

As Amended by House Committee

Session of 2011

HOUSE BILL No. 2314

By Committee on Taxation

2-11

1 AN ACT concerning drainage district No. 2 of Finney county, Kansas;
2 pertaining to the election of directors; amending K.S.A. 24-412 and
3 K.S.A. 2010 Supp. 24-139a and 24-409 and repealing the existing
4 sections.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2010 Supp. 24-139a is hereby amended to read as
8 follows: 24-139a. ~~The board of directors of drainage district No. 2 of~~
9 ~~Finney county shall provide by the passage of a resolution for the~~
10 ~~staggering of terms of the board. At the next election of directors, one~~
11 ~~director shall be elected for a two-year term and two directors shall be~~
12 ~~elected for three-year terms. Election of directors thereafter shall be for~~
13 ~~three-year terms. Notwithstanding the provisions of K.S.A. 24-409 and 24-~~
14 ~~412, and amendments thereto, prior to the election of the board of directors~~
15 ~~of drainage district No. 2 of Finney county, Kansas, such board of~~
16 ~~directors shall determine which board position shall have a term of two~~
17 ~~years and shall notify the county election officer. At the election~~
18 ~~proceedings in 2015, a director shall be elected for a term of four years for~~
19 ~~each of board positions one and two and one director shall be elected for a~~
20 ~~term of two years for board position three. Thereafter, all directors shall~~
21 ~~be elected for a term of four years as provided in K.S.A. 24-409 and 24-~~
22 ~~412, and amendments thereto. Notwithstanding the provisions of K.S.A.~~
23 **24-409 and 24-412, and amendments thereto, at the election of the**
24 **board of directors of drainage district No. 2 of Finney county, Kansas,**
25 **in 2013, one director shall be elected for a two-year term and two**
26 **directors shall be elected for four-year terms. Prior to such election,**
27 **the board of directors shall determine which board position shall have**
28 **a term of two years and notify the county election officer. Election of**
29 **directors thereafter shall be for four-year terms as provided in K.S.A.**
30 **24-409 and 24-412, and amendments thereto.**

31 Sec. 2. K.S.A. 2010 Supp. 24-409 is hereby amended to read as
32 follows: 24-409. (a) All powers granted to drainage districts incorporated
33 under the provisions of this act shall be exercised by a board of directors
34 consisting of three persons. Except as provided in K.S.A. 24-412 *and*
35 *K.S.A. 2010 Supp. 24-139a*, and amendments thereto, the directors shall
36 hold their offices for four years and until their successors are elected or

1 appointed, as the case may be, and qualified, and shall be chosen at the time
2 and in the manner provided by law.

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

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

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

15 Sec. 3. K.S.A. 24-412 is hereby amended to read as follows: 24-412. (a)
16 *Subject to the provisions of subsection (b), except as otherwise provided in this*
17 *section, an election to choose three directors in each district as their*
18 *successors, shall be held on the first Tuesday in April, 1983, and an election*
19 *shall be held each four years thereafter, on the first Tuesday in April, to choose*
20 *directors. ~~Directors elected in any district in 1980 or 1981 shall hold their~~*
21 *office until successors are elected and qualified at 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 as provided in K.S.A. 24-139a, and amendments thereto.*

25 Sec. 4. K.S.A. 24-412 and K.S.A. 2010 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.