

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 9, 2017  
Date

Committee on Agriculture, Natural Resources, & Energy.

After consideration on the merits, the Committee recommends the following:

HB17-1030 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

1 Amend reengrossed bill, page 12, strike lines 14 through 24 and substitute  
2 "(4) and (6); and **repeal** (1), (3), and (5) as follows:

3 **37-42-128. Collection of assessments.** (1) ~~The county treasurer~~  
4 ~~of the county wherein the office of an irrigation district is located shall be~~  
5 ~~and is hereby constituted ex officio district treasurer of such irrigation~~  
6 ~~district and shall be liable upon his official bond and to indictment and~~  
7 ~~criminal prosecution for malfeasance, misfeasance, or failure to perform~~  
8 ~~any duty prescribed in this article, either as county treasurer or as district~~  
9 ~~treasurer, as is provided by law in like or other cases as county treasurer.~~  
10 ~~Said treasurer shall collect, receive, and receipt for all moneys belonging~~  
11 ~~to the district."~~

12 Page 13, strike lines 9 through 17 and substitute "~~the person tendering the~~  
13 ~~same owes. Payment of irrigation district assessments shall be receipted~~  
14 ~~for upon the same receipt required in the collection of general real estate~~  
15 ~~taxes, but, in the case of payment of only general tax or irrigation district~~  
16 ~~assessment and the nonpayment of the other, such nonpayment shall be~~  
17 ~~clearly indicated upon such receipt so issued, and the payment of the one~~  
18 ~~shall in no way affect the lien or obligation of the unpaid tax or~~  
19 ~~assessment, but each shall exist and be enforceable separately."~~

20 Page 13, strike lines 20 through 27.

1 Page 14, strike lines 1 through 24 and substitute "county in which the  
2 office of said district is located, on the first Monday of each month, shall  
3 remit to the district treasurer all moneys, warrants, coupons, or bonds  
4 theretofore MONEY collected or received by him OR HER on account of  
5 said THE district. Every county treasurer shall keep a general fund  
6 account, a bond fund account, and, in the case of a contract with the  
7 United States, a United States contract fund account. In the bond fund  
8 account shall be placed all moneys received from taxation for the  
9 payment of bonds and the interest thereon. In the United States contract  
10 fund account shall be placed all moneys received for payments due or to  
11 become due the United States under any contract between the district and  
12 the United States:

13 (5) ~~All other district moneys from whatever sources shall be~~  
14 ~~placed in the general fund, and the three funds kept separate at all times.~~  
15 ~~The district treasurer shall pay out of said bond and United States contract~~  
16 ~~fund, when due, the interest and principal of the bonds of said district, at~~  
17 ~~the time and place specified in said bonds, or all payments due to the~~  
18 ~~United States under any contract between the district and the United~~  
19 ~~States, at the time and in the manner provided in said contract, and shall~~  
20 ~~pay out of the general fund only upon warrants signed by the person duly~~  
21 ~~authorized by the board of directors of said district. as provided in this~~  
22 ~~section."~~

23 Page 15, line 1, strike "respective funds," and substitute "respective funds  
24 DISTRICT ACCOUNTS,".

25 Page 15, line 2, strike "RESPECTIVE FUNDS" and substitute "DISTRICT  
26 ACCOUNTS".

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