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**SUBSTITUTE HOUSE BILL 2819**

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**State of Washington**

**56th Legislature**

**2000 Regular Session**

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

Read first time 02/04/2000. Referred to Committee on .

1 AN ACT Relating to petitions for mergers of minor irrigation  
2 districts with other special purpose districts; and amending RCW  
3 87.03.845 and 85.08.850.

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

5 **Sec. 1.** RCW 87.03.845 and 1998 c 84 s 1 are each amended to read  
6 as follows:

7 This section and RCW 87.03.847 through 87.03.855 provide the  
8 procedures by which a minor irrigation district may be merged into a  
9 major irrigation district as authorized by RCW 87.03.530(2).

10 To institute proceedings for such a merger, the board of directors  
11 of the minor district shall adopt a resolution requesting the board of  
12 directors of the major district to consider the merger, or proceedings  
13 for such a merger may be instituted by a petition requesting the board  
14 of directors of the major district to consider the merger, signed by  
15 ten (~~owners of land~~) landowners within the minor district or five  
16 percent of the total number of landowners within the minor district,  
17 whichever is greater. However, if there are fewer than twenty (~~owners~~  
18 ~~of land~~) landowners within the minor irrigation district, the petition

1 shall be signed by a majority of the landowners and filed with the  
2 board of directors of the major irrigation district.

3 For the purpose of determining the number of landowners required to  
4 initiate merger proceedings under this section, a husband and wife  
5 owning property as community property shall be considered a single  
6 landowner; two or more persons or entities holding title to property as  
7 tenants in common, joint tenants, tenants in partnership, or other form  
8 of joint ownership shall be considered a single landowner; and the  
9 petition requesting the merger to be considered by the board of  
10 directors of the major irrigation district may be signed by either the  
11 husband or wife and by any one of the co-owners of jointly owned  
12 property.

13 The board of directors of the major irrigation district shall  
14 consider the request at the next regularly scheduled meeting of the  
15 board of directors of the major district following its receipt of the  
16 minor district's request or at a special meeting called for the purpose  
17 of considering the request. If the board of the major district denies  
18 the request of the minor district, no further action on the request  
19 shall be taken.

20 If the board of the major district does not deny the request, it  
21 shall conduct a public hearing on the request and shall give notice  
22 regarding the hearing. The notice shall describe the proposed merger  
23 and shall be published once a week for two consecutive weeks preceding  
24 the date of the hearing and the last publication shall be not more than  
25 seven days before the date of the hearing. The notice shall contain a  
26 statement that unless the holders of title or evidence of title to at  
27 least twenty percent of the assessed lands within the major district  
28 file a protest opposing the merger with the board of the major district  
29 at or before the hearing, the board is free to approve the request for  
30 the merger without an election being conducted in the major district on  
31 the request. If the board of the major district is considering  
32 requests from more than one minor district, the hearing shall be  
33 conducted on all such requests.

34 **Sec. 2.** RCW 85.08.850 and 1996 c 313 s 1 are each amended to read  
35 as follows:

36 The petition requesting the merger shall be signed by the board of  
37 supervisors of, or by ten (~~owners of land~~) landowners located within,  
38 the drainage improvement district, joint drainage improvement district,

1 or consolidated drainage improvement district and presented to the  
2 clerk or clerks of the appropriate county legislative authority or  
3 authorities, at a regular or special meeting. For the purpose of  
4 determining the number of landowners required to initiate merger  
5 proceedings under this section, a husband and wife owning property as  
6 community property shall be considered a single landowner; two or more  
7 persons or entities holding title to property as tenants in common,  
8 joint tenants, tenants in partnership, or other form of joint ownership  
9 shall be considered a single landowner; and the petition requesting the  
10 merger may be signed by either the husband or wife and by any one of  
11 the co-owners of jointly owned property. The petition requesting the  
12 merger shall be considered by the county legislative authority or  
13 authorities.

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