

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1284

Page 1, line 1, replace "section" with "sections 61-05-13," and after "61-06-01" insert ", 61-10-31, and 61-10-38"

Page 1, line 2, after "to" insert "organization, government, and boundaries of" and replace "district directors" with "districts"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 61-05-13 of the North Dakota Century Code is amended and reenacted as follows:

61-05-13. State engineer to make order establishing irrigation district - Calling election - Dividing district - Contents of order. If the state engineer ~~shall have found finds~~ and ~~determined determines~~ that the establishment of the proposed irrigation district is advisable, and that the plan proposed for irrigating the lands therein is practicable and economically sound, the state engineer shall make an order establishing ~~such the~~ irrigation district, subject to the approval of the electors of the district at an election called by the state engineer for that purpose. If the district embraces more than ~~ten~~ twenty thousand irrigable acres [~~4046.86~~ 8093.72 irrigable hectares] of land, the state engineer by ~~such the~~ order shall divide the district into five or seven divisions or precincts as the state engineer ~~shall deem~~ determines necessary for the convenience of the electors of the district. The divisions or precincts ~~shall must~~ be as nearly equal in size as may be deemed practicable, ~~such the~~ divisions ~~shall must~~ be numbered, and one director ~~shall must~~ be elected from, and by the electors of, each division. If an elector owns land in more than one division, the elector ~~shall must~~ cast all the elector's votes for director and be eligible for election as a director in the division in which the majority of the elector's land subject to assessment lies. ~~Such The~~ order ~~shall must~~ set forth:

1. The time and place of holding ~~such the~~ election.
2. The boundaries of the district.
3. That a petition sufficient in form and substance was filed with the state engineer.
4. That due and reasonable notice of time and place of hearing on petition was given to the qualified electors of the proposed irrigation district.

A copy of ~~such the~~ order ~~shall must~~ be filed with the county auditor of each county in which the irrigation district is situated. ~~Such The~~ order ~~shall be~~ is prima facie evidence of the matter and facts therein stated."

Page 3, after line 2, insert:

"SECTION 3. AMENDMENT. Section 61-10-31 of the North Dakota Century Code is amended and reenacted as follows:

61-10-31. Redivision of district into divisions. When lands are included in an irrigation district by means of the procedure described in this chapter, and if the

district will contain after inclusion of ~~such the~~ lands ~~ten~~ twenty thousand irrigable acres [~~4046.86~~ 8093.72 irrigable hectares] or more, at least thirty days ~~prior to~~ before the next general election, the board shall make an order dividing or redividing ~~such the~~ district into divisions in conformity with section 61-05-13. ~~Such~~ The divisions ~~shall~~ must be as nearly equal in size as may be practicable and they ~~shall~~ must be numbered, with one director thereafter elected by and from each division.

SECTION 4. AMENDMENT. Section 61-10-38 of the North Dakota Century Code is amended and reenacted as follows:

61-10-38. Elimination of divisions of district. When lands are excluded from an irrigation district by means of the procedure described in this chapter, and if the district will contain less than ~~ten~~ twenty thousand irrigable acres [~~4046.86~~ 8093.72 irrigable hectares] after the exclusion of ~~such the~~ lands, the board of directors shall issue an order eliminating district divisions in conformity with section 61-05-13."

Renumber accordingly