

**CITY OF _____, ALASKA
ORDINANCE NO. _____**

**A NON-CODE ORDINANCE AUTHORIZING THE MUNICIPAL CLERK TO
ESTABLISH RULES AND PROCEDURES FOR VOTE-BY-MAIL MUNICIPAL
ELECTION IN RESPONSE TO THE COVID-19 PANDEMIC.**

WHEREAS: Under AS 29.25.030(a), the city council may adopt an emergency ordinance to meet a public emergency and the ordinance shall contain a finding by the city council that an emergency exists and a statement of the facts upon which the finding is based. The city council adopted an emergency ordinance on _____ and the following are the council findings (reference the emergency ordinance adopted by the council): and

WHEREAS: The United States Centers for Disease Control and Prevention (CDC) has identified the coronavirus disease 2019 (COVID-19) as a new strain of coronavirus not previously identified in humans causing respiratory disease that can result in serious illness or death and which poses a significant public health risk. The World Health Organization declared a pandemic related to COVID-19 on March 11, 2020. The Governor of the State of Alaska declared a Public Health Disaster Emergency on March 11, 2020, and the President of the United States declared a National Emergency on March 13, 2020; and

WHEREAS: The CDC has identified recommendations and actions for election officials to take in advance of Election Day to encourage voters to use voting methods that minimize direct contact with other people; and

WHEREAS: In response to the current statewide emergency disaster declaration, Governor Dunleavy signed Senate bill 241, which among other things, authorizes elections to be conducted by mail under AS 15.20.800 during the emergency disaster; and

WHEREAS: The city council acknowledges this non-code ordinance does not replace other methods of absentee voting but provides for an alternative method of vote by mail during the emergency disaster; and

WHEREAS: Under AS 29.26.010, the city council shall prescribe the rules for conducting an election; and

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF _____, ALASKA, the municipal election held on October 6, 2020 may be

conducted using the vote by mail method of election. The city clerk will draft necessary rules and procedures for the vote by mail election.

Section 1. Classification.

This is a non-code ordinance.

Section 2. Enactment.

VOTE BY MAIL CITY ELECTION

Sections:

- 1. Administration.**
- 2. Ballots; Printing; Sample Ballots**
- 3. Ballots; Form.**
- 4. Other Materials.**

Section 1. Administration.

- A. The city election shall be vote by mail.
- B. The city council shall prescribe the general rules for conducting vote by mail city elections.
- C. The city clerk is the supervisor of elections and shall prepare and maintain election materials and records for a vote by mail election.

Section 2. Ballots; Printing; Sample Ballots.

The city clerk shall be responsible for the printing of ballots. The ballots shall be printed and in the possession of the city clerk at least _____ (enter how many days) days before the date of the election. There shall be at least 3 ballots printed on colored paper with the words "SAMPLE BALLOT" printed on them, posted in the clerk's office and throughout the community.

Section 3. Ballots; Form.

- A. The ballots shall state at the top whether the election is regular or special.
- B. The ballots shall include instructions on how to mark the ballots.
- C. The ballots shall be printed on plain white paper and numbered in consecutive order to assure simplicity and secrecy and to prevent fraud. The clerk shall print at least one-third more ballots than there are registered voters in _____ (enter name of city).
- D. A ballot shall show the list of candidates and issues to be decided at the election.
- E. Before the list of candidates there shall be placed the words "vote for not more than three", or such other number as are to be elected.

- F. The ballots shall list the office for which votes may be cast. The name of each office shall be followed by the names of all candidates for that office listed in a random order, and by blank lines for write-in candidates equal to the number of persons who are to be elected to the office.
- G. The names of the candidates shall be printed in capital letters the same size. At the end of each line on which the name of a candidate is printed, and each blank line provided for write-in candidates, a square shall be printed.
- H. The names of candidates shall be printed as they appear upon the declarations of candidacy or nominating petitions filed with the City Clerk, except that any honorary or assumed title or prefix shall be omitted.
- I. Following the names of the offices and candidates, there shall be placed on the ballot in the form prescribed by law all propositions and questions to be voted upon if any. Provisions shall be made for marking the propositions or questions “Yes” or “No”.
- J. Somewhere on the ballot, to be clearly visible, will be printed the words:
 - a. “OFFICIAL BALLOT”; and
 - b. The date of the election.
- K. The sample ballot appearing at the end of this chapter illustrates the ballot format.

