

LEGISLATIVE BILL 543

Approved by the Governor February 5, 1972

Introduced by J. W. Burbach, 19th District; Maurice A. Kremer, 34th District; Rudolf C. Kokes, 41st District; Irving F. Wiltse, 1st District; E. Thome Johnson, 15th District; Herb Nore, 22nd District; Thomas C. Kennedy, 21st District;

AN ACT to amend sections 2-3202, 2-3204, 2-3207, 2-3214, 2-3215, 2-3218, 2-3219, 2-3229, 2-3234, and 2-3254, Reissue Revised Statutes of Nebraska, 1943, sections 2-3201, 2-3206, 2-3213, and 2-3261, Revised Statutes Supplement, 1971, and section 2-3241, Reissue Revised Statutes of Nebraska, 1943, as amended by section 2, Legislative Bill 1045, Eighty-second Legislature, Second Session, 1972, relating to natural resources districts; to eliminate reference to mosquito abatement districts; to eliminate provisions for natural resources divisions of public power districts; to restrict commission powers; to harmonize with other legislation; to provide for changes of district boundaries; to provide for the initial boards of directors; to require subdistricts; to provide for vacancies; to reduce authority of the districts; to provide for written objections to improvements; to provide for reports to the Legislature; to provide for severability; to repeal the original sections and also sections 2-3221 and 2-3251, Reissue Revised Statutes of Nebraska, 1943; and to declare an emergency.

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

Section 1. That section 2-3201, Revised Statutes Supplement, 1971, be amended to read as follows:

2-3201. The Legislature hereby recognizes and declares that it is essential to the health and welfare of the people of the State of Nebraska to conserve, protect, develop, and manage the natural resources of this state. The Legislature further recognizes the significant achievements that have been made in the conservation, protection, development and management of our natural resources, and declares that the most efficient and economical method of accelerating these achievements is by creating natural resources districts encompassing all of the area of the state, as provided by this act. The Legislature further declares that the

functions heretofore performed by soil and water conservation districts, watershed conservancy districts, watershed districts, advisory watershed advisory improvement boards, and watershed planning boards and mosquito-abatement-districts shall be consolidated and made functions of natural resources districts; ~~or-natural resources--divisions--of--public--power--and--irrigation districts;~~ and the governing boards of such districts and boards shall complete, before July 1, 1972, the necessary transfers and other arrangements so that such boards may, on ~~or-before~~ that date, begin the operation of natural resources districts, as provided by this act. ~~The legislature further declares that when a public power and irrigation district provides irrigation service, drainage, flood control and ground water recharge for more than one hundred twenty five thousand acres of land, such a district, subject to approval of the commission, may organize a natural resources division by merging with those districts in its chartered area as outlined in this section, if the chartered area of the public power and irrigation district fits the criteria as outlined in section 2-3203.~~ The Legislature further declares that other special purpose districts, including soil and water conservation districts, rural water districts, ground water conservation districts, drainage districts, reclamation districts, and irrigation districts, are hereby encouraged to cooperate with and, where appropriate, to merge with natural resources districts ~~or natural resources divisions~~ created ~~or--allowed~~ by this act.

Sec. 2. That section 2-3202, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-3202. As used in this act, unless the context otherwise requires:

(1) Commission shall mean the Nebraska Soil and Water Conservation Commission;

(2) Natural resources district or district shall mean a natural resources district ~~or--natural--resources division--of--a--public--power--and--irrigation--district~~ created pursuant to this act;

(3) Board shall mean the board of directors of a district;

(4) Director shall mean a member of the board;

and

(5) Other special purpose districts shall mean soil and water conservation districts, rural water districts, ground water conservation districts, drainage districts, reclamation districts, and irrigation districts.

Sec. 3. That section 2-3204, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-3204. (1) The commission shall establish appropriate rules and regulations for all hearings and other procedures authorized by this act. All such hearings and procedures shall be subject to the provisions of Chapter 84, article 9.

~~(2) The commission shall provide standard qualifications for all district employees, classify jobs within each district, and prescribe standard salary schedules.~~

(3) ~~(2)~~ Appeals from commission determinations of ~~boundaries of natural resources districts and other~~ commission orders entered pursuant to this act shall be taken to the district court of ~~Lincoln County~~ the county in which the appealing party resides. Such appeals shall be initiated by filing a petition within sixty days after the final order by the commission. The court, in its discretion, may permit other interested persons to intervene. The review shall be conducted as a de novo proceeding by the court without a jury. The court may affirm the decision of the agency or remand the case for further proceedings; or it may reverse or modify the decision if the substantial rights of the petitioner may have been prejudiced because the commission decision is:

- (a) In violation of constitutional provisions;
- (b) In excess of the statutory authority or jurisdiction of the agency;
- (c) Made upon unlawful procedure;
- (d) Affected by other error of law;
- (e) Unsupported by competent, material, and substantial evidence in view of the entire record as made on review; or
- (f) Arbitrary or capricious.

