

SENATE BILL REPORT

EHB 2302

AS REPORTED BY COMMITTEE ON AGRICULTURE, FEBRUARY 22, 1994

Brief Description: Modifying provisions relating to sale or lease of irrigation district real and personal property.

SPONSORS: Representatives Rayburn, Foreman, Hansen and Bray

HOUSE COMMITTEE ON AGRICULTURE & RURAL DEVELOPMENT

SENATE COMMITTEE ON AGRICULTURE

Majority Report: Do pass.

Signed by Senators M. Rasmussen, Chairman; Anderson, Bauer, Morton, Newhouse and Snyder.

Staff: Bob Lee (786-7404)

Hearing Dates: February 22, 1994

BACKGROUND:

A provision of the state's irrigation district laws establishes procedures that apply to the lease or sale of district-owned properties. The provision does not apply to the properties irrigation districts have obtained through foreclosure proceedings for delinquent district assessments. A statute governing the lease and sale of district properties obtained in this manner was repealed in a bill which rewrote the rules for such delinquency and foreclosure. The repealed authority may have been replaced by implied authorities to sell and lease such properties. Due to the 1988 repealer, the rules that apply to such sales or leases are unclear.

Current law governing the lease or sale of irrigation district property requires the district to publish in a local newspaper a notice of the district's intent to sell or lease the property. The notice must identify the time and location at which the district will consider bid proposals and the time and location at which it will make the sale or lease. The property must be sold or leased to the highest and best bidder and the price must, except for property dedicated to certain highway or utility easements, be not less than the reasonable market value of the property.

SUMMARY:

There is created separate procedures for the sale or lease of personal property and real property owned by irrigation districts.

A provision of law is repealed which states that the procedures established by statute for leasing or selling

irrigation district property do not apply to properties obtained by a district through foreclosure proceedings for delinquent district assessments.

A notice regarding the sale or lease of any real property owned by an irrigation district is to announce whether the sale or lease is to be negotiated by the district or is to be awarded by bid.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

This bill is necessary to correct an oversight made in 1988 with regards to authority for irrigation districts to sell property acquired due to foreclosure of a delinquent irrigation district assessment.

TESTIMONY AGAINST: None

TESTIFIED: Suzie Rao, BIAW; Mike Schwisow, WA State Water Resources Assn.