Section 3. Other Materials.

At least _____ (enter how many days) days prior to the day of the election, the clerk shall prepare or request the following materials:

- A. An updated Master Voter Registration List, containing the names, in alphabetical order, of all registered voters eligible to vote in the election;
- B. A blank register in which the clerk may indicate from whom ballots were cast, and in which the election official may note the number of ballots issued to the voter;
- C. Tally sheets;
- D. A form for the Report of Preliminary Election Results;
- E. Envelopes bearing the Oath and Affidavit of Eligibility for questioned ballots;
- F. Two large envelopes, one marked “Spoiled Ballots” and the other marked “Questioned Ballots”; and
- G. Copies of the Notice of Elections and the city’s elections ordinance.

AFTER MARKING THE BALLOT, FOLD BALLOT TO THIS LINE

CITY OF _____, ALASKA

OFFICIAL BALLOT

INSTRUCTIONS

1. Mark ballots by placing an "X" in the box indicating your choice. To vote for a person whose name is not printed on the ballot, write his or her name in the blank space below the list of candidates and mark the box next to the name.
2. Erasures will invalidate the ballot. If you mark the wrong box or spoil the ballot, return to the City Clerk who will exchange it for a new ballot.

CITY COUNCIL MEMBER – VOTE FOR NOT MORE THAN 4 (FOUR)

(write in)

(write in)

(write in)

(write in)

INITIATIVE PROPOSITION QUESTION:

(enter question here)

Yes

No

Prepared by:

_____, City Clerk

BALLOT RETURN ENVELOPE
CITY OF _____, ALASKA
(DATE OF ELECTION)

I, _____, state that I am a resident of and a registered voter in the City of _____, Alaska, and I hereby enclose my ballot. I understand that if a second ballot return envelope is received by the City of _____ bearing my name, both ballots shall be rejected, and not counted in this election.

(signature of voter)

(residence address within City)

WITNESS:

SUBSCRIBED and SWORN to before me, this date _____, I hereby certify that the above-named affidavit appeared before me, marked the enclosed ballot in my presence and, without allowing me or any other person to see how the ballot was marked, enclosed and sealed said ballot in a ballot envelope, and then enclosed and sealed that ballot envelope in this return envelope, handed me this return envelope sealed, and signed the above affidavit.

(signature of witness)

(printed name)

ELECTION PROCEDURES

Sections:

- 1. Ballots Records.**
- 2. Distribution of Ballots.**
- 3. Ballots; Counting and Tallying.**
- 4. Preparation of Ballot Box.**
- 5. Deposit of Ballots into Ballot Box.**
- 6. Counting of Ballots.**
- 7. Voting; Spoiled Ballots.**
- 8. Voting; Questioned Ballots.**
- 9. Assisting Voter by Clerk.**
- 10. Prohibitions.**
- 11. Report of Election Results.**
- 12. Posting Certificate of Preliminary Election Results.**

Section 1. Ballot Records.

- A. The election supervisor shall keep the following records:
 1. The total number of all ballots printed;
 2. The number of ballots mailed and to whom;
 3. The number of persons voted;
 4. The number of question ballots;
 5. The number of spoiled ballots;
 6. The number of unused ballots; and
 7. The number of absentee in person ballots.
- B. A sample official ballot statement appears at the end of this chapter.

Section 2. Distribution of Ballots.

- A. By mail ballots shall be executed in the following manner:
 1. The clerk shall include in each ballot mailing an official ballot, together with a ballot envelope and a return envelope.
 2. Upon issuing the ballot to a voter by mail, the clerk shall enter in the blank register the following information: the number of the ballot issued, the name of the voter to whom it was issued, the date on which the ballot was issued, and the address it was mailed to.
 3. The voter shall mark the ballot in accordance with ballot instructions, fold the ballot in the manner it was folded upon receipt, seal it in the ballot envelope, and seal the ballot envelope inside the return envelope. The voter shall then complete and swear to the affidavit printed on the back of the return envelope.

4. To be counted, the ballot must be executed by the voter on or before election day, and received by the clerk prior to counting of ballots on the _____ (enter the desired day of the week, Friday for example) following elections.
- B. Upon receipt, the clerk shall retain in a locking file cabinet in the city office all ballots received, until the _____ (enter the desired day of the week or according to your code) following the election when ballots are counted.

Section 3. Ballots; Counting and Tallying.

