

# **Election Manual:**

## **Election and Appointment Procedures for Conservation District Supervisors**

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## **Contents**

<b>SECTION 1: FUNDAMENTALS .....</b>	<b>1</b>
A. Purpose.....	1
B. Authority .....	1
C. Failure to comply with these procedures .....	1
D. Disruptions prohibited .....	2
E. General requirements.....	2
F. Definitions .....	5
<b>SECTION 2: ELECTIONS.....</b>	<b>11</b>
A. Information standards .....	11
B. Forms and reports required .....	15
C. Conservation Commission duties.....	18
D. Conservation District duties .....	18
E. Election Supervisor duties .....	27
F. Polling Officer duties .....	28
G. Candidate duties.....	31
H. Nominator duties .....	32
I. Voter duties.....	33
J. Non-standard election outcomes .....	30
K. Emergencies.....	36
<b>SECTION 3: APPOINTMENTS .....</b>	<b>38</b>
A. Information required .....	38
B. Forms and reports required .....	39
C. Conservation Commission duties.....	40
D. Conservation District duties .....	42
E. Applicant duties .....	43
<b>SECTION 4: VACANCY, REMOVAL, AND REPLACEMENT .....</b>	<b>45</b>
A. Only vacant offices may be filled .....	45
B. Supervisors must be eligible to serve .....	45

C. Resignation from office.....45

D. Ceasing to be a registered voter .....45

E. Death of the incumbent.....45

F. Declaration voiding an election or appointment .....46

G. Removal from office.....46

H. Replacement .....46

APPENDIX A.....48

## **SECTION 1: FUNDAMENTALS**

### **A. Purpose – WAC 135-110-100**

These procedures exist to assist conservation districts and conservation district supervisors in the election, appointment, and replacement of supervisors in the State of Washington, and to assure fair treatment of all parties involved in such proceedings, and to provide guidance for compliance with the Washington Administrative Code (WAC), Chapter 135-110.

### **B. Authority – WAC 135-110-100**

1. The Washington State Conservation Commission is authorized in Chapter 89.08.190 Revised Code of Washington to establish conservation district election procedures: “The commission shall establish procedures for elections, canvass the returns and announce the official results thereof.” The Commission has adopted WAC 135-110, effective November 19, 2010.
2. The Conservation Commission is tasked in Chapter 89.08.160 Revised Code of Washington with appointing two supervisors who are qualified by training and experience to serve as conservation district supervisors.
3. Conservation district supervisors are required by Chapter 89.08.190 Revised Code of Washington to conduct conservation district elections annually. Such elections must comply with these procedures.
4. If any provision in these procedures or its application to any person or circumstance is held invalid, the remainder of these procedures or the application of the provision to other persons or circumstances is not affected.

### **C. Failure to comply with these procedures – WAC 135-110-120**

1. In the event these procedures are not substantially followed, the Conservation Commission may make a determination of significant noncompliance. Significant noncompliance consists of failures to follow these procedures that, in the sole judgment of the Conservation Commission, may (1) affect the outcome of an election; (2) affect the appointment of a supervisor; or (3) deny voters their right of privacy in voting. If a determination of significant noncompliance is made, the Conservation Commission may choose not to certify the election or make the appointment.
2. If the Conservation Commission chooses not to certify an election, the conservation district must seek judicial review of the election in Superior Court.
3. For appointment applications found to be significantly noncompliant, the conservation district or applicant must correct all deficiencies on the application. The applicant and conservation district must comply with these procedures before the Conservation Commission will act on an application for appointment to the position of conservation district supervisor.

## 33 **D. Disruptions prohibited – WAC 135-110-180**

- 34 1. Behavior that disrupts or interferes with the election or appointment of conservation district  
35 supervisors shall not be tolerated. A conservation district supervisor, a polling officer, or the election  
36 supervisor may require disruptive persons to leave the premises. Such disruptive persons may be  
37 asked to keep a distance of at least 300 feet away from the polling place. Law enforcement officers  
38 may be called to assist in removing persons found to be disrupting or interfering with election or  
39 appointment processes.