Sec. 4. That section 2-3206, Revised Statutes Supplement, 1971, be amended to read as follows:

2-3206. (1) Each district established pursuant to ~~this act section 2-3203~~ shall assume, on July 1, 1972, all assets, liabilities, and obligations of any soil and water conservation district, watershed conservancy district, watershed district, advisory watershed advisory improvement board, and watershed planning board, and mosquito-abatement-district, whose territory is included within the boundaries of such natural resources district. When the jurisdiction of any soil and water conservation district, watershed conservancy district, watershed district, advisory watershed advisory improvement board, or watershed planning board, or--mosquito--abatement district is included within two or more natural resources districts, ~~the commission--in-its-order-establishing-such districts,~~ shall determine the apportionment of any assets, liabilities, and obligations. Such apportionment shall be based on the proportionate land area included in each district. Physical assets attached to the land shall be assumed by the district in which they are located. The value of attached physical assets shall be considered in the apportionment of the assets, liabilities and obligations, and any such assets may be encumbered or otherwise liquidated by the assuming district to effect the proper apportionment. When any other special purpose district is merged with a natural resources district as contemplated by section 2-3201 and in the manner provided in sections 2-3207 to 2-3212, the assets, liabilities, and obligations of such special purpose district shall similarly be assumed by the natural resources district.

(2) All taxes levied in 1971 by the counties of this state pursuant to sections 31-827 and 2-1560 for watershed districts and watershed conservancy districts shall be treated as assets of such watershed districts and watershed conservancy districts and when funds are not available or paid to such districts on account of such levies until after July 1, 1972, such funds shall be paid to the order of the natural resources district or districts within the boundaries of which such watershed district or watershed conservancy district lies, and in the proportionate amounts as other assets are to be divided. Tax funds in possession of or payable to each watershed district and watershed conservancy district at the time of merger shall be put in a special fund of the natural resources district or districts receiving the assets of such watershed district or watershed conservancy district and such funds shall be expended within the boundaries of such watershed district or watershed conservancy district and for projects begun or

planned by such districts.

Sec. 5. That section 2-3207, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-3207. The commission legislature shall, until the first Thursday after the first Tuesday in January, 1975, have the power to change the boundaries of natural resources districts, to adjust territorial limits of two or more districts, to combine two or more such districts into a single district, and to divide one district into two or more districts. and The commission shall have the power to provide for the merger with such districts of other special purpose districts as enumerated in section 2-3201; and on the first Thursday after the first Tuesday in January, 1975, the commission shall assume all other powers enumerated in this section. In exercising such powers, the commission shall be bound by the criteria and procedures provided by this act for the initial establishment of natural resources districts and shall follow the procedure set forth in sections 2-3208 to 2-3212.

Sec. 6. That section 2-3213, Revised Statutes Supplement, 1971, be amended to read as follows:

2-3213. (1) Beginning on the first Thursday after the first Tuesday in January, 1975, each district shall be governed by a board of directors of five, seven, nine, eleven, thirteen, fifteen, seventeen, nineteen, or twenty-one members, the number to be recommended to the commission by the first board of directors before January 1, 1974. The commission shall determine the number of directors, and in making such determination shall consider the number recommended by the first board, the complexity of the foreseeable programs, and the population and land area of the district. To insure continuity in completing existing programs and to promote the efficient and effective transition of powers and programs of existing soil and water conservation districts, watershed conservancy districts, watershed districts, advisory watershed advisory improvement boards, and watershed planning boards, and--mosquito abatement--districts; as provided by this act, all directors or supervisors of such districts and members of the boards on July 1, 1972, together with supervisors of soil and water conservation districts and directors of ground water conservation districts, and also one representative from each city of the second class within the district, one representative from each city of the first class within the district for each five thousand inhabitants, to the nearest five thousand, and seven

