

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3096**

1 On page 1 of the printed bill, line 2, after “554.080,” insert “554.135,”.

2 On page 2, after line 27, insert:

3 **“SECTION 3.** ORS 554.135 is amended to read:

4 “554.135. (1) In lieu of the method of levy and assessment provided for in  
5 ORS 554.130, the board of directors may provide in the bylaws or by resolu-  
6 tion for the billing and collection of the rates, tolls, fees, fines and charges  
7 of the corporation in the manner provided in this section. The provision in  
8 the bylaws or the resolution may apply to rates, tolls, fees, fines and charges  
9 for the operation and maintenance of the corporation, for the use of water,  
10 or for the use of any of the works of the corporation, or for violation of any  
11 of the bylaws, rules and regulations of the corporation, or for principal and  
12 interest of maturing indebtedness.

13 “(2) The bylaws or the resolution establishing the rates, tolls, fees, fines  
14 and charges shall fix the time when they shall become due and payable, and  
15 shall also fix a time after which they shall become delinquent, which time  
16 shall be any time within one year from the due date.

17 “(3) If any rates, tolls, fees, fines or charges remain unpaid after the de-  
18 linquency date, **the corporation may file a notice of lien and collect the**  
19 **delinquent charges in the manner provided for collection of incurred**  
20 **charges of an irrigation district under ORS 545.494, 545.496, 545.498,**  
21 **545.502, 545.504 and 545.506.** [*the secretary of the corporation may file a No-*  
22 *tice of Claim of Lien with the recording officers of the county of each county*

1 *in which land is situated which received or was entitled to receive the benefit*  
2 *of the water delivery or other benefits from the corporation for which the rates,*  
3 *tolls, fees, fines or charges have been made. The Notice of Claim of Lien shall*  
4 *be in writing and must contain:]*

5 *“(a) The name of the person or entity to whom water was delivered or was*  
6 *deliverable or who received benefits from or was entitled to receive benefits*  
7 *from the works of the corporation;]*

8 *“(b) A statement of the amount claimed past due; and]*

9 *“(c) A description of the land which received or was entitled to receive the*  
10 *benefit of the water delivery or other benefits of the corporation sufficient for*  
11 *identification. Upon such filing, the rates, tolls, fees, fines or charges shall*  
12 *become a lien upon all lands therein described in the amounts set forth oppo-*  
13 *site each tract of land.]*

14 *“(4) If rates, tolls, fees, fines or charges, or any installment thereof, are*  
15 *not paid when due, interest shall be charged and collected on the past due*  
16 *amount at the rate of one and one-half percent per month, or fraction of a*  
17 *month, until paid.*

18 *“(5) Upon the filing of the Notice of Claim of Lien, the board of directors*  
19 *by resolution may direct that all delinquent rates, tolls, fees, fines and charges*  
20 *represented thereby shall be foreclosed by the district. The foreclosure shall*  
21 *follow the procedures and be accomplished in the manner provided in ORS*  
22 *545.502, 545.504 and 545.506.]”.*

23 In line 28, delete “3” and insert “4”.

24 On page 3, line 25, delete “4” and insert “5”.

25 In line 26, delete “5” and insert “6”.

26 On page 4, line 15, delete “6” and insert “7”.

27 In line 29, delete “7” and insert “8”.

28 On page 5, line 21, delete “8” and insert “9”.

29 In line 28, delete “9” and insert “10”.

30 On page 6, line 32, delete “10” and insert “11”.

