

Submitted by: Assemblymembers Tesche
and Coffey

Prepared by: Department of Assembly

For reading: December 14, 2004

CLERK'S OFFICE

AMENDED AND APPROVED

Date: 2-1-05 ANCHORAGE, ALASKA

IMMEDIATE RECONSIDERATION

AO NO. 2004-176

FAILED 2-1-05

**AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
PROVISIONS OF TITLE 28, ELECTIONS.**

NOW THEREFORE THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code Section 28.10.040, definitions, is amended to read as follows: (*other definitions not affected are 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:

Election official includes election officials at the polls, early or absentee voting officials appointed by the clerk, the election commission or canvass board, the data processing board, counting teams, receiving teams, the clerk, and the clerk's office staff [MEANS THE MUNICIPAL CLERK, AN ELECTION JUDGE OR AN ELECTION CLERK].

Proposition means a proposal offered for acceptance or rejection and is stated as a [INCLUDES] question on a ballot.

[The Code Revisor is instructed to insert new definitions alphabetically.]

(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)

Section 2. Anchorage Municipal Code Section 28.30.010, voter qualifications, is amended to read as follows: (*The Code Revisor is instructed to letter the paragraph.*)

28.30.010 Voter qualifications.

A. To vote in any municipal election, a person must be:

1. A qualified voter of the state;

2. A resident of the municipality for 30 days immediately preceding the election; and

3. Registered to vote in state elections at a residence address within the municipality at least 30 days before the municipal election at which the person seeks to vote. In order to cast a valid vote for a candidate or a ballot measure relating to a specific local election district or service area, the voter shall be registered 30 days before the municipal election at a residence address within the boundaries of that district or service area.

(GAAB 7.05.030; CAC 2.68.100; AO No. 80-101; AO No. 85-75; AO No. 90-69)

Section 3. AMC 28.40.010, form, is amended to read as follows:

28.40.010 Form.

A. Subject to the requirement that municipal elections be nonpartisan, and to the remainder of this section, ballots shall be in the form prescribed for state elections.

G. When optical scanning equipment is used to conduct a regular, special or run-off municipal election, at the discretion of the municipal clerk, the official ballot may [SHALL] consist of two parts:

1. A tabulating ballot, which shall consist of one page, printed on one or both sides, on which shall be printed:

2. An explanatory/sample ballot, which shall contain the information that appears on the tabulating ballot plus the full text of each proposition to be voted on, plus any additional information concerning a proposition that is required by law to appear on the ballot. The explanatory/sample ballot shall be printed on non-white paper and may be used to fulfill the requirement for sample ballots in Section 28.40.030. After voting, the voter may retain the explanatory/sample ballot, or return the ballot to an election official at the polling place.

Each tabulating and explanatory/sample ballot shall bear the word "Official" before the words "tabulating ballot" and "explanatory/sample ballot", the date of the election, and a facsimile signature of the municipal clerk.

(GAAB 7.05.080; AO No. 85-75; AO No. 89-136; AO No. 96-12, § 1, 1-23-96; AO No.

97-18, § 1, 2-11-97; AO No. 99-113, § 2, 8-10-99; AO No. 2001-43, § 1, 2-27-01; AO No. 2001-166, § 1, 1-2-02; AO No. 2002-181(S), § 1, 1-8-02; AO No. 2002-179(S), § 2, 1-7-03)

Section 4. Anchorage Municipal Code Section 28.50.050, election officials, is amended to read:

28.50.010 Election officials.

A. The clerk [ASSEMBLY] shall appoint at least four election officials [JUDGES] in each precinct to constitute the election board of the precinct. The municipal clerk shall designate one election official [JUDGE] from each precinct as the election board person who shall be primarily responsible for administering the election in that precinct.

B. Each election official [JUDGE] shall be a qualified voter in the municipality. Each election official [JUDGE] shall subscribe to the oath prescribed for municipal officers in the Charter. The municipal clerk may appoint additional officials [JUDGES] for any precinct.

