

CERTIFICATION OF ENROLLMENT

SENATE BILL 5295

Chapter 50, Laws of 2011

62nd Legislature
2011 Regular Session

IRRIGATION DISTRICTS--LEASING POWER--DURATION

EFFECTIVE DATE: 07/22/11

Passed by the Senate March 1, 2011
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 1, 2011
YEAS 93 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved April 13, 2011, 2:25 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5295** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 13, 2011

**Secretary of State
State of Washington**

SENATE BILL 5295

Passed Legislature - 2011 Regular Session

State of Washington

62nd Legislature

2011 Regular Session

By Senators Delvin, Swecker, Schoesler, Holmquist Newbry, Honeyford,
and Hewitt

Read first time 01/20/11. Referred to Committee on Agriculture &
Rural Economic Development.

1 AN ACT Relating to leases of irrigation district property; and
2 amending RCW 87.03.136.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 87.03.136 and 1994 c 117 s 2 are each amended to read
5 as follows:

6 An irrigation district has the power to sell or lease real property
7 owned by the district whenever its board of directors, by resolution:
8 Determines that the property is not necessary or needed for the use of
9 the district; and authorizes the sale or lease. Notice of the
10 district's intention to sell or lease the property shall be made by
11 publication at least twenty days before the transaction is executed
12 regarding the property in a newspaper of general circulation in the
13 county where the property or part of the property is located or, if
14 there is no such newspaper in the county, in a newspaper of general
15 circulation published in an adjoining county. The publication shall be
16 made at least once a week during three consecutive weeks. The notice
17 shall state whether the sale or lease will be negotiated by the
18 district or will be awarded by bid.

1 The district may lease the property (~~(from year to year)~~) for a
2 duration determined by the board, afford the lessee the option to
3 purchase the property, sell the property on contract for deferred
4 payments, sell the property pursuant to a promissory note secured by a
5 mortgage or deed of trust, or sell the property for cash and conveyance
6 by deed. The appropriate documents shall be executed by the president
7 of the board and acknowledged by the secretary.

8 The resolution authorizing the sale or lease shall be entered in
9 the minutes of the board and shall fix the price at which the lease,
10 option, or sale may be made. The price shall be not less than the
11 reasonable market value of the property; however, the board may,
12 without consideration, dedicate, grant, or convey district land or
13 easements in district land for highway or public utility purposes that
14 convenience the inhabitants of the district if the board deems that the
15 action will enhance the value of the remaining district land to an
16 extent equal to or greater than the value of the land or easement
17 dedicated, granted, or conveyed.

Passed by the Senate March 1, 2011.

Passed by the House April 1, 2011.

Approved by the Governor April 13, 2011.

Filed in Office of Secretary of State April 13, 2011.