

SENATE BILL REPORT

SB 5705

As Reported by Senate Committee On:
Government Operations & Elections, February 17, 2009

Title: An act relating to voting rights in special districts.

Brief Description: Regarding voting rights in special districts.

Sponsors: Senator Swecker.

Brief History:

Committee Activity: Government Operations & Elections: 2/17/09 [DPS].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 5705 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; McDermott and Swecker.

Staff: Sharon Swanson (786-7447)

Background: The owner of land located in a special district who is a qualified voter of the special district must receive two votes at any election. If multiple undivided interests, other than community property interests, exists in a lot or parcel and no person owns a majority undivided interest, the owners of undivided interests at least equal to a majority interest may designate in writing:

- (a) which owner is eligible to vote and may cast two votes; or
- (b) which two owners are eligible to vote and may cast one vote each.

If land is owned as community property, each spouse is entitled to one vote if both spouses otherwise qualify to vote, unless one spouse designates in writing that the other spouse may cast both votes.

A corporation, partnership, or governmental entity must designate:

- (a) a natural person to cast its two votes; or
- (b) two natural persons to each cast one of their votes.

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.

With limited exceptions, no owner of land may cast more than two votes or have more than two votes cast for him or her in a special district election.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Recommended Substitute): All registered voters within a special flood control district consisting of three or more counties are qualified voters in special flood control district elections.

Special flood control districts consisting of three or more counties are exempt from receiving two votes per land owner.

Special flood control districts consisting of three or more counties are not required to have their elections on the first Tuesday following the first Monday in November in the odd-numbered years.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: The current statutes relating to voting in special districts such as flood districts allow land owners to vote and to receive two votes. Floods don't discriminate and only impact land owners. It makes sense to allow all qualified voters in the larger flood districts to vote, regardless of the amount of land they own, if any.

Persons Testifying: PRO: Senator Swecker, prime sponsor; Ron Averill, Lewis County.