

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE TITLE 2, SECTIONS 2.08.010, 2.68.140, 2.68.200, AND 2.68.510 TO ALLOW FOR ELECTION OF ASSEMBLY AND SCHOOL BOARD MEMBERS THROUGH SINGLE LISTS OF CANDIDATES.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendments shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 2.08.010. Section 2.08.010 of the Haines Borough Code of Ordinances is amended to read as follows:

NOTE: **Bolded**/UNDERLINED ITEMS ARE TO BE ADDED  
STRIKETHROUGH ITEMS ARE DELETED

**2.08.010 Assembly members – Election number and ~~seat designation terms~~.**

There shall be an assembly of six members, all of which shall be elected at large for three-year terms. ~~For the purposes of election only, each assembly position shall be designated by seat, with the initial term of each seat being as follows:~~

Seat-A	Seat-B	Seat-C
<del>2003—</del>	<del>2002—</del>	<del>2002—</del>
<del>2006</del>	<del>2004</del>	<del>2005</del>
Seat-D	Seat-E	Seat-F
<del>2003—</del>	<del>2002—</del>	<del>2002—</del>
<del>2006</del>	<del>2004</del>	<del>2005</del>

Section 5. Amendment of Section 2.68.140. Section 2.68.140 of the Haines Borough Code of Ordinances is amended to read as follows:

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**2.68.140 Declaration of candidacy and nomination petition.**

A. Nomination. Any person qualified to serve in an elective office in the borough may have the person's name placed on the ballot as a candidate for elective office by filing a nomination petition and declaration of candidacy on forms prescribed and provided by the borough clerk. The nomination petition must be signed by no fewer than 10 voters qualified to vote in the borough. Signatures to a nomination petition need not all be appended to one page. To each separate page of a petition shall be attached an affidavit of the person circulating the petition stating that each signature appended thereto was made in his or her presence and is the genuine signature of the person whose name it purports to be. To each nominating petition shall be attached

page of a petition shall be attached an affidavit of the person circulating the petition stating that each signature appended thereto was made in his or her presence and is the genuine signature of the person whose name it purports to be. To each nominating petition shall be attached declaration of candidacy stating that the candidate named in the petition consents to serve if elected to the ~~position~~ **office** for which the person is nominated. The nominating petition and declaration of candidacy must be filed with the borough clerk or a duly authorized representative not more than 87 and not less than 67 days prior to the general election. The candidate's signature on the declaration of candidacy shall be notarized.

The nominating petition shall be in substantially the following form:

Nominating Petition

We, the undersigned qualified voters of the Haines Borough, in the State of Alaska, hereby nominate and sponsor \_\_\_\_\_, who resides in the Haines Borough, for the office of \_\_\_\_\_, and ask that his/her name be placed on the October \_\_\_\_, 20\_\_ General Election ballot.

We individually certify that we are qualified to vote in the named election.

\_\_\_\_\_  
Name Residence Address Date Signed

(Followed by at least 10 lines for signatures.)

The declaration of candidacy shall be in substantially the following form:

Declaration of Candidacy

I, \_\_\_\_\_, declare that I reside at \_\_\_\_\_ in the Haines Borough, Alaska; that I am a registered voter in the borough; that I have resided in the borough continuously for a period of at least one year immediately preceding the date of the election for which I am being nominated and meet the definition of resident in Borough Charter 18.09(J) and the residency standards in HBC 2.68.130(A)(2).

I declare myself a candidate for the office of \_\_\_\_\_ for a term of \_\_\_\_\_ years, and request that my name be printed upon the official ballot for the borough election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

SIGNATURE: \_\_\_\_\_

FOLLOWED BY A NOTARIZATION BLOCK.

Section 6. Amendment of Section 2.68.200. Section 2.68.200 of the Haines Borough Code of Ordinances is amended to read as follows:

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**2.68.200 Form of ballot.**

A. The clerk shall prepare all official ballots to facilitate fairness, simplicity, and clarity in the voting procedure, to reflect most accurately the intent of the voter, and to expedite the administration of elections.

B. The official ballot shall contain, at the top thereof, the words "Official Ballot" and the date of the election, whether such election is a general borough election or a special borough election, and such instructions to the voters as will enable them intelligently to mark their ballots for the candidates for whom they desire to vote, and to intelligently vote upon the questions which are submitted.

C. The clerk shall determine the size of the ballot, the type of print, necessary additional instruction notes to voters, and other similar matters of form not provided by law. The ballots shall be numbered in series to ensure simplicity and secrecy and to prevent fraud.

D. The names **title** of all offices ~~and candidates~~ to be voted upon (**mayor, assembly member, or school board member**) shall be printed on the ballot. The title of each office to be filled shall be followed by the printed names of the candidates for such office **in a single list arranged alphabetically**, below which shall be blank lines equal in number to the candidates to be elected to such office, upon which the voter may write the names of persons not listed on the ballot. The words "Vote for \_\_\_ only" with the appropriate number replacing the blank shall be placed before the list of candidates for each office. **Instruction notes shall state that offices will be filled by the candidates receiving the greatest number of votes exceeding 40%, and if terms are of different lengths, the candidate with the highest number of votes will be elected to the longest term.** The names of candidates shall be printed as they appear upon the nomination petitions filed with the borough clerk except that any honorary or assumed title or prefix shall be omitted. However, the candidate's name appearing on the ballot may include a nickname or familiar form of the proper name. ~~The names of candidates shall be arranged alphabetically. Provision shall be made for voting for a write-in candidate for each seat.~~

E. Following the offices and candidates there shall be placed on the ballot or on separate ballots as the clerk may determine, all propositions or questions to be voted upon. The words "Yes" and "No" shall be placed with the statement of each proposition or question for selection.

Section 7. Amendment of Section 2.68.510. Section 2.68.510 of the Haines Borough Code of Ordinances is amended to read as follows:

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**2.68.510 Votes required to elect – Runoff elections.**

If in a borough election **an office is not filled because** ~~no candidate~~ receives **received** in excess of **fewer than** 40 percent of the votes cast for the respective office, the assembly **borough** shall hold a runoff election between the candidates receiving the greatest number of votes for the office on the first Tuesday in November following the canvass and certification as in HBC 2.68.500. **There shall be two runoff candidates for each office to be filled.** Notice of the runoff election shall be published at least 10 days before the election date. The person(s) receiving the highest number of votes shall be elected ~~to the seat~~ following canvass and certification of the election as provided in HBC 2.68.500.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 25<sup>th</sup> DAY OF JUNE, 2013.

ATTEST:

  
Julie Cozzi, MMC, Borough Clerk

  
Stephanie Scott, Mayor

Date Introduced: 05/28/13  
Date of First Public Hearing: 06/11/13  
Date of Second Public Hearing: 06/25/13 - Adopted