(GAAB 7.05.070; AO No. 85-75; AO No. 2001-43, § 2, 2-27-01)

Section 5. Anchorage Municipal Code Section 28.60.010, persons who may vote absentee, is amended to read:

28.60.010 Persons who may vote early or absentee.

[A.] At any election a qualified voter may vote an early or absentee ballot for any reason [, IF THE VOTER:

1. EXPECTS TO BE UNAVOIDABLY ABSENT FROM THE VOTER'S VOTING PRECINCT ON ELECTION DAY, WHETHER INSIDE THE STATE OR NOT; OR

2. WILL BE UNABLE TO BE PRESENT AT THE POLLS BECAUSE OF PHYSICAL DISABILITY].

(GAAB 7.05.120, 7.05.180.B; CAC 2.68.300--2.68.330, 2.68.370, 2.68.390; AO No. 80-101; AO No. 84-139; AO No. 85-75)

Section 6. Anchorage Municipal Code Section 28.60.030, absentee voting in person, is amended to read:

28.60.030 Early and absentee voting in person.

A. Subject to the provisions of this section, a qualified voter may apply to the municipal clerk or appear before a designee [FOR] and vote an early or absentee ballot in person in accordance with the procedures of this chapter.

1. For regular, special or runoff municipal elections, a location or locations for early or absentee voting in person [PRIOR] up to and including election day shall be as designated by the municipal clerk prior to the regular or special election, provided that the municipal clerk may change such designations only in the event a location ceases to be available to the clerk.

[2. SUBJECT TO SUBSECTION A.1. OF THIS SECTION, ON ELECTION DAY FOR AREA WIDE REGULAR, SPECIAL OR RUNOFF MUNICIPAL ELECTIONS, THE MUNICIPAL CLERK SHALL ESTABLISH AN ABSENTEE POLLING PLACE AT THE ANCHORAGE INTERNATIONAL AIRPORT AND A CENTRALLY LOCATED ABSENTEE POLLING PLACE AT THE UNIVERSITY OF ALASKA, ANCHORAGE CAMPUS AT WHICH ELIGIBLE MUNICIPAL VOTERS MAY VOTE AN ABSENTEE BALLOT DURING THE SAME HOURS AS ALL OTHER MUNICIPAL POLLING PLACES.]

B. On receipt of an application in person for an early or absentee ballot and exhibition of proof of identification as required in Section 28.50.110, the municipal clerk shall issue the ballot to the applicant.

C. On receipt of an early or absentee ballot, the voter shall mark the ballot in secret, place the ballot in the secrecy sleeve, if provided, place the ballot in an envelope, and sign the voter's certificate on the back of the envelope in the presence of the election official, who shall sign as attesting official and date that signature. The municipal clerk shall then accept the ballot.

D. The municipal clerk or election official may not accept a marked ballot that has been exhibited by an early or absentee voter with intent to influence other voters. If the early or absentee voter improperly marks or otherwise damages a ballot, the voter may request and the municipal clerk shall provide another ballot. Exhibited, improperly marked or damaged ballots exchanged by the voter shall be destroyed. The numbers and types of all ballots reissued shall be noted on the "Accounting for Ballots" booklet.

E. The municipal clerk shall keep a record of the names and signatures of voters who cast early or absentee ballots and the dates on which the ballots were cast. Such record shall be kept for 30 days after the date of certification of the election.

F. In addition to the requirements of this chapter, all early or absentee ballots voted in person the day before and the day of the election shall be segregated from all other absentee ballots and shall be voted, verified and counted in accordance with the procedures of Chapter 28.50.

