

**Enrolled**  
**Senate Bill 692**

Sponsored by Senator SHIELDS

CHAPTER .....

AN ACT

Relating to elections of irrigation district directors; amending ORS 545.135, 545.181 and 545.185.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 545.135 is amended to read:

545.135. (1) Except for the second Tuesday in November next following the organization of the district, an election shall be held in each district on the second Tuesday in November of each year, at which one or more directors shall be elected. The person receiving the highest number of votes for any office to be filled shall be elected, and shall hold office for three years from the [*first Tuesday*] **annual organizational meeting** in January next following the election and until a successor is elected and qualified. The qualifications for a director shall be those set forth in ORS 545.043.

(2) In districts organized prior to May 21, 1917, a director shall be elected from each of the three divisions into which the board of directors may have divided the district, or, if the board of directors has so ordered, the directors shall be elected from the district at large.

(3) [*Within 10 days after receiving the certificate of election provided for in ORS 545.153, The*] **A newly elected** director shall take the official oath **at the annual organizational meeting in January next following the election or as soon thereafter as possible.** [*and*] **The director shall file [it] the oath** in the office of the board of directors.

(4) **Notwithstanding subsection (1) of this section, if the second Tuesday in November falls on a holiday as defined in ORS 187.010 and 187.020, the election shall be held on the day following the second Tuesday in November.**

**SECTION 2.** ORS 545.181 is amended to read:

545.181. (1) **Except as provided in subsection (2) of this section,** on the first Tuesday in January next following their election, the board of directors shall meet and organize as a board. In organizing as a board, the directors shall:

- (a) Elect a president from their number and appoint a secretary, who shall each hold office during the pleasure of the board.
- (b) Establish the time for regular monthly meetings of the board as required under ORS 545.185.
- (c) Establish, **by resolution,** the date of the next annual **organizational** meeting of the district.
- (d) Establish the date the board shall next meet as a board of equalization under ORS 545.418.

**(2) The board of directors may, by resolution, establish a different date in January for the annual organizational meeting.**

[2] (3) The county treasurer of the county in which the petition for the organization of the district was filed shall be ex officio treasurer of the district. Any moneys collected by other county treasurers on behalf of the district shall be transmitted to the district treasurer, together with a

statement specifying the fund into which it is to be deposited. However, if the secretary of the irrigation district is authorized to collect operation and maintenance assessments or emergency assessments, as provided in this chapter, the secretary shall disburse the assessment moneys upon orders of the board of directors of the district. Any county treasurer having custody or control of funds of an irrigation district shall be responsible for them on the official bond as county treasurer.

**SECTION 3.** ORS 545.185 is amended to read:

545.185. The board of directors shall hold a regular monthly meeting in its office. The time of the regular monthly meeting shall be fixed by resolution of the board at the regular annual **organizational** meeting required by ORS 545.181. Special meetings required for the proper transaction of business may be held when called by the president or ordered by a majority of the board, by an order entered in the records of the board. Five days' notice of the special meeting must be given by the secretary to each member not joining in the order. The order must specify the business to be transacted, and business other than that specified may not be transacted at the special meeting, unless all the members are present. All meetings of the board must be public, and a majority of the members shall constitute a quorum for the transaction of business. However, on all questions requiring a vote there shall be concurrence of a majority of the board. All records of the board shall be open to public inspection during business hours.

**Passed by Senate March 17, 2005**

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Secretary of Senate

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President of Senate

**Passed by House June 21, 2005**

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Speaker of House

**Received by Governor:**

.....M.,....., 2005

**Approved:**

.....M.,....., 2005

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Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2005

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Secretary of State