representatives from each city of the primary class within the district, such representatives to be designated by the mayor with the approval of the city council, with the mayor and members of the council being eligible for such designation, shall comprise the first board of the natural resources districts within which they reside, except when the natural resources district includes a city of the metropolitan class the first board shall consist of the resident members of the board of directors of soil and water conservation districts, and members of advisory watershed advisory improvement boards, and also, in any natural resources district in which is situated a city of the metropolitan class, ten representatives of urban interests to be designated by the county board of the county in which such city is located. These individuals shall be officially convened as boards of the respective districts by the commission prior to July 1, 1972, at which time they shall elect officers. This first board shall serve until the first Thursday after the first Tuesday in January, 1975, when successor board members shall have been elected and qualified as provided by this act. The conduct of the affairs of this first board, including initiation of plans for operation and administration of the district, and creation of subdistricts for nomination of candidates for directors, shall be in accordance with rules and regulations promulgated by the commission, which rules and regulations shall require that in the creation of subdistricts for nomination of candidates for directors this first board shall give due regard to all factors including but not limited to the extent that works of improvement are located in rural areas and the extent to which population and taxable values are located in urban areas and the wishes of the people in the district. Vacancies on such boards during the period of July 1, 1972, to the first Thursday after the first Tuesday in January, 1975, shall be filled through appointment by the Governor. ~~Natural---resources---districts---established pursuant to this act shall be given names by the commission based on evidence presented at the hearing.~~ Such districts shall be political subdivisions of the state, shall have perpetual succession, and may sue and be sued in the name of the district. To facilitate the task of administration of the first boards of natural resources districts and in recognition that many such boards will have a large number of members, it is hereby provided that an executive committee of not more than twenty-one members shall be selected by majority vote of the board. Municipal representation on such executive committee shall be provided for giving due regard to all factors including but not limited to the extent that works of improvement are located in rural areas and the extent to which population and taxable values are located

in urban areas. Executive members; it is hereby provided that when the first board is composed of more than thirty-nine members an executive committee may be appointed by approval of a majority vote of the board to conduct the business of the board. Such executive committee must include representation from each soil and water conservation district, watershed conservancy district, watershed district, watershed advisory board, watershed planning board and mosquito abatement district which has representation on the first board of the natural resources district and the executive committee shall be composed of not to exceed twenty-one members, except where necessary to have representation for each such represented district or board. Executive committees shall be empowered to act for the board in all matters within its purview unless specifically limited by the establishment and appointment: Provided, that the executive committee shall be assigned the responsibility of creating subdistricts for nomination of candidates for directors.

(2) Whenever the land area of an irrigation district, reclamation district, or public power and irrigation district lies wholly or in part within a natural resources district, a person appointed by the board of such irrigation district, reclamation district, or public power and irrigation district, shall sit as a nonvoting member of the board of the natural resources district.

~~(3) When soil and water conservation districts, watershed conservancy districts, watershed districts, watershed advisory boards, watershed planning boards, and mosquito abatement districts are merged with a public power and irrigation district as provided in section 2-3204, all directors or supervisors of such districts and boards on July 1, 1972, shall comprise the governing body of the public power and irrigation district's natural resources division and shall serve in that capacity until the first Thursday after the first Tuesday in January, 1975, when the public power and irrigation district's regularly elected board of directors shall assume control over its natural resources division.~~

Sec. 7. That section 2-3214, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-3214. (1) District directors shall be elected for four-year terms at the general election of the state. On or before July 1 of every even-numbered year, beginning in 1974, the commission shall notify the local district of the names of those directors whose terms

expire as provided by law.

(2) Directors of natural resources districts shall be elected on a nonpartisan ballot and pay no filing fee. The board of directors may shall divide the district into subdistricts, subject to the approval of the commission and such subdistricts shall be established with due regard to all factors including but not limited to the extent that works of improvement are located in rural areas and the extent to which population and taxable values are located in urban areas and the wishes of the people in the district. ~~if a district is to have subdistricts,~~ The boundaries of such subdistricts must be designated by May 1 of the election year. Candidates may place their names on the ballot by filing petitions with the commission on or before August 10 of the election year. Registered electors residing within the district or subdistrict shall be eligible for nomination and for signing petitions. Petitions shall bear the signatures of not less than twenty-five qualified registered electors residing within the district or subdistrict, and shall state whether such nominee shall be placed on the ballot as a candidate from the district at large or a subdistrict. Candidates shall be elected by the qualified electors of the entire district ~~whether or not the district has been subdivided,~~ and all electors shall vote on the candidates representing each subdistrict.