(GAAB 7.05.120, 7.05.180.B; CAC 2.68.300--2.68.330, 2.68.370, 2.68.390; AO No. 80-101; AO No. 84-139; AO No. 85-75; AO No. 91-50; AO No. 97-135, § 2, 12-16-97; AO No. 2000-93, § 1, 8-15-00; AO No. 2001-43, § 3, 2-27-01)

Section 7. Anchorage Municipal Code Section 28.60, absentee voting, is amended to enact a new subsection to read as follows:

28.60.035 Ted Stevens International Airport and University Polling Places.

[SUBJECT TO SUBSECTION A.1 OF THIS SECTION,] There is established for all [ON ELECTION DAY FOR] areawide regular, special or runoff municipal elections, [THE MUNICIPAL CLERK SHALL ESTABLISH] an absentee polling place at the Ted Stevens [ANCHORAGE] International Airport and a centrally located absentee polling place at the University of Alaska, Anchorage campus at which eligible municipal voters may vote an absentee ballot during the same hours on election day as all other municipal polling places. This section does not apply to special elections conducted by mail under the provisions of AMC chapter ~~28.55~~ 28.110.

Section 8. Anchorage Municipal Code Section 28.60.050, voting by mail, is amended to read as follows:

28.60.050 Voting absentee by mail.

A. A qualified voter may apply [BY MAIL] to the municipal clerk for an absentee ballot. The application shall include the address, either within or outside the municipality, to which the absentee ballot is to be mailed, the applicant's full municipal residence address, and the applicant's signature.

B. An application for an absentee ballot by mail must be received no later than seven [FIVE] days before a regular, special or run-off election.

D. Upon receipt of an absentee ballot by mail, the voter, in the presence of a notary public, commissioned officer of the armed forces including the National Guard, district judge or magistrate, the designated United States postal official, or other person qualified to administer oaths, shall mark the ballot in secret, place the ballot in the secrecy sleeve,

if provided, place the ballot in an envelope, and sign the voter's certificate on the back of the envelope in the presence of an official listed in this subsection, who shall sign as attesting official and shall date the signature. If none of the officials listed in this subsection are reasonably accessible, an absentee voter shall have the voter's certificate attested by two persons over the age of 18 years.

(GAAB 7.05.120, 7.05.180.B; CAC 2.68.300--2.68.330, 2.68.370, 2.68.390; AO No. 80-101; AO No. 84-139; AO No. 85-75; AO No. 86-105; AO No. 91-50; AO No. 96-13, § 1, 1-23-96; AO No. 97-135, § 3, 12-16-97; AO No. 99-113, § 3, 8-10-99; AO No. 2001-43, § 3, 2-27-01)

Section 9. Anchorage Municipal Code section 28.80.040, ballot review standards, is amended to read as follows:

28.80.040 Ballot review standards.

A. A questioned ballot may not be counted if:

1. The voter failed to properly execute the certificate.
2. An election official [JUDGE] failed to execute the certificate.

(GAAB 7.05.180; CAC 2.68.502; AO No. 80-101; AO No. 83-84(S); AO No. 85-75; AO No. 94-65, § 1, 4-12-94; AO No. 99-113, § 4, 8-10-99; AO No. 2001-43, § 5, 2-27-01)

Section 10. Anchorage Municipal Code Section 28.80.060, certification of election, is amended to read as follows:

28.80.060 Certification of election.

A. [NO LATER THAN ITS NEXT REGULAR MEETING AFTER THE ELECTION COMMISSION ADOPTS ITS REPORT, THE ASSEMBLY] The election commission shall present its report to the assembly at a regular meeting as soon as practicable, unless the clerk determines that the certification should be presented at a special meeting [SHALL MEET IN PUBLIC SESSION TO RECEIVE THE REPORT OF THE ELECTION COMMISSION]. If, after considering the report, the assembly determines that the election was validly held, the assembly shall certify the results of the election in accordance with the report of the election commission. The certification shall be subject to the outcome of any recount under chapter 28.90 and any election contest under chapter 28.100.

(GAAB 7.05.190; CAC 2.68.580; AO No. 252-76; AO No. 77-330; AO No. 85-75;
AO No. 2001-43, § 5, 2-27-01)

Section 11. Anchorage Municipal Code Section 28.90.050, certification of recount results, is amended to read as follows:

28.90.050 Certification of recount results.

A. Upon completing the recount, the election ~~board~~ **commission** shall meet and adopt a report of the results of the recount for submission to the assembly.

