

As Amended by House Committee

Session of 2010

HOUSE BILL No. 2548

By Representative Powell

1-27

10 AN ACT concerning drainage district No. 2 of Finney county, Kansas;
11 pertaining to the election of directors; amending K.S.A. 24-412 and
12 K.S.A. 2009 Supp. 24-139a and 24-409 and repealing the existing
13 sections.

14
15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. K.S.A. 2009 Supp. 24-139a is hereby amended to read as
17 follows: 24-139a. ~~The board of directors of drainage district No. 2 of~~
18 ~~Finney county shall provide by the passage of a resolution for the stag-~~
19 ~~gering of terms of the board. At the next election of directors, one director~~
20 ~~shall be elected for a two-year term and two directors shall be elected for~~
21 ~~three-year terms. Election of directors thereafter shall be for three-year~~
22 ~~terms.~~ (a) **Notwithstanding the provisions of K.S.A. 24-409 and 24-412,**
23 **and amendments thereto, ~~at~~ prior to the election of the board of directors**
24 **of drainage district No. 2 of Finney county, Kansas, ~~directors in 2011~~**
25 **such board of directors shall determine which board position shall**
26 **have a term of two years and shall notify the county election offi-**
27 **cer. At the election proceedings in 2011, a director shall be elected**
28 **for a term of four years for each of board positions one and two and one**
29 **director shall be elected for a term of two years for board position three.**
30 **Thereafter, all directors shall be elected for a term of four years as pro-**
31 **vided in K.S.A. 24-409 and 24-412 and amendments thereto.**

32 ~~(b) On or before December 1, 2010, the board of directors of drainage~~
33 ~~district No. 2 of Finney county, Kansas, shall determine which board~~
34 ~~position shall be elected for the term of two years and notify the county~~
35 ~~election officer accordingly.~~

36 Sec. 2. K.S.A. 2009 Supp. 24-409 is hereby amended to read as fol-
37 lows: 24-409. (a) All powers granted to drainage districts incorporated
38 under the provisions of this act shall be exercised by a board of directors
39 consisting of three persons. Except as provided in K.S.A. 24-412 and
40 K.S.A. 2009 Supp. 24-139a, and amendments thereto, the directors shall
41 hold their offices for four years and until their successors are elected or
42 appointed, as the case may be, and qualified, and shall be chosen at the
43 time and in the manner provided by law.

1 (b) Members of the board of directors shall be owners of land located
2 in the drainage district and shall reside in the county in which the district
3 is located or, if the district is located in more than one county, a county
4 in which any portion of the district is located, except:

5 (1) If there are no residents within the drainage district who are own-
6 ers of land within the district, any owner of land located within the district
7 shall be a qualified voter and shall be eligible to hold the office of director;
8 and

9 (2) a director shall be either an owner of or a tenant on land located
10 within the drainage district whenever: (A) The drainage district is located
11 within one county and the population of the county does not exceed
12 10,000; or (B) the drainage district is located in more than one county
13 and the population of any such county does not exceed 10,000.

14 Sec. 3. K.S.A. 24-412 is hereby amended to read as follows: 24-412.

15 (a) *Subject to the provisions of subsection (b)*, except as otherwise pro-
16 vided in this section, an election to choose three directors in each district
17 as their successors, shall be held on the first Tuesday in April, 1983, and
18 an election shall be held each four years thereafter, on the first Tuesday
19 in April, to choose directors. Directors elected in any district in 1980 or
20 1981 shall hold their office until successors are elected and qualified at
21 the election in April, 1983.

22 (b) *On and after January 1, 2012, the board of directors of drainage*
23 *district No. 2 of Finney county, Kansas, shall be elected for a term of four*
24 *years.*

25 Sec. 4. K.S.A. 24-412 and K.S.A. 2009 Supp. 24-139a and 24-409 are
26 hereby repealed.

27 Sec. 5. This act shall take effect and be in force from and after its
28 publication in the statute book.