(3) The number of subdistricts for a district shall equal a number which is one less than a majority of directors for the district. The ballots shall list each nomination subdistrict and candidates therefrom and also the at-large candidates. Candidates must be residents of the subdistrict designated on their nomination petition. Registered electors may each cast a number of votes not larger than the total number of directors to be elected. The candidate receiving the most votes in each listed subdistrict, or the district at large when applicable, shall be elected. Whenever the number of directors to be elected exceeds the number of subdistricts, candidates may petition from the district at large, in which case the ballots shall list such candidates under an appropriate heading.

(4) On or before August 25 of the election year, the commission shall certify and forward the slate of candidates for directors for every district in Nebraska to the Secretary of State. The Secretary of State shall certify to the county clerk or election commissioner involved the names of the candidates on a sample ballot and certification. The county clerk or election commissioner shall have the necessary ballots printed and

distributed to the designated polling places. Local election judges shall determine the appropriate ballot for voters. All registered electors who have legal residence in the district shall be eligible to vote. The county clerk or election commissioner shall forward to the Secretary of State pursuant to law the official canvass of the votes cast in the county for directors. The state canvassing board shall canvass the results of the election of directors for natural resources districts. The Secretary of State shall mail an election certificate to each candidate elected. Elected directors shall take their oath of office in the same manner provided for county officials.

(5) The Secretary of State, county clerk or election commissioner, shall have the power and authority to do those things necessary to carry out the provisions and intent of this act. The commission shall pay the actual expenses incurred in the printing of the certified ballot and certification.

~~(6) In the 1974 election, if the district has not been subdivided into subdistricts, the candidates elected from the at-large list shall serve for four year terms except that a number equal to one less than a majority of the directors for the district shall serve for two year terms, which shall be those receiving the fewest votes of those elected.~~

(7) (6) In the 1974 election, if the district has been subdivided into subdistricts, two candidates shall be elected from each subdistrict and the candidate receiving the highest number of votes from each subdistrict shall serve for four years and the candidate receiving the next highest number of votes shall serve for two years. In addition, when there shall be candidates on the ballot from the district at large, one director shall be elected to serve for four years from this slate of candidates.

(8) (7) Not later than August 1 of any election year, the secretary of the district shall certify to the Secretary of State the names of the counties, municipalities and election precincts or geographical description then comprising the district, and at the same time he shall certify the number of directors to be elected and the election district or subdistrict from which they are to be elected, respectively. The secretary of the district shall also furnish to the Secretary of State and county clerks or election commissioner such maps and additional information as they may reasonably require in the proper performance of their duties in the conduct of elections and certification of

the results of the same.

Sec. 8. That section 2-3215, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-3215. A vacancy on the board shall exist in the event of the death, disability, resignation or removal from the district or subdistrict of any director or the elimination or detachment from the district of the territory in which a director resides. In the event of a vacancy from any of such causes, or otherwise, such vacancy shall be filled by the board of directors. The person so appointed must have the same qualifications as the person whom he succeeds. Such appointments shall be in writing, for the remainder of the unexpired term, and until a successor is elected and qualified. The written appointment shall be filed with the Secretary of State.

Sec. 9. That section 2-3218, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-3218. Before the first Thursday after the first Tuesday in January, 1975, members of the board of directors shall receive no salaries, but shall be compensated for their actual and necessary expenses incurred in connection with their duties. After the first Thursday after the first Tuesday in January, 1975, each board is hereby given the power and authority to provide a per diem payment for directors of not to exceed twenty-five fifteen dollars for each day that he attends meetings of the board or is engaged in matters concerning the district, but no director shall receive more than six hundred dollars in any one year; Provided, that such per diem payments shall be in addition to and separate from compensation for expenses.

Sec. 10. That section 2-3219, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-3219. [1] The board shall hold regularly scheduled monthly meetings at which meetings the board shall take such action and make such determinations as are required by this act. After the first Thursday after the first Tuesday in January, 1975, a majority of the voting members of the board shall constitute a quorum, and the concurrence of a majority of a quorum shall be sufficient to take action and make determinations. Within ninety days of the creation of any natural resources district, the board thereof shall, by appropriate rules and regulations, designate the regular

time and place such meetings are to be held. At the first meeting of each year, the board shall review its program for the preceding year and outline its plans for the following year. At the first regularly scheduled meeting after the completion of the yearly audit required by section 2-3223, it shall present a report of the financial condition of the district and open discussion relevant to the same. Notice shall be given of all board meetings pursuant to section 84-1402.