Ballots shall be counted the first _____ (enter the desired day here) Friday after the day of the election by the election board.

Section 4. Preparation of Ballot Box.

Before receiving any ballots, the election board must, in view of all persons present at ballot counting meeting, open and exhibit the ballot box. After showing the box, the box will be sealed.

Section 5. Deposit of Ballots into Ballot Box.

Ballots shall be deposited into the ballot box in the following manner:

- A. On the (enter desired day, like Friday) following the election, the clerk shall deliver all ballots to the election board.
- B. The clerk shall ensure there are not multiple ballots from any one voter. All repeat ballots shall be removed and inserted into the Questioned Ballot envelope.
- C. The clerk shall read off the name on each return envelope and indicate receipt of ballot on the voter register.
- D. The clerk shall remove the ballot envelopes from the return envelopes; remove the ballot from the ballot envelopes; tear off the ballot number from the ballot without revealing the ballot; and deposit the ballot into the ballot box.

Section 6. Counting of Ballots.

- A. The ballots shall be counted in the following manner:
 1. The counting of ballots shall be public. Due to the COVID-19 pandemic, the public shall follow the rules established by the local, state and federal government to prevent the spread of the COVID-19 virus.
 2. The opening of the ballot box shall be done in full view of any persons present. The public may not be excluded from the area in which the ballots are counted. However, the chairman of the election board shall not permit anyone present to interfere in any way or to distract appointed officials from their duties, and no one other than appointed election officials may handle the ballots. The judges shall remove the ballots from the ballot box one by one, and tally the number of votes for each candidate and for or against each proposition or question. The ballots

shall be inspected for disqualifying marks or defects. The election judges shall cause the vote tally to be continued without adjournment until the count is complete.

3. The election board shall account for all ballots by completing a ballot statement containing:
 - a. The number of official ballots;
 - b. The number of official ballots mailed out;
 - c. The number of ballots received by mail;
 - d. The number of spoiled ballots;
 - e. The number of unused ballots;
 - f. The number of absentee in person ballots cast; and
 - g. The number of questioned ballots cast.
 4. The forms at the end of this chapter illustrate Tally sheets and Ballot Statement forms which may be used.
- B. The election board shall count ballots according to the following rules:
1. A voter may mark his ballot only using cross-marks, "X" marks, diagonal, horizontal, or vertical marks, solid marks, stars, circles, asterisks, checks, or plus signs that are clearly spaced in the square opposite the name of the candidate or propositions the voter desires to designate.
 2. A failure to properly mark a ballot as to one or more candidates or propositions does not itself invalidate the entire ballot.
 3. If a voter marks fewer names than there are persons to be elected to the office, a vote shall be counted for each candidate properly marked.
 4. If a voter marks more names than there are persons to be elected to the office, the votes for candidates for that office shall not be counted.
 5. The mark specified in subsection (1) of this section shall be counted only if it is mostly inside the square provided, or touching the square to indicate that the voter intended the square to be designated.
 6. An improper mark, erasure, or correction on the ballot invalidates only the section of the ballot in which it appears.
 7. Write-in votes are not invalidated by writing the name of the candidate whose name is printed on the ballot unless the election board determines, based on other evidence, that the ballot was marked for identifying the ballot.
 8. Write-in votes are invalidated if the voter fails to mark the square provided.
 9. No ballot shall be rejected if the election board can determine the intention of the voter.
- C. The rules set out in this section are mandatory and there shall be no exceptions. A ballot may not be counted unless marked in compliance with these rules.
- D. The chairman of the election board shall write the word "Defective" on the back of each ballot which the election board determines should not be counted, in whole or in part, for any reasons (other than failure of the voter to mark any choice with respect to an office or proposition) stated in subsection (1) of this section. If only a portion of the ballot is invalid, the valid votes shall be counted and the chairman shall specify on the back of the ballot exactly which portion or portions have not been counted.

- E. If an objection is made to the counting of all or any part of a ballot, but the election board determines that the votes shown should be counted, the chairman of the election board shall write the words "Objected to" on the back of the ballot and specify the portion of the ballot to which the objection applies.
- F. All defective ballots and all ballots objected to shall be sealed in a single envelope marked "Defective Ballots."

Section 7. Voting; Spoiled Ballots.

