

SS SCS SB 593 -- POLITICAL SUBDIVISION ELECTIONS

(Vetoed by the Governor--
Overridden by the General Assembly)

Currently, with the exception of municipal elections, nonpartisan elections in political subdivisions and special districts do not need to be held when the number of candidates who have filed is equal to the number of positions to be filled. This bill allows any city, town, or village with less than 1,000 inhabitants to not conduct nonpartisan municipal elections for six years if the question is approved by a majority of the qualified voters. The time period may be extended if the question is again adopted by a majority of the qualified voters. The bill requires a public notice to be published by the first of the month in which the election would have occurred containing the names of candidates who will be placed in office when the election is not held.

Each member of an emergency services board of directors must be subject to recall from office by the registered voters of the election district from which he or she was elected. Proceedings for the recall may be commenced by the filing of a notice of intention to circulate a recall petition.

A member cannot be recalled if he or she has not held office during the current term for more than 180 days, has 180 days or less remaining in his or her current term, or has had a recall election determined in his or her favor within the current term.

The notice must be served personally or by certified mail on the board member and filed with the election authority. A separate notice must be filed for each member sought to be recalled and must contain information explaining the reason for the recall. It must list at least one but not more than five proponents of the recall. Within seven days after the filing of the notice, the board member may file with the election authority a statement answering the statement of the proponents. The answer must also be served on one of the named proponents. The statement and answer are intended solely to be used for the information of the voters.

The person circulating the petition must sign an affidavit verifying certain information. A recall petition must be filed with the election authority not more than 180 days after the filing of the notice of intention. The number of qualified signatures required must be equal to at least 25% of the number of voters who voted in the most recent gubernatorial election in the election district.

Within 20 days from the filing of the petition, the election

authority must determine whether the petition was signed by the required number of qualified signatures. It must file a certificate with the petition showing the results of the examination. If the election authority certifies that the petition does not have enough signatures, it may be supplemented within 10 days of the date of certification.

Within 10 days after the supplemental copies are filed, the election authority must certify whether or not the petition as supplemented is sufficient. If it is insufficient, no action can be taken but the petition must remain on file.

If the election authority finds the signatures on the petition, or together with any supplemental signatures, to be sufficient, it must submit its certificate to the board of directors prior to its next meeting and order an election to be held not less than 45 days but not more than 120 days from the date the board receives the petition. A nomination for a board membership opening must be made by filing a statement of candidacy with the election authority.

Any time prior to 42 days before the election, the member sought to be recalled may offer his or her resignation, and the recall question must be removed from the ballot and the office declared vacant.