

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING TITLE 25, ELECTIONS.

AGENDA OF: January 7, 2025

ASSEMBLY ACTION:

AGENDA ACTION REQUESTED: Introduce and set for public hearing.

Route To	Signatures
Originator	1 2 / 2 6 / 2 0 2 4 X L o n n i e M c K e c h n i e <hr/> S i g n e d b y : L o n n i e M c K e c h n i e
Borough Attorney	1 2 / 2 6 / 2 0 2 4 X N i c h o l a s S p i r o p o u l o s <hr/> S i g n e d b y : N i c h o l a s S p i r o p o u l o s
Borough Manager	1 2 / 2 6 / 2 0 2 4 X M i c h a e l B r o w n <hr/> S i g n e d b y : M i k e B r o w n
Borough Clerk	1 2 / 2 6 / 2 0 2 4 X E s t e l l e W i e s e f o r <hr/> S i g n e d b y : E s t e l l e W i e s e

ATTACHMENT (S): Ordinance Serial No. 24-012 (8 pp)

SUMMARY STATEMENT:

This legislation is being sponsored by Assemblymember Fonov. Below is the sectional analysis for the changes.

The word "tabulation" is being changed in areas of Title 25 to "count." Tabulation is to arrange, sort, analyze. When code really means to count the ballots in order to determine the results. They have been used interchangeably, when they should not be.

Section 2. MSB 25.05.120(A), Informational Brochure, is being proposed to change the candidate statement from 100 words to 200 words. For a number of years, the Clerk has been told that 100-word statements were not long enough. The State of Alaska allows for each candidate 400 words total for a position and biographical statement.

Section 3. 25.15.030, Declarations of Candidates; Procedure, is being proposed for change to require candidates to submit the items for the election brochure at the same time as filing for candidacy.

The Clerk's Office already requests these items at the time of filing, but this would put the requirement in code.

Section 4. MSB 25.26.010, Early Voting; In-person, changes the word tabulation to counting as described above. Also, in the 2024 election there were 12,631 early ballots to hand count. The four hand count teams were here approximately 13 hours hand counting early voted ballots. This code change would allow for the hand counting of early voted ballots to begin earlier in the day, while making it prohibited for any poll watcher to relay the tallies to outside parties prior to 8 p.m.

Section 5 MSB 25.30.025, Poll Watchers, is being proposed for change to clarify that candidates or organized groups must be the ones to submit the names of their poll watchers and the not the individual people requesting to be a poll watcher and to reflect the rules to observe the counting of early voted ballots.

Section 6. MSB 25.35.012(C), Hand Count Ballots, is being proposed for change to make it more clear to the hand count officials that the voter must fill in the oval next to their choice. Some hand count officials were counting votes as "No" when the voter was filling in the letter "O" in the word "NO" and not filling in the oval. These votes should have been counted as inappropriately marked. The hand count of these ballots inaccurately did not affect the election results for 2025. Also, this year the Borough received approximately 10 completed Borough ballots from the State Division of Elections containing votes for Borough candidates and propositions. It is speculated that the ballots were incorrectly placed by the voters into the envelopes intended for the State absentee ballots. The State did not provide to the Borough the envelopes (or a copy of the envelopes) in which the specific ballots arrived, and the Borough was unable to verify whether the voter was qualified under MSB 25.10.005. This proposal is to clarify whether ballots received in this manner are counted.

Section 7. 25.35.025(C), Ballot Boards and Teams is being deleted to reflect that there is no longer a Review Board, as there are no machines to ensure they are counting properly. All counting is done by hand count officials and the canvass boards.

Section 8. MSB 25.35.081, Counting Early Ballots, is being proposed for change to reflect the early ballots can start to be counted before 8 p.m. on election day and that the results will not report until after 8 p.m.

Section 9. MSB 25.45.040(B)(1), Procedure for Recount, is being amended to change the word "tabulated" to "counted."