If a voter improperly marks or otherwise damages a ballot, and discovers their mistake before casting the ballot, they shall return it to the City Clerk, concealing from view the way it is marked, and request a new ballot. The Clerk shall remove the ballot stub (number) and place the stub in the envelope marked for this purpose, record its number, and have the voter destroy and dispose of the spoiled ballot in the Clerk's presence. The Clerk shall then issue a new ballot to the voter. A voter may request replacement of a spoiled ballot no more than two times for a total of three ballots.

Section 8. Voting; Questioned Ballots.

- A. Every voter presenting to the office to vote absentee in person shall vote questioned ballot unless they present their ballot received by mail.
- B. The clerk or any person qualified to vote in the city may question a person attempting to vote if the questioner has good reason to suspect that the questioned person is not qualified to vote. All questions regarding a person's qualifications to vote shall be made in writing setting out the reason the person has been questioned.
- C. If a voter's name is not on the Master Voter Registration List or a voter's eligibility to vote is questioned or there is some other question regarding a voter's eligibility, and the voter believes that he or she is registered and eligible to vote, then the voter shall sign an envelope bearing the Oath and Affidavit of Eligibility attesting to the fact that the person meets all qualifications of a voter, is not disqualified, and has not voted at the same election. After the questioned person has executed the Oath and Affidavit of Eligibility the person may cast a questioned ballot. If the questioned person refuses to execute the Oath and Affidavit of Eligibility, the person may not vote.
- D. A voter who casts a questioned ballot shall vote his ballot in the same manner prescribed for other voters. The voter shall insert the ballot into a ballot envelope and put the ballot envelope into a return envelope on which the statement the voter previously signed is located. The return envelope shall be sealed and deposited in the questioned ballot envelope. The merits of the question shall be determined by the city council, meeting as the election review board on the second Wednesday following the election.
- E. A sample Oath and Affidavit of Eligibility form is included at the end of this chapter.

Section 9. Assisting Voter by Clerk.

A qualified voter who cannot read, mark the ballot, or sign his name or who because of blindness or other physical disability, or who because of unfamiliarity with the system of voting, needs assistance may request the clerk to assist. If the clerk is requested, he/she shall assist the voter.

Section 10. Prohibitions.

- A. Prohibiting the identification of ballots: No election official may open any ballot received from a voter, or mark a ballot by folding or otherwise to be able to recognize it, or otherwise attempt to learn how a voter marked his ballot, or allow the same to be done by another person.
- B. Prohibition of political discussion by election board: During the hours voting may take place in the city office, no judge or clerk may discuss any political party, candidate, or issue while on duty.
- C. Prohibition of political persuasion near election polls: During the hours voting may take place, no person who is in the polling place or within 200 feet of any entrance to the polling place may attempt, by word or manner, to persuade a person to vote for or against a candidate, proposition, or question. The clerk shall post warning notices of the required distance in the form and manner prescribed by the supervisor of elections.

Section 11. Report of Election Results.

- A. When the count of ballots is completed, the election board shall make a certificate in duplicate of the results using the Report of Preliminary Election Results form. The report shall include the number of votes cast for each candidate and for each proposition question. All members of the election board shall immediately upon completion of the report sign both copies of the report. The election supervisor shall keep the duplicate of the report of election and all other materials in a safe place and present to the canvass committee meeting on ____ (enter the day of the week like, the second Wednesday) following the election.
- B. The election supervisor shall place all election materials received from the election board in a locking file cabinet in the city office until the canvass meeting on _____ (enter the day of the week, like Wednesday) following the election.

Section 12. Posting Certificate of Preliminary Election Results.

The clerk shall post copies of the Certificate of Preliminary Election Results in three public places the day after the preliminary election results are known. The notice shall include:

- A. The time and place of the canvass committee meeting to consider the election results;
- B. That the results do not reflect the votes of questioned ballots and are not final until the council formally certifies the election; and
- C. That anyone may contest the election at the meeting.

CITY OF _____, ALASKA
OATH AND AFFIDAVIT OF ELIGIBILITY

I, _____, DO DECLARE THAT I AM A RESIDENT OF THE
CITY OF _____, ALASKA, AND MEET ALL THE MINIMUM REQUIREMENTS SET
FORTH BY LOCAL ORDINANCES AND STATE LAW TO VOTE IN THIS ELECTION.

I AM NOT DISQUALIFIED, AND HAVE NOT VOTED IN THIS ELECTION.

