

FINAL BILL REPORT

HB 2037

C 149 L 01

Synopsis as Enacted

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

Sponsors: By Representative G. Chandler.

House Committee on Agriculture & Ecology

Senate Committee on Agriculture & International Trade

Background:

Irrigation districts may be created to provide a system of water distribution for irrigation purposes. Irrigation districts may purchase, construct, operate, maintain, and repair systems of diverting conduits from a natural source of water supply for individual distribution for irrigation. An irrigation district also may perform a variety of other functions, including purchase and sale of electric power for irrigation and domestic use, operation of a domestic water system for irrigated land owners, and operation of a drainage or sewage system.

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 land owners. A petition seeking merger must be sent to the major district's board and must be signed by the greater of 10 land owners or 5 percent of land owners within the minor district or by a majority of the minor district land owners 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:

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.

Votes on Final Passage:

House 93 0

Senate 47 0

Effective: July 22, 2001