

	Code Section	Title	Change	Notes
Section 1				
1.	28.10.020A.	Powers and duties of municipal clerk	Adds language from the powers of the municipal clerk in section 2.20.055B.10. for clarity	AMC 2.20.055B.10: "Prepare for and conduct the general and special elections of the municipality"
2.	28.10.020B.	Powers and duties of municipal clerk	New paragraph to allow municipal clerk to gather information about potential election offenses	It is recommended to confirm that the municipal clerk has the authority to gather information about potential election offenses. For example, in 2018, an individual claimed on Facebook to have voted their own ballot and another person's ballot and this was reported to the clerk. The clerk reviewed information about voting at the individual's household, and while it turned out not to have been true, this makes explicit the Clerk's authority to gather information in that type of situation.
Section 2				
3.	28.10.040	Definitions	<ul style="list-style-type: none"> Changes "Accessible vote center" to "Vote center," moving the definition to its new proper alphabetical location New definition for "MUOCAVa voter" and "valid signature" Clarifying amendments to "proposition," "qualified voter" and "voter declaration." 	<p>Definition of MUOCAVa voter needed for proposed change to sections 28.60.060F. and 28.70.030A.1.</p> <p>Definition of "proposition" changed to match the definition in AMC 2.50.010, the section regarding Initiatives, Referenda, and Recall</p>
Section 3				
4.	28.10.060	Voter use of power of attorney	<ul style="list-style-type: none"> Updates state statute reference Changes "electronic transmission" to "fax and email" for clarity for citizen readers Removes inapplicable language (A.6.) Makes explicit that a power of attorney may not sign a voter declaration Other wording changes for simplicity 	State law re power of attorney: AS 13.26.600-695 6 AAC 25.683 (specific to elections)
Section 4				
5.	28.20.010	Time and method for elections	<ul style="list-style-type: none"> Clarifies the method by which the Assembly calls a special election (resolution) Replaces the time period regarding the call for a special election with references to sections of charter and code that govern the time. 	The current times (30 and 45 days) in the code don't mesh with other requirements. For example, 28.20.040A. requires notice of a special election to be published 30 days ahead of the election, which can't happen if the Assembly calls an election in 30 days.

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Section 5				
6.	28.20.040	Notice of election, including notice of polling locations or [ACCESSIBLE] vote centers, and notice of bonded indebtedness	<ul style="list-style-type: none"> • Renames “accessible vote center” to “vote center” • Simplifies language 	
Section 6				
7.	28.40.010B.	Form: Number of ballots	<ul style="list-style-type: none"> • For poll-based elections, removes discussion of delivery (moved to more appropriate location later in code); allows the state voter database to be provided closer to election • Clarifies the clerk’s responsibility in vote by mail elections for number of ballots 	Since the deadline to register to vote is 30 days before election, getting the voter database from the state as late as possible creates a more accurate voter roll
8.	28.40.010C.	Form: <u>Candidate Order</u>	Removes duplicative language	Language remains at 28.40.010D.1.a.
9.	28.40.010D.	Form: Contents of official and sample ballots	Clarifies confusing language about what is required on official ballot, and how sample ballot is differentiated	
10.	28.40.020A.	Preparation and distribution	Changes when the municipal clerk shall possess the printed ballots for a special election	Since special election ballots must be mailed 21 days in advance (28.40.020C), they must be possessed at least 21 days in advance
11.	28.40.020B.	Preparation and distribution: Voting by polling location	Language re how many ballots should be distributed to a polling location is relocated here	Removed from 28.40.010B. which is about how many ballots to print
12.	28.40.020D.-F.	Preparation and distribution	<ul style="list-style-type: none"> • Renames “accessible vote center” to “vote center” and “secrecy envelope” to “secrecy sleeve” • Separates existing section C. into sections C. and D.; re-letters remaining sections 	
Section 7				
13.	28.50.010	Election officials	<ul style="list-style-type: none"> • Minor wording change • Renames “accessible vote center” to “vote center” 	
14.	28.50.030	Hours when places to cast your vote are open	<ul style="list-style-type: none"> • Renames “accessible vote center” to “vote center” • Reduces the number of days a vote center is open for a runoff election 	The total time frame for a runoff election is shorter than for a regular or special election, with ballots mailed (at least) seven days before the election, rather than 21 days
15.	28.50.040	Political discussion by election officials	Renames “accessible vote center” to “vote center”	

