



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 455-2022

Meeting Date: August 23, 2022

1 **From: Assembly Chair LaFrance and Assembly Vice Chair Constant**

2
3 **Subject: AO 2022-13 – AN ORDINANCE OF THE ANCHORAGE MUNICIPAL**
4 **ASSEMBLY SUBMITTING TO THE QUALIFIED VOTERS OF THE**
5 **MUNICIPALITY AT THE REGULAR MUNICIPAL ELECTION ON**
6 **APRIL 5, 2022, A BALLOT PROPOSITION AMENDING MUNICIPAL**
7 **CHARTER TO ELECT THE MUNICIPAL CLERK.**

8
9 As Anchorage Assembly leadership, we are strongly opposed to AO 2022-13 and
10 lay out the following reasons why this is not in the best interest of our community:
11

12 **By eliminating professional credentials and requirements for this position,**
13 **our municipal election system and our clerk’s office will be vulnerable to**
14 **being run by a partisan politician who has no skills or background in running**
15 **municipal elections and legislative functions, and who is beholden to political**
16 **leaders and campaign donors to retain their position.** The Municipal Clerk is
17 responsible for overseeing a broad range of municipal functions that require a very
18 specific training and skillset, including clerking Assembly meetings; running
19 municipal elections; overseeing select municipal business, liquor and marijuana
20 licensing; coordinating and staffing the Boards of Adjustment and Ethics; and
21 maintaining Assembly records. To be successful, the Clerk must have extensive
22 knowledge of municipal operations, parliamentary procedures, and the Municipality
23 of Anchorage Charter, Code, policies and procedures.
24

25 It is incorrect to compare this measure to the Alaska lieutenant governor who is
26 elected and whose primary function is to oversee elections, because that position is
27 not involved in day-to-day election operations, but instead supervises an election
28 division, which is overseen and staffed by nonpartisan, professional public
29 employees who actually conduct the elections. Additionally, the lieutenant governor
30 does not have the technical responsibilities for running clerk operations in the
31 legislative branch as is the case for a municipal clerk.
32

33 **AO 2022-13 is a solution in search of a problem.** The Anchorage Municipal
34 Clerk's Office is running smoothly and efficiently as is and adheres to its vision
35 statement: *The Anchorage Municipal Clerk's Office is dedicated to excellence by*
36 *courteously, accurately, and timely performing its duties to facilitate a well-informed,*
37 *well-served community and government officials, thus, maximizing public*
38 *participation in the democratic process of local government.*
39

40 **AO 2022-13 is not aligned with local needs and interests.** It does not align with
41 current Alaska State statutes and common practices for clerks and, according to the
42 Executive Board of the Alaska Association of Municipal Clerks, it could put
43 Anchorage in violation of AS.29.20.010, the Conflict-of-Interest law, by having the
44 clerk in the official action of conducting an election while appearing on the ballot,

1 because that same municipal clerk could have a substantial financial interest in the
2 outcome of the election i.e. retaining the position. As of April 2022, local government
3 specialists in the Alaska Division of Community and Regional Affairs reported that
4 there are currently no elected municipal clerks in the state of Alaska.

5
6 **This measure is opposed by the Executive Board of the Alaska Association of**
7 **Municipal Clerks**, which passed a resolution on April 27, 2022 opposing the
8 election of clerk positions for legal and ethical reasons because it jeopardizes the
9 integrity and neutrality of the clerk in conducting elections.

10
11 **We take issue with any accusations leveled at the transparency and security**
12 **of Municipality of Anchorage elections and the professionalism of municipal**
13 **clerks and election officials.** The sponsor's references in AO 2022-13 and AM 21-
14 2022 to the clerk's election duties outlined in AMC 28.10.020 implies that this action
15 is about election transparency. However, Municipality of Anchorage elections have
16 a strong reputation for security, accessibility, transparency, and accountability to the
17 voters. In addition to generating noteworthy voter turnout, the 2020 MOA election
18 was recognized by the Sightline Institute for being a safe and smooth election during
19 the pandemic.

20
21 Anchorage elections have flourished under the direction of professional clerks who
22 have the skills, professional knowledge and contacts to oversee large-scale election
23 improvement projects. The municipal clerks and election officials that have served
24 Anchorage have a record of professionalism, integrity and public service. They have
25 implemented a vote by mail/vote at home system that has resulted in a major
26 increase in voter participation—in the 2017 Regular Municipal Election, the last non-
27 mayoral election before Vote by Mail, 49,000 voters participated. In the 2020 and
28 2022 non-mayoral elections, over 70,000 votes were cast in each election and over
29 75,000 votes were cast in the 2021 mayoral election. They have also initiated many
30 pro-voter initiatives to make elections more secure, accessible and transparent,
31 such as creating the Municipal Election Center, launching 24/7 video streaming of
32 the Election Center during elections, introducing BallotTrax ballot status alerts for
33 voters, and building a robust election observer program.

34
35 **This is not a homegrown movement.** AO 2022-13 has been linked to a national
36 trend to politicize and destabilize elections and is not based on any evidence for
37 how to make elections more secure or transparent. A May 2022 report by Protect
38 Democracy, the States United Democracy Center and Law Forward titled, "*A*
39 *Democracy Crisis in the Making: How State Legislatures are Politicizing,*
40 *Criminalizing, and Interfering with Elections,*" found that legislatures in 33 states are
41 considering at least 229 bills that seek to undermine nonpartisan election
42 administration. We do not support this outside movement to undermine elections
43 when our elections are already known for being secure, transparent, and accessible.

44
45 For these reasons, we express our opposition to AO 2022-13 and hope that the idea
46 of having an elected clerk can be put to rest permanently.

47
48 Respectfully submitted: Suzanne LaFrance, Assembly Chair
49 Christopher Constant, Assembly Vice Chair