

**NORTH SLOPE BOROUGH  
ORDINANCE SERIAL NO. 72-4-13**

**AN ORDINANCE AMENDING NORTH SLOPE  
BOROUGH CODE SECTION 1.28.190,  
PREPARATION AND DISTRIBUTION OF  
BALLOTS, AND SECTION 1.28.250, FORM FOR  
ABSENTEE BALLOT ENVELOPE AND RETURN  
ENVELOPE**

**WHEREAS**, North Slope Borough Municipal Code Section 1.28 sets forth specific procedures for conducting elections in the North Slope Borough (Borough) by requiring that certain acts be performed within a specific number of days and requiring absentee ballots to be sworn before officials authorized to administer oaths or two (2) persons over eighteen (18) years of age; and

**WHEREAS**, the current provisions of NSBMC § 1.28.190 requires the Borough election official to have ballots printed for each election and in his possession at least twenty-five (25) business days before the election; and

**WHEREAS**, the timing under NSBMC § 1.28.190 requires the ballots to be printed by the first week in September for the general election and does not provide for sufficient time to include all matters as may regularly be placed on the ballot; and

**WHEREAS**, amending NSBMC § 1.28.190 to require the election official to have ballots printed for each election and in his possession within twenty (20) calendar days before the election will allow sufficient time to ensure the ballot is complete prior to printing; and

**WHEREAS**, NSBMC § 1.28.250 requires a qualified voter casting an absentee ballot to have the ballot subscribed and sworn before an official authorized to administer oaths or witnessed by two persons over the age of eighteen; and

**WHEREAS**, it is in the best interest of the Borough and its residents to expand the qualifications of individuals authorized to witness an absentee voter's ballot as allowable by law; and

**WHEREAS**, NSBMC § 1.28.250 further requires absentee ballots to be returned immediately by mail, postage prepaid, to the Borough Election Official and marked "BALLOT ENCLOSED – TO BE OPENED ONLY BY ASSEMBLY"; and

**WHEREAS**, pursuant to NSBMC § 1.28.380(B), the Borough Election Official is responsible for the removing the absentee ballots from the envelopes and counting the absentee ballots; and

**WHEREAS**, amending NSBMC § 1.28.250 to reflect the ballot is to be opened only by the Borough Election Official is consistent with the current North Slope Borough Code of Ordinances; and

**WHEREAS**, as practical matter, the Borough does not prepay postage on absentee ballots; and

**WHEREAS**, neither Title 15 of the Alaska Statutes (Elections) nor Title 29 of the Alaska Statutes (Municipal Government) prohibit such changes being made by the Assembly.

**NOW, THEREFORE, BE IT ENACTED:**

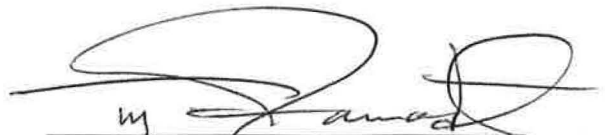
Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the Borough Code.

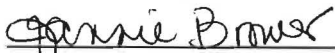
Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.


Section 3. Effective Date. This ordinance shall become effective upon adoption.

Section 4. Amendment of Section. Code Sections 1.28.190 and 1.28.250 are amended to read as set forth below with new language indicated by underlining and **bolding**, and deleted language by brackets and strike through [~~brackets~~] and is hereby adopted as part of Title 1 of the Code of Ordinances of the North Slope Borough.

INTRODUCED: March 4, 2014  
ADOPTED: April 1, 2014

  
\_\_\_\_\_  
Michael Aamodt, President  
Date: 4-1-2014

ATTEST:  
  
\_\_\_\_\_  
Jeannie Brower, Borough Clerk  
Date: 4-1-2014

  
\_\_\_\_\_  
Charlotte E. Brower, Mayor  
Date: 4-1-14



OPTION I—WITNESSING AFFIDAVIT

**Upon receipt of an absentee ballot by mail, the voter, in the presence of a notary public, commissioned officer of the armed forces including the National Guard, district judge or magistrate, United States postal official, registration official, or other person qualified to administer oaths, may proceed to mark the ballot in secret, to place the ballot in the envelope provided, and to sign the voter's certificate on the envelope in the presence of an official listed in this subsection who shall sign as attesting official and shall date the signature.** ~~[Official authorized to administer an oath.]~~ SUBSCRIBED AND SWORN TO BEFORE ME:

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ at \_\_\_\_\_  
(City and State)

\_\_\_\_\_  
Official's Signature  
(Seal)

\_\_\_\_\_  
Official's Title

OPTION II—WITNESSING AFFIDAVIT

If no authorize official is available your certificate may be witnessed by two (2) persons over the age of 18

\_\_\_\_\_  
Witness Signature DOB \_\_\_\_\_

\_\_\_\_\_  
Printed Name Address and phone number \_\_\_\_\_  
City, State Date \_\_\_\_\_

\_\_\_\_\_  
Witness Signature DOB \_\_\_\_\_

\_\_\_\_\_  
Printed Name Address and phone number \_\_\_\_\_  
City, State Date \_\_\_\_\_

NOTICE - after receiving this sealed envelope from the person or persons taking your affidavit, when voting outside the office of the Borough election official of the North Slope Borough, you must immediately return it by mail [~~postage prepaid~~], to the Borough Election Official, Barrow, Alaska. MARKED BALLOT ENCLOSED-TO BE OPENED [ONLY] BY [ASSEMBLY] **ELECTION OFFICIAL.**"