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16.	28.50.050	Political persuasion near polling locations, [ACCESSIBLE] vote centers, or drop boxes.	Renames “accessible vote center” to “vote center”	
17.	28.50.090	Questioning of voter qualifications	<ul style="list-style-type: none"> • Changes for consistent use of terms • Renames “accessible vote center” to “vote center” 	
18.	28.50.110	Voter identification at polling locations and [ACCESSIBLE] vote centers	Renames “accessible vote center” to “vote center”	
19.	28.50.120A. and B.	Providing ballot to voter; marking, returning, and delivering the ballot	<ul style="list-style-type: none"> • Renames “accessible vote center” to “vote center” and “secrecy envelope” or “security envelope” to “secrecy sleeve” 	
20.	28.50.120C.	Providing ballot to voter; marking, returning, and delivering the ballot: Voting by mail	<ul style="list-style-type: none"> • In C.1., clarifies who is to pay postage on the return envelope • References 28.50.210B. regarding certain ballot delivery methods to be rejected. • Renames “accessible vote center” to “vote center” and “security envelope” to “secrecy sleeve” 	The term “postage paid” is inconclusive regarding who pays for the postage; the Election Commission recommended clarification that the voter should affix postage to the envelope.
21.	28.50.130	Assisting voter at a polling location or [ACCESSIBLE] vote center	Renames “accessible vote center” to “vote center”	
22.	28.50.140	Replacement ballots	<ul style="list-style-type: none"> • Renames “accessible vote center” to “vote center” • Clarifies that if additional ballots are received from a voter, the clerk may provide the information to a prosecutor 	Note that the clerk <u>may</u> provide the voter’s info to a prosecutor; the clerk has discretion to assess the situation because many times voters make errors voting by mail and at vote center.
23.	28.50.160	Leaving polling location or [ACCESSIBLE] vote center with ballot prohibited	Renames “accessible vote center” to “vote center”	
24.	28.50.170	Exhibiting marked ballots prohibited at a polling location or [AN ACCESSIBLE] vote center	Renames “accessible vote center” to “vote center”	
25.	28.50.190	Closing of the election	Renames “accessible vote center” to “vote center”	

	Code Section	Title	Change	Notes
26.	28.50.200	Election closure procedures	Renames “accessible vote center” to “vote center”	
27.	28.50.210	Receipt of ballots at designated return location	<ul style="list-style-type: none"> • Renames “accessible vote center” to “vote center” • Changes for consistent use of terms • Allows the MOA to accept ballots with insufficient or no postage 	Ballots returned by mail without postage are delivered by USPS to the MOA and our mail permit is charged.
28.	28.50.300	Appointment and privileges of observers	<ul style="list-style-type: none"> • Renames “accessible vote center” to “vote center” • Clarifies penalty for failure to wear a badge is only when the badge is required • Addition of vote center and designated return location as places where observers may not campaign 	
	Section 8			
29.	28.60.040	Special needs voting	Renames “accessible vote center” to “vote center”	
30.	28.60.050	Voting by mail in poll based elections	Renames “secrecy envelope” to “secrecy sleeve”	
31.	28.60.060	Voting by fax [FACSIMILE] or email [(ELECTRONIC TRANSMISSION)]	<ul style="list-style-type: none"> • Changes “electronic transmission” to “fax and email” for clarity for citizen readers • Changes “facsimile” to “fax” 	“Facsimile” is used in two different ways in the election code—one to mean “fax” and the other to mean making a duplicate of a ballot. “Fax” is used nine other times in municipal code, in titles 2, 7, 10, 12, 23, and 28.
32.	28.60.060B.	Voting by fax [FACSIMILE] or email [(ELECTRONIC TRANSMISSION)]	Language added to clarify who makes “the request” to receive a ballot by fax or email	The Election Commission recommended this clarification, which tracks with the language in subsection A.
33.	28.60.060E.	Voting by fax [FACSIMILE] or email [(ELECTRONIC TRANSMISSION)]	Adds language to clarify that a ballot returned electronically must still be accompanied by a signed voter declaration	
34.	28.60.060F.	Voting by fax [FACSIMILE] or email [(ELECTRONIC TRANSMISSION)]: Deadlines for returning ballot	<ul style="list-style-type: none"> • Clarifies how/when ballots are received to be counted • Changes to allow ballot from MUOCAVA voter to be counted if it arrives before certification instead of before public session of canvass • Changes “electronic transmission” to “fax or email” 	MUOCAVA voters are posted active duty service members and their families and qualified voters who reside outside of the US—see definition in 28.10.040. Usually, certification is four calendar days after public session of canvass.

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35.	28.60.060G.	Voting by fax [FACSIMILE] or email [(ELECTRONIC TRANSMISSION)]	<ul style="list-style-type: none"> • Corrects an error by changing “and” to “or” • Removes specific instructions on how to process a ballot received by fax or email 	The procedures are too detailed for code.
36.	28.60.060H.	Voting by fax [FACSIMILE] or email [(ELECTRONIC TRANSMISSION)]	Changes “Electronically” to “by fax or email”	
37.	28.60.060I.	Voting by fax [FACSIMILE] or email [(ELECTRONIC TRANSMISSION)]	<ul style="list-style-type: none"> • Clarifies which ballots will be facsimiled • Adds clarifying language about how fax and email ballots will be facsimiled, to replace overly specific language deleted from 28.60.060G. • Changes “electronic transmission” to “fax or email” 	A ballot sent to a voter by fax or email can be returned by mail or drop box but would still need to be facsimiled, so “received” is changed to “transmitted”
	Section 9			
38.	28.70.010	Time for ballot <u>return</u> envelope review	Clarifies the name of the envelope	
39.	28.70.020A.	Ballot <u>return</u> envelope review procedure	Changes for consistent use of terms and recognition of need to reference confidential voter information more broadly	Envelope review can involve city’s voter database (Fluence) or state’s voter database (VREMS); confidential voter info in both must be protected
40.	28.70.030A.	Ballot <u>return</u> envelope review standards: regular	<ul style="list-style-type: none"> • Minor wording changes for clarity and consistency • Change to allow ballots from MUOCAVA voters to arrive by certification instead of by canvass (A.1.e.) • Adds another reason for a ballot not to be counted—if the voter was required to provide identification (A.1.h.) • Renames “accessible vote center” to “vote center” 	<p>Gives a couple more days for ballots from overseas voters to arrive and be counted—usually certification is four calendar days after public session of canvass</p> <p>If a voter registers to vote for the first time online, they are required to submit a copy of their ID with their ballot, because no voter registrar will have viewed their identification. If they do not, and do not respond to a cure letter, the ballot cannot be counted.</p>
41.	28.70.030E.	Ballot <u>return</u> envelope review standards: regular: Multiple and replacement ballots	<ul style="list-style-type: none"> • Clarifies that the required notification is after adjudication by the Election Commission at the public session of canvass • Allows the clerk to refer a situation where a voter voted more than once to a prosecutor 	