B. [NO LATER THAN ITS NEXT REGULAR MEETING AFTER] After the election ~~board~~ **commission** adopts its report, the assembly shall [MEET IN AND] certify the results of the election in accordance with the report of the election board.

(GAAB 7.05.205, 7.05.220; AO No. 85-75)

Section 12. Anchorage Municipal Code Section 28.100.020, contest procedure, is amended to read as follows:

28.100.020 Contest procedure.

Notice of contest of an election shall be submitted in writing to the municipal clerk within five days after the election commission has adopted its report of the results of the election. The notice of contest shall specify the election being contested, and the grounds of the contest, and shall bear the notarized signatures of the candidate or the qualified voters bringing the contest. [AT ITS NEXT REGULAR MEETING AFTER THE FILING OF THE NOTICE, THE] 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 28.80.060.A in accordance with the report of the election commission. If the assembly decides 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)

Section 13. Anchorage Municipal Code Section 28.110, mail-in ballots for certain special elections, is amended to add a new section 28.110.005, and to amend other sections to read as follows:

Chapter 28.110 ELECTIONS BY MAIL [MAIL-IN BALLOTS FOR CERTAIN

SPECIAL ELECTIONS]*

28.110.005 Authorization of mail-in ballots for special elections.

A. The clerk may conduct a special election by mail with approval of the assembly.

B. When the assembly resolves to conduct a special election by mail, the clerk shall send a ballot package to each person whose name appears on the official voter registration list prepared under AS 15.07.125 residing within the affected area in which the vote shall be taken. The ballots shall be sent to the addresses stated on the official registration list, unless a voter has made application under 28.110.030 verifying legal residency at a different address within the area affected.

C. The clerk shall tabulate the ballots voted under this section using procedures established under chapter 28.60, absentee voting.

28.110.020 Resolution.

A. Any resolution calling a special election to be conducted under the authority of this chapter shall include the following items:

1. The date upon which the municipal clerk shall publish the notice of election;

2. The date upon which the municipal clerk will mail [APPLICATIONS FOR] ballot packages;

3. The last date upon which the municipal clerk shall [ACCEPT APPLICATIONS AND] mail ballot packages to registered voters or accept applications from registered voters residing within the affected area in which the vote shall be taken;

4. The date upon which individuals who may not have received a ballot package from the municipality can file an application for a ballot package to be voted by mail, in the municipal clerk's office, or a designated polling place; and

5. The date upon which all mail-in ballots must be received by the municipal clerk in order to qualify for inclusion in the election tabulation.

(AO No. 83-84(S); AO No. 85-75)

28.110.025 Public Notice of by-mail election; election date.

A. The notice of special election must state that the election is to be conducted by mail and that there will be no polling place open for in-person voting on the day of the election, unless a polling place has been designated by the municipal clerk.

B. For each election conducted by mail, the election notice, notice of voter registration, notice of polling places, and notice of bonded indebtedness, if required, shall be in accordance with AMC chapter 28.20.

28.110.030 Application for mail-in ballot package.

[THE APPLICATION FOR A BALLOT PACKAGE UNDER THIS CHAPTER SHALL STATE THE LEGAL NAME OF THE APPLICANT, AND HIS RESIDENCE AND MAILING ADDRESSES WITHIN THE MUNICIPALITY, AND MUST MAKE CLEAR TO THE MUNICIPAL CLERK THE APPLICANT'S RIGHT TO THE BALLOT. THE APPLICATION MUST BE SIGNED BY THE APPLICANT.] Anyone qualified to vote in the special election who may not have received [AN APPLICATION FOR] a mail-in ballot package or who has misplaced or spoiled the mail-in ballot may apply to the municipal clerk by mail or in person for a ballot package provided the request is received prior to the date specified by resolution in Section 28.110.020A.[C and D]. An application for a mail-in ballot package under this chapter shall state the legal name of the applicant, full municipal residence address, mailing address within or outside the municipality, and must make clear to the municipal clerk the applicant's right to the ballot. The application must be signed by the applicant.

