

FINAL BILL REPORT

SHB 1729

PARTIAL VETO

C 354 L 97

Synopsis as Enacted

Brief Description: Changing irrigation district administration provisions.

Sponsors: By House Committee on Agriculture & Ecology (originally sponsored by Representatives Chandler, Schoesler, Grant and Linville).

House Committee on Agriculture & Ecology
Senate Committee on Agriculture & Environment

Background: Property owners, including corporations, are allowed to vote in irrigation district elections. The statutes do not specify that other legal entities that own property, such as partnerships, are authorized to vote in irrigation district elections.

Irrigation districts do not regulate what is discharged into the water moving through the district. There is no statutory release from liability for irrigation districts for discharges into the water by other persons.

Water-sewer districts are allowed to require each bid to be accompanied by a deposit in the amount of 5 percent of the bid, and to require a successful bidder to enter into a contract and furnish the required bond within 10 days after being awarded the contract. Irrigation districts do not have this authority.

Property owners may submit a petition to an irrigation district requesting that lands be added within the boundaries of the district. The lands must be adjacent to the boundaries of the irrigation district, contiguous, and constitute one tract of land when taken together.

Summary: A general partnership, limited partnership, limited liability company, or any other legal entity that owns land and is formed pursuant to state law or qualified to do business in the state may vote in an irrigation district election.

No irrigation district, its directors, officers, employees, or agents operating and maintaining irrigation works for any purpose, is liable for any damages to persons or property arising from the disposal of sewage and waste discharged by others into the irrigation works pursuant to federal or state law permitting the discharge.

An irrigation district may require bidders to accompany their bids with a deposit in an amount equal to 5 percent of the amount of the bid, and the bid cannot be considered without the deposit. If the lowest responsible bidder cannot enter into the contract and furnish the satisfactory bonds as required by law within 20 days of the award, the deposit is forfeited, and the district may award the contract to the second lowest bidder. Once the contract is awarded, the deposits of the unsuccessful bidders must be returned.

A petition submitted by property owners to an irrigation district requesting that lands be added within the boundaries of the irrigation district is no longer limited to lands that are adjacent to the boundary of the irrigation district, are contiguous, and which constitute one tract of land when taken together.

Votes on Final Passage:

House 97 0
Senate 47 1 (Senate amended)
House (House refused to concur)
Senate 39 0 (Senate receded)

Effective: July 27, 1997

Partial Veto Summary: The governor vetoed section 4, which allowed irrigation districts to add lands to the district's boundaries that are not contiguous with the district.