

SENATE BILL REPORT

HB 2037

As Reported By Senate Committee On:
Agriculture & International Trade, March 21, 2001

Title: An act relating to administration of irrigation districts.

Brief Description: Changing provisions relating to the administration of irrigation districts.

Sponsors: By Representative G. Chandler.

Brief History:

Committee Activity: Agriculture & International Trade: 3/21/01 [DP].

SENATE COMMITTEE ON AGRICULTURE & INTERNATIONAL TRADE

Majority Report: Do pass.

Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Parlette, Sheahan and Swecker.

Staff: Bob Lee (786-7404)

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 may be initiated by resolution of the minor district's board of directors or by petition of the minor district's landowners. A petition seeking merger must be sent to the major district's board and must be signed by the greater of ten landowners or 5 percent of land owners within the minor district or a majority of the minor district landowners if the total number of owners is fewer than 20.

An irrigation district may annex land that is adjacent to the boundary of the district, is contiguous and, taken together, constitutes one tract of land. The annexation is initiated by a petition filed with the district board indicating the assent of at least one-half of the eligible lands to the annexation.

Irrigation districts may impose rates and charges for district services through collection or a levy of assessments. Unpaid rates and charges are deemed charges against the property to which the service is available.

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.

Irrigation district annexations are not limited to land that is adjacent to the district's boundary, contiguous and, taken together, constitutes one tract of land. Language imposing this restriction is removed, allowing district annexations of any body of lands.

Unpaid rates and charges are deemed a lien against the property to which the district service is available until the rates and charges are paid in full.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This is a bill to tune up irrigation district laws that have been requested by various irrigation districts in the state. It clarifies who has to sign to validate petitions to merge districts. It allows districts to merge to improve efficiencies in administration but does not change water rights. Any change in water rights would have to go through approval process of the Department of Ecology. Districts can assess rates and charges for water delivery and this bill picks those up under the current lien provision.

Testimony Against: None.

Testified: PRO: Mike Schwisow, Washington State Water Resources Association.