(The Code Revisor is instructed to correct reference to nonexistent subsections AMC 28.110.020.C and D)

(AO No. 83-84(S); AO No. 85-75)

28.110.040 Contents of ballot package.

A. [IN ACCORDANCE WITH THE TERMS SET FORTH IN THE RESOLUTION CALLING FOR THE SPECIAL ELECTION,] The [THE] municipal clerk shall mail a ballot package to all registered voters on the official voter registration list prepared under AS 15.07.125 [WHO HAVE MADE APPLICATION AND] who reside within the affected area in which the election shall be conducted. The package to be mailed to voters shall include:

1. A sample ballot;

2. Any approved official explanation of the ballot proposition;
3. An official ballot;
4. An envelope in which the ballot must be sealed;
5. A postage-paid envelope bearing the address to which the ballot is to be sent and which shall have printed upon it an affidavit as set forth in AMC 28.110.050;
6. A notice clearly specifying the date upon which the ballot must be received in order to be counted in the tabulation of the election; [AND]
7. Instructions specifying the manner in which the ballot is to be completed and mailed; and
8. The location of any early or absentee in-person polling place and the hours open for voting.

(AO No. 83-84(S); AO No. 85-75)

28.110.050 Affidavit.

The return envelope shall have printed upon it an affidavit by which the voter shall declare [HIS/HER] name, residence address, [AND] mailing address[ES], and voter identifier, [QUALIFICATIONS TO VOTE] followed by a provision for attestation by a person qualified to administer oaths or two attesting witnesses who are at least 18 years old [WITNESSING OFFICER].

(AO No. 83-84(S); AO No. 85-75; AO No. 2002-183, § 1, 3-24-02)

28.110.060 Casting mail-in ballots.

A. Upon receipt of a mail-in ballot, the voter shall cast the ballot in the manner specified in AMC 28.60.050 with the following exceptions:

1. Ballots must be postmarked by midnight the day of the election and received in the clerk's office no later than the tenth day following the election.
2. A voter who does not receive a mail-in ballot or make application for the same under AMC 28.110.030 may cast their ballot in person on election day only if the municipal clerk has noticed a designated absentee polling place for voting.

[A VOTER QUALIFIED TO VOTE IN THE SPECIAL ELECTION WHO HAS RECEIVED A BALLOT IN ACCORDANCE WITH THIS CHAPTER MAY APPEAR BEFORE ANY PERSON AUTHORIZED BY LAW TO ADMINISTER OATHS, INCLUDING THE MUNICIPAL CLERK, AND IN THE PRESENCE OF SUCH OFFICER SHALL CAST THE BALLOT IN THE FOLLOWING MANNER:

THE VOTER SHALL FIRST SHOW THE WITNESSING OFFICER THAT BALLOT HAS NOT BEEN PREVIOUSLY MARKED. THE VOTER SHALL THEN MARK THE BALLOT IN SUCH MANNER THAT NO ONE OTHER THAN THE VOTER CAN SEE HOW IT IS MARKED, THE VOTER SHALL PLACE THE MARKED BALLOT IN THE BALLOT ENVELOPE AND THEN PLACE THE BALLOT ENVELOPE IN THE RETURN ENVELOPE. THE VOTER SHALL COMPLETE AND SWEAR TO THE AFFIDAVIT PRINTED ON THE RETURN ENVELOPE AND DELIVER IT, PROPERLY SEALED, TO THE WITNESSING OFFICER, WHO SHALL ATTEST TO THE AFFIDAVIT.]

B. If the ballot is cast in the municipal clerk's office or a designated polling place, the municipal clerk shall retain it for delivery to the canvass board. If the ballot is cast in another location, the voter shall return it by mail to the municipal clerk immediately for delivery to the canvass board. Any ballot not received by the municipal clerk by the date specified in the election resolution shall be considered void and shall not be counted. Ballots received after such time shall not be opened, but shall be marked "rejected" with the date and hour of receipt noted thereon, and shall be preserved for 30 days after the date of certification of the election.

