

HOUSE BILL REPORT

SHB 2710

As Passed Legislature

Title: An act relating to the administration of irrigation districts.

Brief Description: Changing irrigation district administration.

Sponsors: By House Committee on Agriculture & Ecology (originally sponsored by Representatives Chandler and Honeyford).

Brief History:

Committee Activity:

Agriculture & Ecology: 1/28/98, 2/2/98 [DPS].

Floor Activity:

Passed House: 2/10/98, 96-0.

Passed Legislature.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, Vice Chairman; Linville, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Cooper; Delvin; Koster; Mastin and Regala.

Staff: Bill Lynch (786-7092).

Background: A smaller irrigation district (minor district) may be merged into a larger irrigation district (major district) if the assessed acreage in the smaller district constitutes no more than 30 percent of the combined assessed acreage of the two districts combined. The merger procedure is initiated by the adoption of a resolution by the minor irrigation district board of directors calling for the merger. If the major irrigation district board of directors does not deny the request for merger, it must send out public notice and conduct hearings on the proposed merger. If the major irrigation district wishes to merge the districts after the public hearings have been held, and a petition has not been filed in opposition to the merger by landowners representing at least 20 percent of the assessed lands within the major district, the board of directors of the major district may adopt a resolution to merge the districts. If the major district board of directors approves the merger, no election is held in the major district but an election must be held in the minor district to approve the merger. If a petition with sufficient signatures is submitted to the board of directors of the major irrigation district protesting the merger, then the

issue is submitted to the voters of both irrigation districts. There is no procedure for landowners within the minor irrigation district to initiate a merger by petition method.

A board of joint control may be formed to administer operations, maintenance, and other aspects of two or more irrigation districts or similar entities. A board of joint control is authorized to enter into and perform any and all necessary contracts, but is not specifically authorized to use the powers of eminent domain; or to purchase or lease property or property rights; or to sell, lease, or exchange surplus property or property rights.

Summary of Bill: The merger of a minor irrigation district into a major irrigation district may be initiated by a petition signed by ten owners of land within the minor district or five percent of the total number of landowners within the minor district, whichever is greater. If there are less than 20 landowners within the minor irrigation district, the petition must be signed by a majority of the landowners. The petition must be filed with the board of directors of the major irrigation district.

Boards of joint control are specifically authorized, subject to the same limitations as an irrigation district, to exercise the powers of eminent domain and to purchase or lease property and property rights; and may sell, lease, or exchange surplus property and property rights.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Larger irrigation districts can address water quality issues easier than small districts. Property owners in some small districts want to merge into larger districts. Boards of joint control should be able to exercise the same authority as the individual districts.

Testimony Against: (Original Bill) Eliminating the requirement for property to be contiguous to a district for annexation purposes can lead to water spreading.

Testified: Mike Schwisow, Washington State Water Resources Association (pro); and Dawn Vyvyan, Yakama Indian Nation (con-original bill).