SIGNED:
NAME:
ADDRESS:

TALLY SHEET
CITY OF _____, ALASKA
(DATE OF ELECTION)
(DATE AND TIME OF VOTE COUNT)

CITY OF	CITY COUNCIL:		
(Name)		(	)(total)
(Name)		(	)(total)
(Name)		(	)(total)
(Name)		(	)(total)
Write-In: (name)		(	)(total)
Write-In: (name)		(	)(total)
Write-In: (name)		(	)(total)
Write-In: (name)		(	)(total)
Write-In: (name)		(	)(total)
Write-In: (name)		(	)(total)
Write-In: (name)		(	)(total)

PROPOSITIONS:

(Question)			
Yes:		(	)(total)
No:		(	)(total)
 (Question)			
Yes:		(	)(total)
No:		(	)(total)

CITY OF _____, ALASKA
REPORT OF PRELIMINARY ELECTION RESULTS

The tally below is a true and accurate record of all regular votes cast in the
(regular/special) _____ election held in the City of _____, Alaska, on _____ (date)

PART I: ELECTED OFFICIALS

CITY COUNCIL SEATS

CANDIDATE	VOTE
-----------	------

PART II: BALLOT PROPOSITIONS AND QUESTIONS

PROPOSITIONS:

(Question)

Yes: _____ No: _____

(Question)

Yes: _____ No: _____

PART III: OFFICIAL BALLOT STATEMENT

- A. TOTAL NUMBER OF BALLOTS PRINTED:
- B. NUMBER OF BALLOTS MAILED:
- C. NUMBER OF PERSONS VOTED:
- D. NUMBER OF QUESTION BALLOTS:
- E. NUMBER OF SPOILED BALLOTS:
- F. NUMBER OF UNUSED BALLOTS:
- G. NUMBER OF ABSENTEE IN PERSON BALLOTS:

The tally of votes was completed between (enter time) and (enter time) on (enter date) .

Respectfully submitted,

, Election Board Chairman

, Election Judge

, Election Judge

, Election Judge

Attest:

, City Clerk

(City Seal)

REVIEW OF ELECTION RETURNS

Sections:

- 1. Canvass Committee Meeting.**
- 2. Review to be Public.**
- 3. Procedure for Questioned Ballot Review.**
- 4. Absentee In-Person Ballots.**
- 5. Defective Ballots.**
- 6. Counting Absentee, Defective, and Questioned Ballots.**
- 7. Certificate of Election.**
- 8. Retention of Election Records.**

Section 1. Canvass Committee: Meeting.

- A. The City Council acting as the canvass committee shall meet on (enter the day of the week, the second Wednesday) following the election to canvass all absentee, questioned, and defective ballots. If the council is unable to obtain a quorum or complete the count on this day, the canvass shall be continued each day thereafter until completed.
- B. The city clerk shall submit to the council the election board's Report of Preliminary Election Results, the Master Voter Registration List, the register, all regular ballots, oath and affidavit envelopes containing questioned ballots, defective ballots, spoiled ballots, absentee ballots, and oaths and affirmations of election officials.

Section 2. Review to be Public.

- A. Due to the COVID-19 pandemic, the public shall follow the rules established by the local, state and federal government to prevent the spread of the COVID-19 virus.
- B. The review of all absentee, questioned, and defective ballots shall be made in public by opening the returns, and announcing the results thereof in front of those present.
- C. The review shall include a review and comparison of the tallies of ballots with the election reports to correct any mathematical error in the count of ballots.
- D. If there is any unexplained error in the tally of ballots, the canvass committee shall count the ballots from the ballot box.

Section 3. Procedure for Questioned Ballot Review.

- A. The election supervisor shall contact the State Division of Elections and the local voter registrars by _____ (enter the day of the week like the Monday) following the election and determine if persons casting questioned ballots because of failure of their names to appear on the Master Voter Registration List were in fact registered to vote in state elections. The election supervisor shall record the names of those questioned voters in fact registered to vote and shall submit their names as registered to vote when their questioned ballots are examined with other questioned ballots at the canvass meeting.