(AO No. 83-84(S); AO No. 85-75; AO No. 91-50; AO No. 2002-183, § 2, 3-24-02)

28.110.070 Inapplicability of general provisions regarding distribution of ballots and election materials.

The provisions of Sections 28.40.020.B and 28.50.020 are not applicable to special elections by mail conducted under the authority of this chapter.

(AO No. 83-84(S); AO No. 85-75)

28.110.080 Polling place.

For purposes of this section, a polling place is the office of the municipal clerk or a location designated by the municipal clerk for casting an early or absentee vote.

(AO No. 83-84(S); AO No. 85-75)

Section 14. Anchorage Municipal Code Section 28.120.010 is amended to read as follows:

28.120.010 Establishment.

There is established a board of six persons and two alternates which shall be known as the Anchorage Election Commission.


(GAAB 5.25.010; AO No. 85-75)

Section 15. Effective date. Section 14 of t[T]his ordinance shall take effect on the date the United States Department of Justice issues its nonobjection or the date by which the United States Department of Justice must object if no objection is issued within the objection period. **All remaining sections shall also become effective on the date the United States Department of Justice issues its nonobjection or the date by which the United States Department of Justice must object if no objection is issued within the objection period, but no earlier than June 1, 2005.**

PASSED AND APPROVED by the Anchorage Assembly this 1st day of February, 2005.


Chair

ATTEST:


Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2004-176

Title: Amending Provisions of Title 28, Elections

Sponsor: Assemblymembers Coffey and Tesche

Preparing Agency: Department of Assembly

Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:

(In Thousands of Dollars)

	<u>FY04</u>	<u>FY05</u>	<u>FY06</u>	<u>FY07</u>	<u>FY08</u>
Operating Expenditures					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
TOTAL DIRECT COSTS:	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
FUNCTION COST:	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

REVENUES:

CAPITAL:

POSITIONS: FT/PT and Temp

PUBLIC SECTOR ECONOMIC EFFECTS:

The proposed ordinance public sector economic effects, if any, are less than \$30,000.

PRIVATE SECTOR ECONOMIC EFFECTS:

There are no substantial, if any, private sector economic effects anticipated.

Prepared by: Elvi Gr _____

Telephone: 343-4751 _____



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
AM NO. 919-2004

Meeting Date: December 14, 2004

From: Assemblymembers Tesche and Coffey
Subject: AO 2004-176 — Amending Provisions of Title 28, Elections.

Title 28, Elections, is presented for amendment as follows:

- § An *election official* is redefined and replaces the term *election judge*. The definition is inclusive of all officials appointed by the clerk to assist in conducting an election. The definition for a ballot *proposition* has been rewritten to make more sense.
- § The proposed change to AMC 28.30.010, voter qualifications, is consistent with state law contained in AS 29.26.050. A home rule municipality may by ordinance require that in order to vote for a candidate or on a ballot measure relating to a specific local election district or service area, a person must be registered to vote at least 30 days before the municipal election at an address within the boundaries of that local election district or service area.
- § The two-part explanatory and tabulating ballot form was used for the first time in April 2004. The ordinance was implemented as a cost-saving measure but did not allow the clerk discretion in the use of the two-part ballot. This amendment gives the municipal clerk discretion as to the form of ballot used in an election.
- § The amendment to AMC 28.60.010 allows a qualified voter to vote early or absentee for any reason, not just because they are unavoidably absent or disabled. This parallels state election law and is in conformity with the mandates of Help America Vote Act 2002.
- § The appointment of election officials to administer elections in precincts is the duty of the clerk, subject to approval of the appointments by the Assembly. Currently, the clerk's office submits a memorandum to the Assembly listing all election workers. This list is, in fact, submitted so far in advance of the election that the roster is not complete, and due to unforeseeable circumstances, workers may be added or replaced up through election day by the municipal clerk. Amendment to AMC 28.50.010 gives the municipal clerk the authority to appoint election officials and the discretion to make changes to the rosters of precinct workers or other election officials.
- § Voting in person on election day is becoming an anachronism in the United States, wherein what used to be termed "absentee voting" has become in reality "early voting." The

