



ORDINANCE SERIAL NO. 19-05

AN ORDINANCE AMENDING TITLE 4, CHAPTER 12.010, SECTION 4.12.010 OF THE ALEUTIANS EAST BOROUGH CODE OF ORDINANCES

WHEREAS, the legislative power of the Aleutians East Borough is vested in the Borough Assembly under Alaska State Statute Sec. 29.20.050; and

WHEREAS, one person may not hold two seats on either the Aleutians East Borough Assembly or on the Aleutians East Borough School Board simultaneously; and

WHEREAS, being elected to more than one position would force the individual to abandon one of the positions, leaving a vacant seat; and

WHEREAS, such a vacancy would force a special election; and

WHEREAS, it is in the public interest to minimize such costs and inefficiencies associated with unnecessary special elections;

WHEREAS, there is currently no concise code section making it clear that a single person may not run for more than one borough or school board seat; and

WHEREAS, such a code section would prevent confusion during elections;

AND WHEREAS, the Aleutians East Borough no longer has seats assigned by district, but elects all borough seats at large,

NOW, THEREFORE, BE IT ADOPTED THAT SECTION 4.12.010 OF THE BOROUGH CODE WHICH PREVIOUSLY READ IN ITS ENTIRETY:

4.12.010 Candidates - Qualifications.

- (a) No person may hold any elective office or be eligible to seek election thereto unless the person is a qualified voter of the borough and a resident of the district

represented by the seat the person holds or seeks for not less than 30 consecutive days immediately preceding the date of the election. The member of a body who represents a district and who becomes a resident of another district within the borough continues to serve until the next regular election. A person who has been a resident of territory annexed to the borough or to a district is deemed to have resided in the borough or district during the time immediately preceding the annexation.

- (b) A qualified voter of the borough is a person who meets the requirements of section 4.04.020 of this title.

IS AMENDED TO REMOVE ALL LANGUAGE REFERRING TO DISTRICTS IN SECTION (a) WHILE LEAVING THE RESIDENCY REQUIREMENT IN PLACE:

- (a) No person may hold any elective office or be eligible to seek election thereto unless the person is a qualified voter **and resident** of the borough. ~~and a resident of the district represented by the seat the person holds or seeks for not less than 30 consecutive days immediately preceding the date of the election. The member of a body who represents a district and who becomes a resident of another district within the borough continues to serve until the next regular election. A person who has been a resident of territory annexed to the borough or to a district is deemed to have resided in the borough or district during the time immediately preceding the annexation.~~

AND IS AMENDED TO INCLUDE THIS SUBSECTION (c), READING:

- (c) One person may not declare candidacy for more than one seat on the Aleutians East Borough Assembly and one person may not declare candidacy for more than one seat on the Aleutians East Borough School Board. One person may serve on both bodies simultaneously.

SO THAT THE ENTIRETY OF SECTION 4.12.010 NOW READS:

4.12.010 Candidates - Qualifications.

- (a) No person may hold any elective office or be eligible to seek election thereto unless the person is a qualified voter and resident of the borough. A person who has been a resident of territory annexed to the borough or to a district is deemed to have resided in the borough during the time immediately preceding the annexation.
- (b) A qualified voter of the borough is a person who meets the requirements of section 4.04.020 of this title.

- (c) One person may not declare candidacy for more than one seat on the Aleutians East Borough Assembly and one person may not declare candidacy for more than one seat on the Aleutians East Borough School Board. One person may serve on both bodies simultaneously.

INTRODUCED: 01/10/2019

ADOPTED: 02/14/2019

Alvin D. Osterback
Alvin D. Osterback, Mayor

Date: 02/14/19

ATTEST:

[Signature]
CLERK

Date: 02/14/19