(2) The boards of directors of the natural resources districts within each river basin shall meet jointly at least twice a year at such times and places as may be mutually agreed upon for the purpose of receiving and coordinating their efforts for the maximum benefit of the basin.

Sec. 11. That section 2-3229, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-3229. The purposes of natural resources districts shall be to develop and execute, through the exercise of powers and authorities contained in this act, plans, facilities, works and programs relating to (1) erosion prevention and control, (2) prevention of damages from flood water and sediment, (3) flood prevention and control, (4) soil conservation, (5) water supply for any beneficial uses, (6) development, management, utilization and conservation of ground water and surface water, (7) pollution control, (8) solid waste disposal and sanitary drainage, (9) drainage improvement and channel rectification, (10) development and management of fish and wildlife habitat, (11) development and management of recreational and park facilities, and (12) forestry and range management, ~~and--(13)--mosquito--abatement.~~ All such plans and programs are to be in conformance with the goals, criteria and policies of the state water plan as developed by the Nebraska Soil and Water Conservation Commission; Provided, that the development and execution of such plans and programs as authorized by this section within Nebraska planning and development districts shall be undertaken only if a properly designated district planning body for the area affected shall find that such plans and programs are not in conflict with the goals, objectives, or plans of the district planning board. Such planning body shall be accorded a period of thirty days to review and comment upon the plans and programs of natural resources districts. Failure to reply within thirty days shall be conclusive that the proposed plans and programs have been endorsed by the district planning body; Provided, that negative comments on plans or programs by the district planning body shall not delay

action by the natural resources district or its agent when such plans and programs are specifically recommended in a functional plan that has been approved by the Legislature. The same thirty-day review period shall be provided for the central state planning agency. The execution of such plans and programs as authorized by this section may not be undertaken if as a result of this review the central state planning agency shall find that such plans and programs are in conflict with state policies and plans approved by the Legislature. Failure to reply within thirty days shall be conclusive that the proposed plans and programs have been endorsed by the central state planning agency. As to development and management of fish and wildlife habitat and development and management of recreational and park facilities, such plans and programs shall be in conformance with the outdoor recreation plan for Nebraska and the fish and wildlife plan for Nebraska as developed by the Game and Parks Commission. Plans for development and management of fish and wildlife habitat and recreational and park facilities shall be approved in writing by the Game and Parks Commission prior to their adoption or development. Periodic reports shall be submitted by the districts to the commission as such plans and programs develop and the commission shall coordinate the activities of the several districts to prevent conflicts of operations.

Sec. 12. That section 2-3234, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-3234. Each district shall have the power and authority to exercise the power of eminent domain when necessary to carry out the purposes of this act within the limits of the district or outside its boundaries. Exercise of eminent domain shall be governed by the provisions of sections 76-704 to 76-724; Provided, that whenever any district seeks to acquire the right to interfere with the use of any water being used for power purposes in accordance with sections 46-204, 70-668, 70-669, and 70-672, and shall be unable to agree with the user of such water upon the compensation to be paid for such interference, the procedure to condemn property shall be followed in the manner set forth in sections 76-704 to 76-724, and no other property shall be included in such condemnation. No district shall contract for delivery of water to persons within the corporate limits of any village, city, or metropolitan utilities district, nor in competition therewith outside such corporate limits, except by consent of and written agreement with the governing body of such political subdivision. A village, city, or metropolitan utilities district may negotiate and, if necessary, exercise the power of

eminent domain for the acquisition of water supply facilities of the district which are within its boundaries.

Sec. 13. That section 2-3241, Reissue Revised Statutes of Nebraska, 1943, as amended by section 2, Legislative Bill 1045, Eighty-second Legislature, Second Session, 1972, be amended to read as follows:

~~2-3241. (1) Each district shall have the power and authority to establish and maintain facilities or land sites for solid waste disposal wholly or in part inside or outside the boundaries of the district and may contract with any person for disposal of solid waste and other use of such areas. Facilities and sites for solid waste disposal shall comply with standards as adopted by the Department of Health.~~

(2) Each district shall have the power and authority to provide technical and other assistance as may be necessary or desirable in rural areas to abate the lowering of water quality in the state caused by sedimentation, effluent from feedlots, and runoff from cropland areas containing agricultural chemicals. Such assistance shall be coordinated with the programs and the stream quality standards as established by the Department of Environmental Control.