	Code Section	Title	Change	Notes
42.	28.70.040	Ballot <u>return</u> envelope review standards: questioned ballots	Removes some reasons why a questioned ballot would not be counted	A voter voting a questioned ballot signs in three places: the questioned ballot register, the questioned ballot envelope, and the ballot return envelope, and an election worker signs the questioned ballot envelope. With four required signatures, there is increased opportunity for an error. As the declarations on the register and envelopes are substantially similar, the signature on the ballot return envelope is the significant one as it goes through the signature verification process, referenced in subsection B.
Section 10				
43.	28.80.050	Preparation and rules for counting ballots	<ul style="list-style-type: none"> • Replaces graphic illustrating how to correct a mistake (B.5.) • Adds instructions regarding how to not vote in a race or measure, after initially indicating a vote 	Adds more information on how a voter can correct a mistake without requesting a replacement ballot
Section 11				
44.	28.85.010	Public session of canvass	<ul style="list-style-type: none"> • Sets the Election Commission's decision as final • Reorders sections about keeping rejected ballots separate from other ballots and mailing notices to all voters whose ballots were rejected • Adds a deadline for mailing required notices 	
45.	28.85.040	Certification of election	Re-letters the section because there is currently no text in section A	
Section 12				
46.	28.90.010	Recount application	Changes the timing of ability to request recount to within 7 days of <u>certification</u>	Certification by the Assembly is a more public and obvious activity than the Election Commission's adoption of its report, from which to track these timelines
47.	28.90.025	Recount by order of the assembly or municipal clerk; automatic recount	<ul style="list-style-type: none"> • Conforming changes to change in 28.90.010 • Clarifies and adds situations where an automatic recount would occur 	The concern is a small margin; there are multiple situations where a margin may be small that should be similarly addressed
48.	28.90.040A.	Procedure	Corrects outdated language	
Section 13				
49.	28.100.020	Contest procedure	<ul style="list-style-type: none"> • Changes the timing to within 9 days of <u>certification</u> • Cross reference correction 	Certification by the Assembly is a more public and obvious activity than the Election Commission's adoption of its report, from which to track these timelines

	Code Section	Title	Change	Notes
	Section 14			
50.	28.150.030	Powers of the municipal clerk	<ul style="list-style-type: none"> • Renames “accessible vote center” to “vote center” • Changing “Electronically” to “by fax or email” 	
51.	28.150.050	Unofficial ballots	Adds “vote center” for when sample ballots may be used if official ballots are unavailable	
52.	28.150.060	Assistance of peace officers	Renames “accessible vote center” to “vote center”	
	Section 15			
53.	28.200.100	Campaign misconduct in the third degree	<ul style="list-style-type: none"> • Renames “accessible vote center” to “vote center” • Changes for consistent use of terms 	
54.	28.200.110	Unlawful interference with voting in the second degree	<ul style="list-style-type: none"> • Clarifies that having an official ballot outside of a voting location is only prohibited if the ballot came from inside a voting location (A.1.) • Renames “accessible vote center” to “vote center” (A.7.) • Adds tampering with a ballot drop box as an offense (A.9.) 	A voter may possess their vote by mail ballot outside of a voting location
55.	28.200.120	Voter misconduct in the second degree	Adds three additional offenses to voter misconduct in the second degree	These offenses exist in state law at AS 15.56.040, but having them in municipal code allows the municipality to determine whether to prosecute rather than depending on the state
56.	28.200.130	Election official misconduct in the second degree	Expands the timing of when an election official could commit misconduct to better fit both vote by mail elections and poll-based elections	
57.	28.200.140	Improper subscription to petition	Adds prohibition on buying/selling signatures for a referendum and recall petition, as well as an initiative petition	
58.	28.200.150	Refusal to allow employees time off	Adds vote centers	
	Section 16			
59.	28.300.010	Appeals	Clarifies that certification is the start of the appeal period	The Clerk’s Office will add info to the certification document regarding appeal rights