

Checks and Balances in Alaska: The Post-Election Day Process

American elections are run by local and state officials alongside tens of thousands of our friends and neighbors from both political parties. These bipartisan teams count, canvass, and audit every ballot — whether in person or by mail — verifying identities, inspecting ballots, and ensuring each is counted as intended. This rigorous process leads to the final step: certification. This is the straightforward phase of the process in which election officials declare the winners.

This memo outlines the checks and balances in Alaska that ensure all state and local rules are followed. Importantly, this is nonpartisan educational research intended for 501(c)(3)-compliant purposes only. It is not to be used for any partisan, political, or electioneering activities by any organization.

Counting: Technology and Bipartisan Oversight Work to Triple-Check Results for Accuracy

Alaska law mandates specific processes for the counting of votes and allows hand counting or the use of automatic tabulation equipment.¹ Counting processes require participation by a team of bipartisan election workers and include equipment testing, periodic reconciliation of results, and audits before certification.

Quality-Tested Technology Leads to Trustworthy Results

Ballots cast at polling locations will be counted first at the precinct polling location. Automatic tabulation equipment for use at precinct polling locations must pass logic and accuracy testing conducted by two different bipartisan boards.² Additionally, the election division performs functionality testing on each piece of election equipment to ensure it is in proper working order.

¹ Alaska Stat. § 15.15.350; Alaska Stat. § 15.20.900

² “Alaska Elections. Accurate. Secure. Fair,” Presentation by the Alaska Division of Elections, accessed at www.elections.alaska.gov. Pre-election logic and accuracy testing is conducted by the state review board and the regional counting board.

The bipartisan precinct election board conducts a final test on election morning. Election workers must print a “zero” totals report before opening the polling station to confirm that no results have been counted on the machine before voting.³ Political parties may appoint watchers to observe the counting process at each precinct and counting center.⁴ Watchers must be provided a full view of all action taken by election officials from the time polls open until ballots are finally counted and results certified by the election board or data processing review board.⁵

Both Parties Participate Throughout the Process

Election supervisors appoint district absentee counting boards to review absentee voter certificates and tabulate verified ballots.⁶ Absentee counting boards have bipartisan membership, and members work in teams of two members from different political parties.⁷ Bipartisan regional counting boards also work in teams of two to scan early, absentee, and approved questioned ballots at central locations. Bipartisan teams are also responsible for completing and signing the precinct election results report and transporting election materials from the precinct polling location to the election supervisor’s office.⁸

Transparent Processes Instill Confidence

Election workers must account for all ballots by completing a statement containing: 1) the number of official ballots received; 2) the number of ballots voted; 3) the number of ballots spoiled; and 4) the number of unused ballots.⁹ These numbers will be included in the certificate completed by the board following completion of the count. The certificate and all properly cast ballots will be securely mailed to the state elections director.¹⁰

General elections must be conducted by ranked-choice voting.¹¹ The election board will initially tabulate each ballot as one vote for the highest-ranked candidate on that ballot. If a candidate is highest-ranked on more than half of the ballots, that candidate is elected, and the tabulation is complete.¹² If more than two candidates remain on the ballot, the one with the lowest number of votes is eliminated, and that candidate’s votes will be added to the totals of each ballot’s next highest-ranked candidate.¹³ This process continues until two or fewer candidates remain, at which point the candidate with the most votes is

³ *Id.*

⁴ Alaska Stat. § 15.10.170

⁵ *Id.*

⁶ Alaska Stat. § 15.20.203

⁷ “Alaska Elections. Accurate. Secure. Fair”, Presentation by the Alaska Division of Elections, accessed at www.elections.alaska.gov.

⁸ *Id.*

⁹ Alaska Stat. § 15.15.350. Unused ballots will either be destroyed on site or returned to the election supervisor for destruction.

¹⁰ Alaska Stat. § 15.15.370. The director may allow election boards in precincts located where distance and weather make mail communication unreliable to forward election results by phone or radio.

¹¹ Alaska Stat. § 15.15.350

¹² *Id.*

¹³ *Id.*

elected.¹⁴ Poll watchers designated by each party may be present throughout the entire tabulation process.¹⁵

Audits Give Final Check Before Certification

Before certifying an election, the state review board will conduct a hand-count verification of randomly selected precincts.¹⁶ The selected precincts must account for at least 5% of the ballots cast in each of the 40 state house districts.¹⁷ If the hand count review results in a discrepancy of more than 1% between the hand count results and the precinct results certified by the election board, then the state elections director will conduct a hand count of all of the ballots from that house district.¹⁸ Since implementation of this audit process in 1998, no audit has resulted in a discrepancy large enough to trigger a full district hand count.

¹⁹

Canvassing: The State Director and Bipartisan Board Tabulate Results Statewide

Canvassing is the process of compiling vote totals reported in returns from throughout a jurisdiction. In Alaska, canvassing occurs at the state level. The state elections director and the bipartisan state ballot counting review board compile results reported from across the state following the substantial checks and reconciliations already completed in the counting process, as described above.

The state ballot counting review typically occurs 16 days after the election.²⁰ The board will reference the election certificates completed by precinct and regional counting boards to determine voting results statewide.²¹ If any certificate has not been delivered to the director by the close of business on the 15th day after the election, it will not be counted in the state ballot counting review.²²

Certification: The Voters Have Spoken

Once the state ballot counting review is complete, the director will certify the winners in all elections statewide.²³ The director will also issue certificates of election to winning

¹⁴ *Id.*

¹⁵ Alaska Stat. § 15.10.170

¹⁶ Alaska Stat. § 15.15.420

¹⁷ Alaska Stat. § 15.15.430

¹⁸ *Id.*

¹⁹ “Alaska Elections. Accurate. Secure. Fair,” Presentation by the Alaska Division of Elections, accessed at elections.alaska.gov.

²⁰ Alaska Stat. 15.15.440

²¹ *Id.*

²² *Id.*

²³ Alaska Stat. § 15.15.450

candidates and certify the results of ballot propositions and questions.²⁴

After certification, the director will preserve all precinct election certificates, tallies, and registers for four years.²⁵ Ballots for non-federal elections may be destroyed 30 days after certification, while federal election ballots must be retained for 22 months as required by federal law.²⁶

For presidential elections, the director must send a certificate of election to each presidential elector and notify the electors of the time and place of their meeting.²⁷ Electors must cast their votes for the office of President and Vice-President for the nominee of the party that selected them as candidates for presidential elector and perform the other duties of electors as required by the U.S. Constitution and federal laws.²⁸

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²⁴ *Id.* The lieutenant governor certifies results of initiatives, referenda, and constitutional amendments.

²⁵ Alaska Stat. 15.15.470

²⁶ *Id.*; 52 U.S.C. § 20701

²⁷ Alaska Stat. § 15.30.060

²⁸ Alaska Stat. § 15.30.090