

# SENATE BILL REPORT

## SB 6271

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As Reported by Senate Committee On:  
Local Government, January 23, 2018

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

**Brief Description:** Concerning the administration of irrigation districts.

**Sponsors:** Senators Takko and Short.

**Brief History:**

**Committee Activity:** Local Government: 1/18/18, 1/23/18 [DPS].

**Brief Summary of First Substitute Bill**

- Removes the bond execution requirement for the secretary and directors of the irrigation district (district).
- Allows a district to enter into a contract without any further call, if no bid is received on the first call for bids.

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### SENATE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** That Substitute Senate Bill No. 6271 be substituted therefor, and the substitute bill do pass.

Signed by Senators Takko, Chair; Palumbo, Vice Chair; Short, Ranking Member; Angel and Liias.

**Staff:** Greg Vogel (786-7413)

**Background:** Districts provide for the construction, improvement, maintenance, and operation of irrigation systems, and may provide drainage, domestic water supply, and electric power facilities. Districts are established through a landowner petition process and subsequent voter approval. A board of three, five, or seven elected directors (board) is responsible for the management of each district. Districts may finance their operations and actions through fees, tolls, charges, and assessments, but districts do not have the authority to impose property taxes.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Each director and the secretary of the board are required to take an official oath for the faithful discharge of their duties and execute a bond to the district in the amount of \$1,000, conditioned for the faithful discharge of their duties, which must be approved by the judge of the superior court of the county where the district is organized. If a district is appointed fiscal agent of the United States to collect money for it, the secretary, the directors, and the treasurer must each execute additional bonds as the Secretary of the Interior may require.

Districts may contract for the work and furnishing of materials for the construction of the district canal or canals, or other works. Following a public bidding process, the district may award the contract to the lowest responsible bidder, reject any or all bids and readvertise, or may proceed to construct the work under its own superintendence.

**Summary of Bill (First Substitute):** The bond execution requirement for district directors and the secretary, and the provision related to bond execution as a fiscal agent are removed.

In contracting for the work and furnishing materials for construction, if no bid is received on the first call for bids, the board may readvertise and make a second call, or may enter into a contract without any further call and may purchase the supplies, material, or equipment, or may proceed to construct the work under its own superintendence.

**EFFECT OF CHANGES MADE BY LOCAL GOVERNMENT COMMITTEE (First Substitute):**

- Makes a technical correction relating to removing the requirement that board directors' oaths be recorded in the office of the county clerk of that county.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony on Original Bill:** *The committee recommended a different version of the bill than what was heard.* This is a government efficiency bill. Since districts are insured, they do not need to be bonded. The requirement is based off an old statute, and the purpose of the requirement has now become duplicative. For the bidding process change, there was a district that had a project with no bids on the first and second call and were wondering what to do next. This allows districts more flexibility in this situation.

**Persons Testifying:** PRO: Senator Dean Takko, Prime Sponsor; Mike Schwisow, Washington State Water Resources Assn. (Irrigation Districts).

**Persons Signed In To Testify But Not Testifying:** No one.