Sec. 14. That section 2-3254, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-3254. (1) Within thirty days after such a petition has been filed with the natural resources district, the board shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety and welfare, of the undertaking of such a project, upon the question of the appropriate boundaries describing affected land, upon the propriety of the petition and upon all relevant questions regarding such inquiries. Notice of such hearing shall be published prior thereto once each week for three consecutive weeks in a legal newspaper published or of general circulation in the district. Landowners within the limits of the territory described in the petition and all other interested parties shall have the right to be heard. If the board finds after the hearing that the project conforms to the purposes and requirements of this act, it shall enter its findings in the board's official records and proceed to make detailed plans, apportion the benefits and carry out the project. If the board finds that the project does not conform with this act, the findings shall be entered

in the board's records, and copies of such findings shall be furnished to the petitioners and the commission.

(2) The board of directors having first, with the aid of such engineer, surveyor and other assistants as it may have chosen, made detailed plans of the public work to be done, shall apportion the benefits thereof accruing to the several tracts of land within the district which will be benefited thereby, on a system of units. The land least benefited shall be apportioned one unit of assessment, and each tract receiving a greater benefit shall be apportioned a greater number of units or fraction thereof, according to the benefits received. Nothing contained herein shall prevent the district from establishing separate areas within the project improvement area so as to permit future allocation of costs for particular portions of the work to specific subareas. This subarea method of allocation shall not be used in any project improvement area which has heretofore made a final apportionment of units of benefits and shall not thereafter be changed except by compliance with the procedure prescribed in this section.

(3) A notice shall be inserted for at least one week in a newspaper published or of general circulation in the project improvement area, stating the time when and the place where the directors shall meet for the purpose of hearing all parties interested in the apportionment of benefits by reason of the improvement, at which time and place such parties may appear in person, or by counsel, or may file written objections thereto. The directors shall then proceed to hear and consider the same, and shall make the apportionments fair and just according to benefits received from the improvement. The directors, having completed the apportionment of benefits, shall make a detailed report of same and file such report with the county clerk. Thereupon the board of directors shall cause to be published, once each week for three consecutive weeks in a newspaper published or of general circulation in the project improvement area, a copy of the apportionment so far as the lands or lots are concerned, and a statement of the total number of units of benefit in the district, and notice shall also be sent to parties appearing to have a direct legal interest in such apportionment as provided by sections 25-520.01 to 25-520.03. If the owners of record title representing more than fifty per cent of the estimated total assessments shall file with the board within thirty days of the final publication of the apportionment written objections to the project proposed, said project and work in connection therewith shall be suspended and said project shall not be done in said project area.

Sec. 15. That section 2-3261, Revised Statutes Supplement, 1971, be amended to read as follows:

2-3261. Whenever the words soil and water conservation district, watershed conservancy district, watershed district, advisory watershed advisory improvement board, or watershed planning board, ~~or mosquito abatement district~~ appear in sections hereinafter listed in this section, they shall, after July 1, 1972, be construed to mean and apply to the natural resources districts created pursuant to ~~this act~~ sections 2-3201 to 2-3261. The sections wherein existing functions, powers, and duties are transferred and allocated to the natural resources districts are:

- (1) Section 2-1529;
- (2) Sections 23-320.01, 23-320.06, 23-320.08, 23-320.09, and 23-320.12;
- (3) Sections 31-551, 31-552, and 31-553;
- (4) Sections 46-604 and 46-629;
- (5) Section 60-330;
- ~~(6) Sections 71-2901 to 71-2918;~~
- ~~(7) (6)~~ Sections 72-222 and 72-1304; and
- ~~(8) (7)~~ Section 85-163.04.

Sec. 16. Each district and commission subject to Chapter 2, article 32, shall annually, on or before January 1 of each year commencing January 1, 1973, report to the Legislature a summary of all fees paid during the immediately preceding year to attorneys, lobbyists, and public relations representatives and to whom paid.

Sec. 17. If any section in this act or any part of any section shall be declared invalid or unconstitutional, such declaration of invalidity shall not affect the validity of the remaining portions thereof.

Sec. 18. That original sections 2-3202, 2-3204, 2-3207, 2-3214, 2-3215, 2-3218, 2-3219, 2-3229, 2-3234, and 2-3254, Reissue Revised Statutes of Nebraska, 1943, sections 2-3201, 2-3206, 2-3213, and 2-3261, Revised Statutes Supplement, 1971, and section 2-3241, Reissue Revised Statutes of Nebraska, 1943, as amended by section 2, Legislative Bill 1045, Eighty-second Legislature, Second Session, 1972, and also sections 2-3221 and

2-3251, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 19. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.