

LEGISLATIVE BILL 342

Approved by the Governor April 14, 2011

Introduced by Brasch, 16.

FOR AN ACT relating to drainage districts; to amend sections 31-409 and 31-409.02, Reissue Revised Statutes of Nebraska; to change provisions relating to the hours of and notice requirements for annual elections as prescribed; and to repeal the original sections. Be it enacted by the people of the State of Nebraska,

Section 1. Section 31-409, Reissue Revised Statutes of Nebraska, is amended to read:

31-409 A majority of the directors shall be residents of the county or counties in which the district is located. Except as provided in section 31-409.03, any person or the officer or representative of any corporation owning or controlling any land assessed for benefits may be a director. The person elected a director receiving the least number of votes shall hold office for one year, the next higher for two years, and so on, and the term of each shall be adjusted so as to make the term of one director expire each year. The officers, consisting of a president, a treasurer, and a secretary, shall be chosen by the directors from their own number and for a term of one year. Unless the directors choose by February fifteenth of a given year to use the procedures provided in section 31-409.01, annual elections of directors shall be held ~~from 8 a.m. until 6 p.m.~~ on the second Tuesday of April each year, at the county courthouse or at such other place designated by the board pursuant to section 31-409.03. ~~The~~ but the annual election shall be omitted if such date occurs less than nine months after the first election. Vacancies in the office of directors may be filled by the remaining directors until the next election. All directors and officers shall hold office until their successors are elected and qualified.

Sec. 2. Section 31-409.02, Reissue Revised Statutes of Nebraska, is amended to read:

31-409.02 Notice of an annual election held pursuant to section 31-409, 31-409.01, or 31-409.03 shall be published once each week for two consecutive weeks in a newspaper of general circulation in the district, or the precinct if the district has been divided into voting precincts as provided in section 31-409.03, designated by the district. The last publication shall not be less than thirty days prior to the election. The notice shall include the date and location or locations of the election and the hours for voting, the number of directors to be elected, the names of those whose terms will expire, and the procedure for filing as a candidate.

Sec. 3. Original sections 31-409 and 31-409.02, Reissue Revised Statutes of Nebraska, are repealed.