- B. The canvass committee shall examine each questioned ballot envelope and determine whether the person casting each questioned ballot was registered and eligible to vote. In making this determination, the canvass committee may request the assistance of the Clerk, and shall hear the testimony of the voter who cast the questioned ballot and of any other city resident who has information useful to the canvass committee's decision. If the canvass committee determines that the voter was eligible to vote, the oath and affidavit envelope shall not be opened, but shall be saved with the other election materials.
1. A questioned ballot may not be counted if:
 - a. The voter has failed to properly execute the certificate;
 - b. The voter is not a registered voter; or
 - c. The voter submitted multiple ballots for the same election.
 2. Any person present at the questioned ballot review may challenge the name of a questioned voter when read from the voter's certificate on the back of the large envelope if he has good reason to suspect that the questioned voter is not qualified to vote, is disqualified, or has voted at the same election. The person making the challenge shall specify the basis of the challenge in writing. The election review committee by majority vote may refuse to accept and count the questioned ballot of a person properly challenged.
 3. If a questioned ballot is rejected, the election supervisor shall send a copy of the statement of the challenge to the questioned voter. The election supervisor shall place all rejected questioned ballots in a separate envelope with statements of challenge. The envelope shall be labeled "rejected questioned ballots" and shall be saved with other election materials.
 4. If a questioned ballot is not rejected, the large envelope shall be opened and the small envelope containing the questioned ballot shall be placed in the ballot box and mixed with other small envelopes containing questioned ballots.

Section 4. Absentee Ballots.

The council shall examine each absentee ballot return envelope:

- A. Upon the canvass committee's satisfaction that no other ballot was submitted by the voter in this election, the clerk shall remove the ballot envelopes from the return envelopes; remove the ballot from the ballot envelopes; tear off the ballot number from the ballot without revealing the ballot; and deposit the ballot into the ballot box.
- B. If the absentee ballot is rejected by the canvass committee because the voter submitted multiple ballots, the election supervisor shall send a copy of the statement of challenge to the questioned voter. The election supervisor shall place all rejected absentee ballots in the "rejected questioned ballots".

Section 5. Defective Ballots.

Canvass committee members shall examine the defective ballots to see whether the ballot should be counted and, if so, whether they can determine for whom the voter intended to vote. If the canvass committee determines for whom the voter intended to vote and that the ballot should be

counted, the ballot shall be placed in the ballot box along with the absentee and questioned ballots to be counted.

Section 6. Counting Absentee, Defective, and Questioned Ballots.

If no contest of election is begun and after all absentee, defective, and questioned ballots are counted or rejected, the canvass committee shall:

- A. Certify a report that shows:
 1. The total number of ballots cast in the election;
 2. The names of the persons voted for (including write-ins) and the propositions voted upon;
 3. The offices voted for;
 4. The number of votes cast for each candidate and the number of votes cast for or against each proposition voted on at the election;
 5. The disposition of all absentee, questioned, and defective ballots; and
 6. Any other matters which the council deems necessary to preserve a complete record of the election.
- B. Record the results of the election in the minutes of the meeting;
- C. Authorize the results to be certified; and
- D. Publicly declare the results of the election.

Section 7. Certificate of Election.

- A. Upon authorization of certification of the election results by the canvass committee, the city clerk shall prepare two Certificates of Election for each office, proposition, or question considered. The certificates shall be signed by the mayor and attested by the clerk. One original of each Certificate of Election shall be given to the successful candidate or the sponsor of the successful candidate or propositions named thereon, and the other original of each certificate shall be kept by the city.
- B. The forms appearing at the end of this chapter illustrate the certificates of election.

Section 8. Retention of Election Records.

The city clerk shall preserve all election certificates, tallies, and registers for four years after the election. All ballots and stubs may be destroyed after 30 days after the certification of the election unless an appeal of the election has been filed in the superior court, in which case the ballots and stubs may be destroyed 30 days after conclusion of the appeal unless stayed by an order of the court.

CITY OF _____, ALASKA
REPORT OF ELECTION RESULTS

THE TALLY BELOW IS A TRUE AND ACCURATE RECORD OF ALL VOTES CAST IN
THE (regular/special) _____ ELECTION HELD IN THE CITY OF _____ ALASKA ON
(date) .

PART I: ELECTED OFFICIALS

CITY COUNCIL SEATS

CANDIDATE	VOTE
-----------	------

PART II: BALLOT PROPOSITIONS AND QUESTIONS

PROPOSITIONS:

(Question)

Yes:	No:
------	-----

(Question)

Yes:	No:
------	-----

PART III: ACCOUNTING OF BALLOTS

H. TOTAL BALLOTS CAST:

I. TOTAL REGULAR BALLOTS CAST:

J. TOTAL QUESTIONED BALLOTS CAST:

a. ACCEPTED:

b. REJECTED:

K. TOTAL ABSENTEE BALLOTS CAST:

a. ACCEPTED:

b. REJECTED:

L. TOTAL DEFECTIVE BALLOTS CAST:

a. ACCEPTED:

b. REJECTED:

The canvass of the election was completed between (enter time) and (enter time) on
(enter date) .

