

CODE ORDINANCE

Sponsored by: Assemblymembers Yundt
and McKee

Introduced: 12/19/23

Public Hearing: 01/16/24

Postponed to 02/20/24: 01/16/24

Adopted: 02/20/24

Reconsideration Filed: 02/21/24

Reconsideration Failed: 03/05/24

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 24-010**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ALLOWING CANDIDATES FOR MAYOR, ASSEMBLY, AND SCHOOL BOARD TO DESIGNATE A POLITICAL AFFILIATION.

WHEREAS, the intent and rationale of this ordinance is found in the accompanying Information Memorandum No. 24-103.

BE IT ENACTED:

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

Section 2. Amendment of section. MSB 25.05.070 is hereby amended to read as follows:

MSB 25.05.070 NONPARTISAN REQUIREMENT.

Subject to the provisions of MSB 25.15.015, [A]all
borough elections shall be nonpartisan. A qualified
voter may cast a vote for any candidate without
limitations based on the political party or political
group affiliation of either the voter or the candidate.

Section 3. Amendment of section. MSB 25.15.015 is hereby amended to read as follows:

25.15.015 DECLARATION OF CANDIDACY; MAYOR,
ASSEMBLY, SCHOOL BOARD, WRITE-IN.

(A) A candidate for borough office shall file a declaration of candidacy under oath on a form provided by the clerk and a public financial disclosure statement in accordance with MSB 25.15.050.

(B) A declaration of candidacy shall state the following:

(1) the full legal name of the candidate, and if different, the manner in which the candidate wishes their name to appear on the ballot. A substitute first name shall be limited to a familiar form of the candidate's name or an initial. Should a candidate choose to use a nickname, their legal name will appear on the ballot along with the nickname and the candidate will follow the guidelines in subsection (B)(1)(a) of this section. Honorary or assumed titles and the like are not allowed;

(a) Candidates who would like their nicknames to appear on the ballot will have five registered voters of the borough verify that the candidate is known by that nickname. The nickname will be less than 15 characters. The form that is to be used will be provided by the clerk.

(2) whether the candidate designates a political affiliation as follows:

(a) if a candidate is registered as affiliated with a political party or political group, the candidate may request designation of their affiliation, or may request designation as nonpartisan or undeclared.

(b) if a candidate is not registered as affiliated with a political party or political group, the candidate may request designation as nonpartisan or undeclared.

(c) if a candidate makes no designation of affiliation, the candidate shall be designated as undeclared.

[(2)] (3) the full residence and mailing addresses of the candidate;

[(3)] (4) the day and evening telephone number and other contact information of the candidate;

[(4)] (5) the office for which the candidate declares and the date of the election at which the candidate seeks election;

[(5)] (6) a statement that the candidate is qualified for the office as provided by law and shall serve if elected;

[(6)] (7) the date and notarized statement of the candidate;

[(7)] (8) the candidate shall certify information contained in the declaration of candidacy is true and accurate.

(C) Write-in candidates. Persons filing for elective office as a write-in candidate shall file a declaration of candidacy under this section. Write-in candidates may file only after the official filing period has closed and not later than five days before the election.

Section 4. Amendment of section. MSB 25.20.045(C) is amended to read as follows:

(C) The names of candidates shall be printed as they appear upon the declaration of candidacy filed with the clerk and in accordance with MSB 25.15.015. The names of candidates shall be arranged alphabetically. Provisions shall be made for voting for a write-in candidate for each seat. The clerk shall include the following statement on ballots containing candidates:

A candidate's designated affiliation does not imply that the candidate is nominated or endorsed by the political party or group or that the party or group approves of or associates with that candidate, but only

that the candidate is registered as affiliated with the political party or political group.

Section 5. Amendment of section. MSB 25.20.060(G) is adopted to read as follows:

(G) In each polling place, the clerk shall require to be posted, in a location conspicuous to a person who will be voting, the following notice, written in bold:

A candidate's designated affiliation does not imply that the candidate is nominated or endorsed by the political party or group or that the party or group approves of or associates with that candidate, but only that the candidate is registered as affiliated with the party or group.

Section 6. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this 5 day
of March, 2024.


EDNA DeVRIES, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



REconsideration
03/05/24 Vote:

YES: McKee, Yundt, Gamble, and Bernier

NO: Nowers and Hale

02/20/24 Vote:

YES: McKee, Yundt, Gamble, and Bernier

NO: Nowers and Hale