

## LEGISLATIVE BILL 641

Approved by the Governor March 14, 1974

Introduced by Moylan, 6

AN ACT to amend section 2-3214, Revised Statutes Supplement, 1972, relating to natural resources districts; to clarify provisions for nomination of candidates; to provide for an alternate manner of election of directors; to repeal the original section; and to declare an emergency.

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

Section 1. That section 2-3214, Revised Statutes Supplement, 1972, 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 shall divide the district into consecutively numbered 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. The boundaries and numbering 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~~ shall be eligible for nomination as candidates from the district at large or as candidates from the subdistrict within which they reside, and all such registered electors shall be eligible to sign petitions for candidates from the district at large. In the case of candidates from a subdistrict, only those registered electors residing within that subdistrict shall be eligible to sign petitions for such candidates. 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 and all electors shall vote on the candidates representing each subdistrict.

(3) The Except in those districts which have elected to have a single director serve from each subdistrict, the number of subdistricts for a district shall equal a number which is one less than a majority of directors for the district. In those districts which have elected to have a single director serve from each subdistrict, the number of subdistricts shall equal a number which is one less than the total number 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, or whenever the term of the at-large director shall expire in those districts which have elected to have a single director serve from each subdistrict, 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. Except as provided in this section, the district shall pay to each county wherein the name of one or more candidates appears upon the ballot expenses of electing its directors as follows: Counties having a population of less than three thousand inhabitants, fifty dollars; counties having a population of three thousand but less than nine thousand inhabitants, one hundred dollars; counties having a population of nine thousand but less than fourteen thousand inhabitants, one hundred twenty-five dollars; counties having a population of fourteen thousand but less than twenty thousand inhabitants, one hundred fifty dollars; counties having a population of twenty thousand but less than sixty thousand inhabitants, one hundred seventy-five dollars; counties having a population of sixty thousand but less than one hundred thousand inhabitants, seven hundred fifty dollars; counties having a population of one hundred thousand but less than two hundred thousand inhabitants, fifteen hundred dollars; and counties having a population of two hundred thousand inhabitants or more, two thousand fifty dollars. Provided, that when the name of one or more candidates of a district appears on ballots in less than one half of the precincts of the counties, the cost to the district shall be no more than fifty per cent of the expenses established by this section; and provided further, that if the actual expenses to the county in district elections provided for in this section are less than the amounts herein established such actual expenses shall be the amount paid for the district to the county. The population of a county for purposes of this section shall be the population as determined by the most recent federal decennial census.

In addition to the costs above provided, the natural resources district shall pay the publication cost of the sample ballots appearing in the newspaper and shall pay the actual printing costs for the official ballots used for the election. Election expenses shall be due and payable for each natural resources district within thirty days after the receipt of the statement from the county.

(6) Except in those districts which have elected to have a single director serve from each subdistrict, in the 1974 election 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 those districts which have elected to have a single director serve from each subdistrict, in the 1974 election one candidate shall be elected from each subdistrict and the candidates elected from even-numbered subdistricts shall serve for four years and the candidates elected from odd-numbered subdistricts 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.

(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.

(8) Subject to the approval of the commission and by May 1 of the election year, the board of directors may elect that a single director shall serve from each subdistrict.

Sec. 2. That original section 2-3214, Revised Statutes Supplement, 1972, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.