

House Bill Analysis

HB 2819

HOUSE AGRICULTURE AND ECOLOGY COMMITTEE

February 2, 2000

BACKGROUND:

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 thirty percent of the combined assessed acreage of the two districts combined.

The merger process is initiated either by a resolution adopted by the minor irrigation district's board of directors calling for the merger, or by a petition signed by the greater of: (a) ten owners of land within the minor district; or (b) five percent of the total number of landowners within the minor district. If there are less than twenty owners of land within the minor irrigation district, the petition must be signed by a majority of the landowners. The petition requirements do not address who may sign a merger petition when property is owned as community property or some other form of co-ownership.

A drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district may be merged into an irrigation district. The merger process is initiated by a petition being presented to the county legislative authority signed by the board of supervisors, or by ten owners of land located within the improvement district.

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 as 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 as 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.

The term owners of land— is changed to landowners— for purposes of signing a petition to merge a drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district into an irrigation district.

Appropriation: None

Fiscal Note: Not requested

Effective Date: Ninety days after adjournment of regular session