

HOUSE BILL REPORT

SHB 2819

As Passed House:

February 9, 2000

Title: An act relating to petitions for mergers of minor irrigation districts with other special purpose districts.

Brief Description: Clarifying the number of landowners needed on petitions to merge minor irrigation districts into other special purpose districts.

Sponsors: By House Committee on Agriculture & Ecology (originally sponsored by Representatives B. Chandler, Lisk, G. Chandler and Skinner).

Brief History:

Committee Activity:

Agriculture & Ecology: 2/2/00, 2/4/00 [DPS].

Floor Activity:

Passed House: 2/9/00, 97-0.

Brief Summary of Substitute Bill

- Clarifies signature requirements for petitions calling for certain special districts to merge into irrigation districts.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives G. Chandler, Republican Co-Chair; Linville, Democratic Co-Chair; Cooper, Democratic Vice Chair; Anderson; B. Chandler; Delvin; Fortunato; Grant; Reardon; Schoesler; Stensen; Sump and Wood.

Staff: Bill Lynch (786-7092).

Background:

A smaller irrigation district (minor district) may be merged into a larger irrigation district (major district) if the assessed acreage of the smaller district constitutes no more than 30 percent of the combined assessed acreage of the two districts combined.

The merger process is initiated either by a resolution adopted by the minor irrigation district's board of directors calling for the merger, or by a petition signed by the greater of : (a) ten owners of land within the minor district; or (b) five percent of the total number of landowners within the minor district. If there are less than 20 owners of land within the minor irrigation district, the petition must be signed by a majority of the landowners. The petition requirements do not address who may sign a merger petition when property is owned as community property or some other form of co-ownership.

A drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district may be merged into an irrigation district. The merger process is initiated by a petition being presented to the county legislative authority signed by the board of supervisors, or by 10 owners of land located within the improvement district. The petition requirements do not address who may sign a merger petition when property is owned as community property or some other form of co-ownership.

Summary of Bill:

For the purpose of determining the number of landowners needed to initiate merger proceedings of a minor irrigation district into a major irrigation district by petition, a husband and wife owning property as community property are considered to be a single landowner, and the petition may be signed either by the husband or wife. When two or more people hold title to property as tenants in common, joint tenants, tenants in partnership, or another form of joint ownership, the owners of the property are considered to be a single landowner for purposes of signing the petition for merging a minor irrigation district into a major irrigation district, and the petition may be signed by any one of the property co-owners.

For purposes of signing a petition to merge a drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district into an irrigation district, a husband and wife owning community property are considered to be a single landowner, and the petition may be signed by the husband or wife. Other co-owners of property are considered to be a single landowner, and the petition may be signed by any one of the property co-owners.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: (Original bill): This adds some needed clarity to the law.

Testimony Against: None.

Testified: (In support) Mike Schwisow, Washington State Water Resources Association.