



Bringing accountability to water districts will have to wait

By Phil Doe

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Tell me, would you live in a state or country where government could tax you without your consent or knowledge? Where the people taxing you were unelected? Where they were merely appointed to governing boards by unelected judges? Where the appointments could last a lifetime? Where recall for malfeasance was impossible? Where your land could be condemned or you could be fined if it suited the ends of these unelected boards? What is more, in the government I'm describing, only the landed gentry are eligible to be appointed to these government positions. All other citizens need not apply.

You say, No, you wouldn't, you couldn't, live in such a place? Well, surprise, brothers and sisters, the place I've just described is Colorado. Indeed, we have 53 of these taxing entities spread across the state, some on top of each other so that, locally, double and even triple taxation is achieved.

These government entities are disarmingly called Water Conservancy Districts. Last year they taxed all property owners within their boundaries an eye-popping \$34 million and didn't need to ask anyone for approval. The money goes exclusively to advance water development projects for large landowners and development interests.

Recently, a bill was introduced in our legislature that would have corrected this puzzlingly undemocratic situation by requiring all board members be elected and that land ownership be extinguished as a requirement for board eligibility.

House Bill 1330 was introduced in the House Agriculture, Livestock and Natural Resources Committee by its sponsor, Rep. Paul Weissmann, D-Boulder. It would have brought these water conservancy districts into the 20th century, to say nothing of the 21st century, by extending the franchise to all registered voters.

Get ready for another surprise: The bill was roundly defeated 10-3. Clearly, water and farm lobbyists had had their way with most of the committee well before the hearing.

To hear the arguments of committee members opposing HB 1330, one could almost imagine that they had never faced a popular election, were opposed to the concept of representative government and thought our revolutionary history and battle cry of "No taxation without representation" quaint, if not wrongheaded.

Rep. Jerry Sonnenberg, R-Sterling, a wheat farmer, apparently unfamiliar with or disapproving of the history of voting rights in this country, thought it unfair that nonlandowners within the districts should have any say on how tax dollars were spent or how local water resources were allocated. He apparently thought it unimportant to mention that he was a past board member of the Colorado Water Congress,

which testified against the legislation. The CWC's operating budget comes, in part, from dues it collects from water conservancy districts.

Rep. Wes McKinley, D-Walsh, another rancher, whose Web site champions him as a stalwart for representative government, had an epiphany at the hearing. In explaining his opposition, he worried that since the bulk of the tax dollars in many of these districts were coming from town and city dwellers, it would be dangerous to give the "townies" equal standing with rural taxpayers, if the latter were in the clear minority. The concept of situational representative government was thus born.

There were others there to speak on behalf of unelected government, but the hearing's bright spot were the three elected representatives who spoke in defense of the bill: Reps. Marsha Looper, R-Calhan; Judy Solano, D-Brighton; and Randy Fischer, D-Fort Collins.

Fischer reminded the committee that they had the opportunity to do something really important, unlike so much they regularly dealt with. But most of the others on the committee did not hear. They were drinking Cokes, rattling potato chip bags, consulting their Blackberries. Clearly, they were in no mood for something important.

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