

HOUSE BILL NO. 1284

Introduced by

Representatives Rennerfeldt, DeKrey, Gulleason, Lloyd

Senators Solberg, Wanzek

1 A BILL for an Act to amend and reenact section 61-06-01 of the North Dakota Century Code,
2 relating to irrigation district directors.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 61-06-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **61-06-01. Board of directors of irrigation district - Terms - Vacancies.** If an
7 irrigation district contains less than ~~ten~~ twenty thousand irrigable acres [~~4046.86~~ 8093.72
8 irrigable hectares] of land and is not divided into precincts or divisions, the board of directors
9 ~~thereof shall consist~~ consists of five directors who must be residents of the state and electors of
10 the district and must be elected at large. Two directors elected at the election for the
11 organization of the district ~~shall~~ serve until the first Tuesday in April following the first regular
12 district election, and three ~~directors shall~~ serve until the first Tuesday in April following the
13 second regular election.

14 If an irrigation district contains ~~ten~~ twenty thousand irrigable acres [~~4046.86~~ 8093.72
15 irrigable hectares] or more, it must be divided into five or seven divisions or precincts, as the
16 case may be, and one director must be elected from and by the electors of each division or
17 precinct.

18 If an irrigation district contains ~~ten~~ twenty thousand irrigable acres [~~4046.86~~ 8093.72
19 irrigable hectares] or more and is divided into five divisions or precincts, the board of directors
20 of ~~such the~~ the irrigation district ~~shall consist~~ consists of five directors. Two directors elected at the
21 election for the organization of the district ~~shall~~ serve until the first Tuesday in April following the
22 first regular district election, and three directors ~~shall~~ serve until the first Tuesday in April
23 following the second regular district election.

1 If an irrigation district contains ~~ten~~ twenty thousand irrigable acres [~~4046.86~~ 8093.72
2 irrigable hectares] or more and is divided into seven divisions or precincts, the board of
3 directors of ~~such the~~ irrigation district ~~shall consist~~ consists of seven directors. Three directors
4 elected at the election for the organization of the district ~~shall~~ serve until the first Tuesday in
5 April following the first regular district election, and four directors ~~shall~~ serve until the first
6 Tuesday in April following the second regular district election.

7 The terms of office of the directors elected at ~~such the~~ first election for the organization
8 of the district must be determined by lot at their first meeting. Directors elected at subsequent
9 elections ~~shall~~ serve for four years and until their successors are duly elected and qualified. In
10 case the office of any director becomes vacant, the remaining members of the board shall fill
11 the vacancy by appointment. A director appointed to fill a vacancy ~~shall serve~~ serves the
12 unexpired term of the director whose office ~~he that director~~ has been appointed to fill. ~~In the~~
13 ~~event that~~ If vacancies occur in the offices of a majority of the directors of an irrigation district,
14 the remaining members and the state engineer shall fill the vacancies; and ~~in the event that if~~
15 the offices of all the directors become vacant, the state engineer shall appoint the members of
16 the board and they ~~shall~~ serve until the next regular election of the district. Their successors in
17 office must then be elected to serve the unexpired term of the directors whose offices became
18 vacant. The unexpired term of office ~~which that~~ each director thus elected ~~shall fill~~ fills must be
19 determined by lot.

20 ~~At the regular irrigation district election in 1984, the secretary of any existing irrigation~~
21 ~~district which has only three directors shall include in the notice of election a statement that~~
22 ~~irrigation districts must have five directors, and that the two new positions for director will be~~
23 ~~filled at the upcoming district election. The notice must also state that any elector desiring to be~~
24 ~~a candidate for the office of district director and to have the elector's name appear on the ballot~~
25 ~~for one of the new openings for the office of director must file a request with the secretary of the~~
26 ~~board not less than twenty days before the election. For the irrigation districts with only three~~
27 ~~directors, the directors elected for the two new positions, and the director elected to fill the office~~
28 ~~of the existing director whose regular term would have expired in 1984, must be elected to~~
29 ~~four year terms. The remaining directors of existing irrigation districts with three directors~~
30 ~~whose terms do not expire in 1984 shall serve until the next regular election of the irrigation~~

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- 1 ~~district, which must be in 1986. Directors elected at the regular election of an irrigation district~~
- 2 ~~in 1986 must then be elected for four year terms.~~