

HOUSE BILL REPORT

HB 2170

As Passed House:

February 11, 2002

Title: An act relating to changing the voting requirements for creating a lake management district.

Brief Description: Modifying election provisions for the creation of a lake management district.

Sponsors: By Representatives Alexander and Quall.

Brief History:

Committee Activity:

Local Government & Housing: 1/28/02, 1/30/02 [DP].

Floor Activity:

Passed House: 2/11/02, 55-42.

Brief Summary of Bill

- Alters the requirements to initiate a lake management district by petition to require the signatures of a simple majority of over 50 percent of landowners.
- Alters the creation of a district by removing the weighted voting requirements and requiring the vote to be valid only with over 50 percent of the votes cast.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: Do pass. Signed by 11 members: Representatives Dunshee, Chair; Edwards, Vice Chair; Mulliken, Ranking Minority Member; Berkey, Crouse, DeBolt, Dunn, Hatfield, Kirby, Mielke and Sullivan.

Staff: Scott MacColl (786-7106).

Background:

Lake management districts are limited purpose districts that allow property owners to finance the maintenance and improvement of lakes. Property owners impose special assessments on the property included in the district for activities such as control and removal of aquatic plants, water quality, and storm water diversion and treatment. These

districts may be for lakes and surrounding property that is wholly or partially within a particular county.

Lake management districts may be initiated by a resolution of the county legislative authority or the filing of a petition signed by 10 land owners or the owners of at least 15 percent of the acreage contained within the proposed district, whichever is greater. Once a petition is validated, the county legislative authority must hold a public hearing, and then submit the question of creating the district to the landowners in the proposed district.

Ballots must be signed by the property owner, returned by no later than 30 days after mailing, marked for or against. Ballots marked in favor must be weighted so that the property owner has one vote for each dollar of estimated special assessment or rate and charge proposed on the property. One district is created with a simple majority of final votes.

Summary of Bill:

The requirements for a petition to create a lake management district are altered to require a simple majority of over 50 percent of landowners. The requirement that ballots in favor are weighted so that the property owner has one vote for each dollar of estimated special assessment or rate and charge proposed on the property is removed, and altered to reflect one voter per property owner. Also, the final votes cast must reflect a majority of over 50 percent for the district to be created.

Removes the weighted voting requirement for additional elections to increase the special assessment rate.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: (In support) This bill calls into question the ability for representation in outcomes of decisions of lake management districts. Currently, a small percentage of property owners can have a large influence in the district. The bill has to do with fairness in voting and equal representation. A change to a simple majority is needed for the final vote count, and the vote should not be weighted based on the assessment of the property. It should be a one person, one vote system.

Testimony Against: (Opposed) The problem with the bill is that it's like a local improvement district, where the value of the property does count. Upland people pay far

less per year in assessments than those that live on the lake. The Department of Fish and Wildlife operates a public boat launch that allows people to use the lake, and they should really pay more. If it were one person, one vote, the districts would never be formed.

Testified: (In support) Representative Alexander, prime sponsor; and Leslie A. Leighton, citizen.

(Opposed) Joe Daniels, citizen.