Mayor

ATTEST:

City Clerk

City Seal

CITY OF _____, ALASKA

CERTIFICATE OF ELECTION

THIS IS TO CERTIFY THAT ON (enter date) _____, (enter name) _____ was elected to the office of (enter office) _____ of the City of _____, Alaska, as confirmed by the City Council of the City of _____ upon completion of the final canvass of ballots on (enter date) _____.

Mayor

ATTEST:

City Clerk

City Seal

OATH OF OFFICE
MAYOR, CITY OF

I, _____, do solemnly swear that I will support the Constitution and the laws of the United States and the State of Alaska and the laws and ordinances of the City of _____, and that I will honestly, faithfully, and impartially perform my duties as Mayor to the best of my ability. So help me God.

ATTEST:

Signature

City Clerk

Date

Date

OATH OF OFFICE
CITY COUNCIL MEMBER, CITY OF

I, _____, do solemnly swear that I will support the Constitution and the laws of the United States and the State of Alaska and the laws and ordinances of the City of _____, and that I will honestly, faithfully, and impartially perform my duties as City Council Member to the best of my ability. So, help me God.

ATTEST:

Signature

City Clerk

Date

Date

CONTEST OF ELECTION

Sections:

- 1. Contest of Election; Contestant.**
- 2. Contest of Election; Council.**
- 3. Ballot Recount.**
- 4. Prohibited Practices Alleged.**
- 5. Sustained Charges; Recount.**
- 6. Recount Expenses; Appeal.**

Section 1. Contest of Election; Contestant.

- A. Any qualified voter may contest the election of any person and the approval or rejection of any question or proposition.
- B. Any qualified voter who believes that prohibited practices occurred at any election may contest the election by:
 - a. Filing a written affidavit with the city clerk specifying with particularity the provisions of the law which he believes were violated and the specific acts he believes to be misconduct.
 - b. This affidavit must be filed with the city clerk before or during the first canvass meeting _____ (enter day of the week like the second Wednesday) following the election. The city clerk shall acknowledge the date and time the affidavit is received on its face and make a photocopy of the affidavit which shall be given to the contestant.
 - c. The sample affidavit at the end of this Chapter shows the form this affidavit should take.

Section 2. Contest of Election; Council.

The city council may:

- A. Order an investigation or a recount of the ballots;
- B. Declare the election invalid and order a new election;
- C. Declare the affidavit of the election contest without merit and certify the results of the election; or
- D. Declare the affidavit of the election contest without consequence and certify the results of the election.

Section 3. Ballot Recount.

If only a recount of ballots is demanded, the election board shall recount the ballots.

Section 4. Prohibited Practices Alleged.

When the contestant alleges prohibited practices, the council shall direct the city clerk to produce the original register books for election.

Section 5. Sustained Charges; Recount.

If the charges alleged by the contestant are upheld, the canvass committee shall make a recount. The Council shall then certify the correct election returns.

Section 6. Recount Expenses; Appeal.

- A. The contestant shall pay all costs and expenses incurred in a recount of an election demanded by the contestant if the recount fails to reverse any result of the election or the difference between the winning and a losing vote on the result contestant is more than two percent.
- B. A person may appeal the decision of the council to the Superior Court, however no person may appeal or seek judicial review of a city election for any cause or reason unless the person is qualified to vote in the city, has exhausted his administrative remedies before the city council, and has commenced, within 10 days after the council has declared the election results, an action in the Superior Court. If no such action is commenced within the 10-day period, the election and election results shall be conclusive, final, and valid in all respects.

CITY OF _____, ALASKA

AFFIDAVIT OF ELECTION CONTEST

The undersigned believe, that prohibited practices occurred at the _____ municipal election held on _____ at _____, Alaska.

The undersigned states that the following laws were violated:

The undersigned states that the above provisions of the law were violated in the following manner:

Printed Name of Person Contesting Election

Signature of Person Contesting Election

City Seal

City Clerk

Section 5. Effective Date.

This act is effective on adoption.

PASSED and ADOPTED by the Council of the City of _____ on
_____, 2020.

SEAL:

Mayor

ATTEST:

Clerk