

IN THE SENATE

SENATE BILL NO. 1285

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO HIGHWAY DISTRICT COMMISSIONERS; AMENDING SECTION 40-1305, IDAHO CODE, TO REVISE TERMS OF OFFICE AND TO ESTABLISH PROVISIONS RELATING TO AN ALTERNATIVE ELECTION OF HIGHWAY COMMISSIONERS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 40-1305, Idaho Code, be, and the same is hereby amended to read as follows:

40-1305. ELECTION OF HIGHWAY COMMISSIONERS -- TERM OF OFFICE. (1) On the third Tuesday of May of the next odd-numbered year following the appointment of the first highway district commissioners, commissioners from subdistricts one and two shall be elected for a term of two (2) years and the commissioner from subdistrict three shall be elected for a term of four (4) years. Thereafter the term of office of all commissioners shall be ~~four~~ six (46) years.

(2) A highway district whose terms and election were established by prior law shall convert to the election of commissioners as provided in subsection (1) of this section.

(3) Alternative election of highway commissioners -- term of office.

(a) Notwithstanding subsections (1) and (2) of this section, highway district commissioners may, at any time prior to the expiration of a commissioner's term and upon the unanimous agreement of the existing board of highway district commissioners, adopt an alternative term of office.

(b) An election pursuant to paragraph (a) of this subsection shall be conducted in the following manner:

(i) At the next regularly scheduled highway commission election, the commissioner from subdistrict one shall be elected for a term of six (6) years;

(ii) On the third Tuesday of May of the next odd-numbered year following the election provided for in subparagraph (i) of this paragraph, the commissioner representing subdistrict two shall be elected for a term of six (6) years; and

(iii) On the third Tuesday of May of the next odd-numbered year following the election provided for in subparagraph (ii) of this paragraph, the commissioner representing subdistrict three shall be elected for a term of six (6) years.

If the alternative election of highway commissioners is adopted, elections for commissioners of each of the subdistricts shall continue on the alternative election cycle provided for in this subsection unless changed as provided for in paragraph (c) of this subsection.

(c) If an alternative election is held, the highway district shall not revert to the former manner of elections and terms of office until ten

1     (10) years following the date of the first election held pursuant to the  
2     provisions of the alternative election. Such reversion to the former  
3     manner of elections and terms of office may occur only upon unanimous  
4     agreement of the existing board.  
5     (4) Each highway commissioner shall be elected on a districtwide basis.