1 amendments to Chapter 28.60, Absentee Voting, attempt to clarify the distinctions in
2 procedures and deadlines for voting absentee by mail and voting in person at a designated
3 polling place before or on election day. Under AMC 28.60.030A2, voting in person on
4 election day at the airport or the University has specific rules and therefore a new section has
5 been enacted. The airport name has also been corrected to "Ted Stevens International."
6

7 § AMC 28.60.050, voting absentee by mail, has been amended to delete applying "by mail" to
8 the clerk for an application, as the application may also be obtained by other methods from
9 the clerk, such as through the municipal website, by fax, or in person. The seven-day
10 deadline before the election for receipt of the application is amended to parallel state law.
11

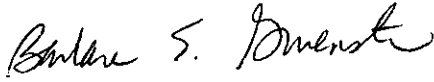
12 § The timeframe within which the Assembly meets to adopt the election commission report,
13 certify the election, or hear an election contest is changed from the "next regular meeting
14 after the election commission adopts its report" to read "at a regular meeting as soon as
15 practicable." The amendments to AMC 28.80 with regard to certification of an election allow
16 the clerk to process the election results in a timely yet deliberate fashion and account for
17 unforeseen contingencies or delay that may not be resolved between the election canvass and
18 the next regular meeting.
19

20 § Chapter 28.110, Mail-In Ballots for Certain Special Elections, authorizes the clerk, with
21 Assembly approval by resolution, to conduct certain special elections by mail and sets forth
22 the specific rules and procedures such an election would follow. National statistics show that
23 this trend toward mail-in voting continues across the country as states effectuate the
24 provisions of HAVA to increase qualified voter participation. The amendments to AMC
25 28.110 allow the clerk to mail ballot packages automatically to each person on the official
26 voter registration list prepared under AS 15.07.125 residing in the affected area in which the
27 vote shall be taken. Application for a ballot package can also be made to the clerk if a
28 registered voter does not receive a ballot package and resides at a verified address within the
29 area, or has misplaced or spoiled a ballot.
30

31 § Amendments to Chapter 28.110 also give the municipal clerk discretion to designate a
32 polling place in the clerk's office or another location for casting an early or absentee vote.
33

34 Currently there are 6 members of the Election Commission and no alternates. AMC
35 28.120.010 will establish 2 alternates in the event a commission member becomes unavailable.

Respectfully submitted,



Barbara E. Gruenstein

Municipal Clerk *for*

Allan Tesche

Assemblymember, Section 1

Dan Coffey

Assemblymember, Section 4

**Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
AGENDA DOCUMENT CONTROL SHEET**

AO 2004-176

1	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED 12/07/04
	AMENDING PROVISIONS OF TITLE 28, ELECTIONS	INDICATE DOCUMENTS ATTACHED AO/AM/SEE
2	DEPARTMENT NAME Assembly	DIRECTOR'S NAME Dick Traini
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY B. E. Gruenstein	HIS/HER PHONE NUMBER X4311
4	COORDINATED WITH AND REVIEWED BY	INITIALS DATE
	Mayor	
	Heritage Land Bank	
	Merrill Field Airport	
	Municipal Light & Power	
	Port of Anchorage	
	Solid Waste Services	
	Water & Wastewater Utility	
	Municipal Manager	
	Cultural & Recreational Services	
	Employee Relations	
	Finance, Chief Fiscal Officer	
	Fire	
	Health & Human Services	
	Office of Management and Budget	
	Management Information Services	
	Police	
	Planning, Development & Public Works	
	Development Services	
	Facility Management	
	Planning	
	Project Management & Engineering	
	Street Maintenance	
	Traffic	
	Public Transportation Department	
	Purchasing	
	Municipal Attorney	
	Municipal Clerk	
	Other	
5	SPECIAL INSTRUCTIONS/COMMENTS	
	CONSENT AGENDA- INTRODUCTION	
6	ASSEMBLY MEETING DATE 12/14/04	7 PUBLIC HEARING DATE REQUESTED 01/11/05