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of 
__________________, 2023.


Chair

ATTEST:

Municipal Clerk