

LEGISLATIVE BILL 1168

Approved by the Governor March 21, 1972

Introduced by George Syas, 13th District

AN ACT to amend sections 23-343, 23-343.27, 23-343.28, and 23-343.49, Reissue Revised Statutes of Nebraska, 1943, and section 23-343.25, Reissue Revised Statutes of Nebraska, 1943, as amended by section 15, Legislative Bill 661, Eighty-second Legislature, First Session, 1971, relating to county government and officers; to provide for election of members to the board of a hospital district; to provide additional authority for issuance of bonds by hospital districts or counties; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 23-343, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-343. The county board, in any county in this state having thirty-six hundred inhabitants or more or in which the assessed valuation of all taxable real and personal property excluding intangible property is ten million dollars or more, may issue and sell bonds of such county in such an amount as the county board may deem advisable for the construction or acquisition of an indigent hospital, a home for aged or infirm persons, a county community hospital, a mental health clinic, a clinic or facility to combat mental retardation, a public health center, a medical complex, or similar facilities required to protect the health and welfare of the people and to purchase suitable equipment for the same. Such bonds shall bear interest at a rate set by the county board. No bonds shall be issued until the question of the issuance of said bonds shall have been submitted to the voters of such county at a general election or a special election called for such purpose. They shall be approved by a majority vote of the electors voting on such proposition at any such election. Such election may be called either by resolution of the county board or upon a petition submitted to the county board calling for the same. Such petition shall be signed by the legal voters of the county equal in number to ten per cent of the number of votes cast in the county for the office of Governor at the last general election.

Sec. 2. That section 23-343.25, Reissue Revised Statutes of Nebraska, 1943, as amended by section 15, Legislative Bill 661, Eighty-second Legislature, First Session, 1971, be amended to read as follows:

23-343.25. The elective officers of a local hospital district shall be a board of directors consisting of five members. The members of the first board shall be appointed by the county board and shall so classify themselves by lot that two members shall serve for two years, and three shall serve for four years. Their successors shall thereafter be elected for terms of four years each.

Terms of membership on the board of directors which are to expire in 1971 are hereby extended to 1972. Members elected to the board in 1972 shall serve four-year terms; Provided, that if four members of the board are to be elected in 1972, the candidate who receives the fourth highest number of votes shall serve a term of two years. Terms of membership on the board of directors which are to expire in 1973 are hereby extended to 1974. At the election in 1974, two members shall be elected for terms of four years. The successors of all members of the board of directors shall serve four-year terms.

Members of the board shall be elected from the district at large at the time of the statewide primary election. Their terms shall begin on the first Tuesday in June following their election, and they shall serve until their successors are duly elected and qualified. All qualified electors of this state who shall have resided within the hospital district for forty days preceding the election shall be entitled to vote in such hospital district election. Such election shall be conducted by the appropriate county clerk or election commissioner in accordance with the provisions of Chapter 32.

Any vacancy upon such board, occurring other than by the expiration of a term, shall be filled by appointment by the remaining members of the board of directors. Any person appointed to fill such vacancy shall serve for the remainder of the unexpired term.

Sec. 3. That section 23-343.27, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-343.27. The board of directors shall provide for the time and place of holding its regular meetings and the manner of calling the same and the manner for the

calling of special meetings, and shall establish rules for its proceedings and may adopt such rules and regulations not inconsistent with law as may be necessary for the exercise of the powers conferred and the performance of the duties imposed upon the board. ~~The board shall also provide for the time and place and the manner of holding the annual hospital district election.~~ All of the sessions of such board, whether regular or special, shall be open to the public, and a majority of the members of such board shall constitute a quorum for the transaction of business.

Sec. 4. That section 23-343.28, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-343.28. Candidates for election to the board of directors of a local hospital district may be nominated by petitions signed by not less than twenty-five electors of the district, or by direct filing. Such petitions or applications for nomination shall be filed with the board of directors county clerk or election commissioner not less than thirty sixty days prior to the annual hospital district statewide primary election. Notice of the election, containing the names of candidates to be voted upon, shall be published in the manner provided in section 23-343.22 32-518. The ballots cast at such election shall be counted and the results announced by the board of directors, except that no member of the board who is a candidate for reelection shall participate in such counting county canvassing board, as provided in Chapter 32.

Nomination petitions for board member which have been filed with the board of directors or other filing officer prior to the effective date of this act, referring to a 1972 city election, are hereby deemed to refer to the 1972 primary election, and shall be transferred to the office of the county clerk or election commissioner forthwith.

Sec. 5. That section 23-343.49, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-343.49. The board of directors of any hospital district may, on the terms and conditions set forth in sections 23-343.49 to 23-343.67, issue the bonds of the district for the purpose of (1) purchasing a site for and erecting thereon a hospital, or hospitals nursing home, or both, or for such purchase or erection, and furnishing and equipping the same, in such district, (2) purchasing an existing building or buildings and related

furniture and equipment, including the site or sites upon which such building or buildings are located, for use as a hospital, nursing home, or both, and to furnish and equip them in such district. (3) retiring registered warrants, and ~~(3)~~ (4) paying for additions to or repairs for a hospital, ~~or-hospitals~~ nursing home, or both.

Sec. 6. That original sections 23-343, 23-343.27, 23-343.28, and 23-343.49, Reissue Revised Statutes of Nebraska, 1943, and section 23-343.25, Reissue Revised Statutes of Nebraska, 1943, as amended by section 15, Legislative Bill 661, Eighty-second Legislature, First Session, 1971, are repealed.

Sec. 7. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.