

Elections for Water and Sewer Districts

Who is responsible for conducting a Bond election for the Bayview Water and Sewer District ?

The County Clerk is responsible for running the election pursuant to Idaho Law. Among other tasks related to the election this includes preparing ballots, operation of the polls and qualifying voters at the polls.

Idaho Code: 34-1401. ELECTION ADMINISTRATION.

Notwithstanding any provision to the contrary, the county clerk shall administer all elections on behalf of any political subdivision, subject to the provisions of this chapter, including all special district elections and elections of special questions submitted to the electors as provided in this chapter.

Who may vote in a Bond election that provides for the Bayview Water and Sewer District to assume debt?

Qualified electors of the Bayview Water and Sewer District may vote as provided by Idaho Law. Qualified electors are registered voters who are residents of the District.

Idaho Code: 42-3218D. INDEBTEDNESS -- BOND ISSUES.

“. . . submit to the qualified electors of the water or sewer subdistrict the question of whether the governing body of the water or sewer subdistrict shall be empowered to issue negotiable bonds of the water or sewer subdistrict in an amount and for a period of time to be named in the notice of election. . .”

Idaho Code: 42-3202 DEFINITION OF TERMS.

“. . . A "qualified elector" of a district, within the meaning of and entitled to vote under this chapter, unless otherwise specifically provided herein, is a person qualified to vote at general elections in this state, and who has been a bona fide resident of the district for at least thirty (30) days prior to any election in the district. . .”

Cited sections of Idaho Code

42-3202. DEFINITION OF TERMS.

A water district is one to supply water for domestic, commercial, and/or industrial purposes by any available means, and for that purpose any such district shall have power to extend its water lines to the source of water supply.

A sewer district is one to provide for sewage disposal and for that purpose any such district shall have power to extend its sewer lines to an appropriate outlet.

A district may be created for a combination of water and sewer purposes, or either of said purposes. A district may be entirely within or entirely without, or partly within and partly without one (1) or more municipalities or counties, and the district may consist of noncontiguous tracts or parcels of property.

The word "board" as used in this chapter shall mean the board of directors of a district.

A "qualified elector" of a district, within the meaning of and entitled to vote under this chapter, unless otherwise specifically provided herein, is a person qualified to vote at general elections in this state, and who has been a bona fide resident of the district for at least thirty (30) days prior to any election in the district.

Wherever the term "publication" is used in this chapter and no manner specified therefor, it shall mean publication twice, the first time not less than twelve (12) days prior to the election and the second time not less than five (5) days prior to the election, as provided in section [34-1406](#), Idaho Code.

42-3218D. INDEBTEDNESS -- BOND ISSUES.

Water or sewer subdistricts may incur debt and issue bonds for the purpose of acquiring, purchasing, or improving a water or sewer site or sites, and acquiring or constructing new water or sewer facilities. The governing body of a water or sewer subdistrict may **submit to the qualified electors of the water or sewer subdistrict the question of whether the governing body of the water or sewer subdistrict shall be empowered to issue negotiable bonds of the water or sewer subdistrict in an amount and for a period of time to be named in the notice of election.** Notice of the bond election shall be given, the election shall be conducted and the returns thereof canvassed and the qualifications of electors voting or offering to vote shall be as provided in [chapter 32, title 42](#), Idaho Code.

34-1401. ELECTION ADMINISTRATION.

Notwithstanding any provision to the contrary, the county clerk shall administer all elections on behalf of any political subdivision,

subject to the provisions of this chapter, including all special district elections and elections of special questions submitted to the electors as provided in this chapter. Water districts governed by [chapter 6, title 42](#), Idaho Code, recreational water and/or sewer districts as defined in section [42-3202A](#), Idaho Code, ground water recharge districts governed by [chapter 42, title 42](#), Idaho Code, ground water management districts governed by [chapter 51, title 42](#), Idaho Code, ground water districts governed by [chapter 52, title 42](#), Idaho Code, and irrigation districts governed by [title 43](#), Idaho Code, are exempt from the provisions of this chapter. Municipal elections shall be conducted under the provisions of this chapter except for the specific provisions of [chapter 4, title 50](#), Idaho Code. All school district and highway district elections shall be conducted pursuant to the provisions of this [chapter 14, title 34](#), Idaho Code. All highway district and school district elections shall be administered by the clerk of the county wherein the district lies. Elections in a joint school district or other political subdivisions that extend beyond the boundaries of a single county shall be conducted jointly by the clerks of the respective counties, and the clerk of the home county shall exercise such powers as are necessary to coordinate the election. "Home county" shall be defined as the county in which the business office for the district or political subdivision is located. For the purposes of achieving uniformity, the secretary of state shall, from time to time, provide directives and instructions to the various county clerks. Unless a specific exception is provided in this chapter, the provisions of this chapter shall govern in all questions regarding the conduct of elections on behalf of all political subdivisions. In all matters not specifically covered by this chapter, other provisions of [title 34](#), Idaho Code, governing elections shall prevail over any special provision which conflicts therewith.

The county clerk shall conduct the elections for political subdivisions and shall perform all necessary duties of the election official of a political subdivision including, but not limited to, notice of the filing deadline, notice of the election, and preparation of the election calendar.