

82a-1034. District dissolution. (a) Whenever the board of a groundwater management district organized and incorporated under the provisions of this act finds reasons for the dissolution of the district, the board may, by resolution adopted by a two-thirds vote of all members of the board at a special meeting of the board called for that purpose, notice of which shall specify the purpose for which the meeting is to be called, provide for the calling of an election of the eligible voters of the district for the purpose of determining whether the district shall be dissolved. The board shall also provide for the calling of an election if written petitions therefor, signed by twenty percent (20%) of the eligible voters of the district, are filed with the secretary of the board. The election to determine whether the district shall be dissolved shall be held and conducted by the board in the same manner as provided for conducting the election for the organization of the district insofar as those provisions can be made applicable. If a majority of the votes cast are in favor of dissolution of the district, the board shall immediately certify the results of the election to the secretary of state who shall thereupon issue and deliver to the secretary of the board a certificate of dissolution.

(b) Upon receipt from the secretary of state of the certificate of dissolution of a groundwater management district under the provisions of this act, the secretary of the board shall notify the board of the certification and the board shall immediately pay all obligations of the district, including all costs incurred by the district, the chief engineer and the secretary of state in regard to the dissolution proceedings. The treasurer of the board shall thereupon distribute all moneys in his or her hands belonging to the district in the manner prescribed by this act and immediately after making the distribution the treasurer shall notify the secretary of the board of the distribution. Upon receipt of the notification the secretary of the board shall have the certificate of dissolution published once in a newspaper or newspapers of general circulation within the district and proof of the publication shall be filed in the office of the secretary of state. The effective date of the dissolution, unless otherwise provided, shall be the date on which the proof of publication is filed in the office of the secretary of state, but in no event shall the date of dissolution be a date prior to the date of the publication of the certificate of dissolution. A certified copy of the certificate of dissolution of the district shall also be recorded in the office of the county clerk of each county where any portion of the dissolved district was located.

(c) Any funds or other assets of a groundwater management district which has been dissolved under the provisions of this act shall be apportioned and paid to the general fund of any county located within or partially within the district in the proportion which the assessed valuation of the property in the district located within the county bears to the total assessed valuation of the district, based on equalized assessed valuations for the preceding year. The treasurer of the district, upon notification of receipt of the certificate of dissolution, shall immediately pay the amounts due each county located within the district to the treasurer of the county.

(d) The secretary of the board of any groundwater management district which has been dissolved under the provisions of this act shall file all minutes and records of the district with the register of deeds of the county where the designated office of the district was located.

History: L. 1972, ch. 386, § 15, July 1.