## 40 **E. General requirements**

- 41 1. Each year, either during the last quarter of the calendar year preceding an election or immediately in  
42 January or February of the year in which the election will be held, each conservation district Board of  
43 Supervisors must adopt a resolution setting an election date within the first quarter of the year in  
44 which the election will be held. WAC 135-110-210. The date the Board of Supervisors chooses to  
45 hold the election will determine when the resolution must be adopted. WAC 135-110-220. Each  
46 conservation district Board of Supervisors must also appoint one election supervisor to organize,  
47 coordinate, and perform functions required of the conservation district in the election and  
48 appointment of conservation district supervisors. WAC 135-110-230. This information, plus a list of  
49 conservation district supervisor positions expiring in the year of the election, must be posted  
50 conspicuously in the conservation district office.
- 51 2. Due notice in print media, as defined in these procedures, must be provided for every full-term  
52 conservation district election and every full-term conservation district appointment process. WAC  
53 135-110-220 and WAC 135-110-110. Notices for both processes may be combined if the  
54 conservation district so chooses. Conservation districts are strongly encouraged to exceed the  
55 minimum due notice requirements to reach the maximum number of potential candidates and  
56 voters.
- 57 3. For poll site elections, the conservation district Board of Supervisors must specify the location(s) for  
58 polling and the hours in which polling will occur. WAC 135-110-210(2)b. Every poll site must be  
59 open for at least four hours at a time convenient for voters. WAC 135-110-240(2). Every poll site  
60 must have at least two polling officers present during the hours the polls are open. WAC 135-110-  
61 240(2) and WAC 135-110-620. However, if the incumbent is automatically reelected, then no other  
62 election activities at physical poll sites or through remote election processes may be performed.  
63 WAC 135-110-370. Polling places selected must have sufficient parking to accommodate the  
64 expected number of voters. Polling places must be accessible to voters. WAC 135-110-250 and WAC  
65 135-110-580. If the election will be held only by mail, the date set by the conservation district is the

- 66 end date for receiving ballots from voters, and the location will be where ballots are counted. It is a  
67 good practice, however, to specify in the election notice to voters when the last day, time, and  
68 location mailed ballots may be received.
- 69 4. Every candidate in a conservation district election must be a qualified district elector. WAC 135-110-  
70 300. A qualified district elector is a registered voter residing within the boundary of the conservation  
71 district where the candidate wishes to serve. In addition, some positions may be required to own  
72 land or operate a farm to be eligible. WAC 135-110-310.
- 73 5. The filing deadline for candidates is four weeks before election day, unless, by formal action, the  
74 conservation district supervisors choose a filing deadline greater than four weeks before election  
75 day. WAC 135-110-330. A conservation district may not make the filing deadline less than four  
76 weeks, but may make the deadline more than four weeks, by formal action of the conservation  
77 district board of supervisors. WAC 135-110-330.
- 78 6. There are three types of candidates: (1) declared, (2) declared nominated, and (3) undeclared write-  
79 in candidates. WAC 135-110-350. Both declared and declared nominated candidates require the  
80 filing of candidate information with the conservation district by the filing deadline. WAC 135-110-  
81 350. In addition, a candidate wishing to have his or her name placed on the official ballot must  
82 submit to the conservation district a nominating petition signed by at least 25 nominators by the  
83 filing deadline. WAC 135-110-340. A candidate who submits a nominating petition on time, but  
84 without at least 25 nominators, will be considered a declared candidate. WAC 135-110-350(1).
- 85 7. An individual who does not file candidate information with the conservation district by the filing  
86 deadline is not eligible to be elected. WAC 135-110-320 and WAC 135-110-355.
- 87 8. Every physical poll site must have at least two polling officers present during the hours polls are  
88 open. WAC 135-110-240. The election supervisor may serve as a polling officer at one poll site.  
89 WAC 135-110-470. The conservation district must provide at least two polling officers at each poll  
90 site, except the election supervisor may substitute for one polling officer at one poll site. WAC 135-  
91 110-620. A conservation district supervisor, employee or municipal officer may not serve as a polling  
92 officer in the conservation district election, unless the person is the election supervisor appointed by  
93 the conservation district supervisors. WAC 135-110-440. While there is no prohibition against a  
94 relative or spouse serving as a polling officer, it is important to keep in mind WAC 135-110-150 which  
95 says that conservation districts, employees and supervisors must remain impartial during an  
96 election. Further, with WAC 135-110-150 in mind, there is no prohibition against a conservation  
97 district supervisor, employee or municipal officer from serving as a polling officer in another districts'  
98 election.

- 99 9. Every individual requesting a ballot for any conservation district election must be verified as a  
100 qualified district elector before a ballot is counted. WAC 135-110-610. This applies to poll-site  
101 elections and to mail-in elections.
- 102 10. At a poll-site election, a contested ballot must be issued if the voter's eligibility to vote cannot be  
103 determined during polling and the individual wishes to vote. WAC 135-110-610.
- 104 11. All ballots or computer voting records must be retained by the conservation district for six months  
105 after the election has been certified, at which time they may be destroyed, unless the election has  
106 not been certified by the Conservation Commission or the election has been challenged. WAC 135-  
107 110-140.
- 108 12. All election forms and documents submitted to the Conservation Commission must be copies. WAC  
109 135-110-130. Conservation Districts must retain the original version of all election forms until ballots  
110 may be discarded. WAC 135-110-130. The Conservation Commission may inspect original  
111 documents. WAC 135-110-130.
- 112 13. An employee or municipal officer of a conservation district holding an election may assist in election-  
113 related activities, but may not serve as a polling officer in the conservation district where they are  
114 employed, unless the employee or municipal officer is the election supervisor appointed by the  
115 conservation district board of supervisors. WAC 135-110-440.
- 116 14. An applicant or candidate must be eligible to serve at the time of application or filing for the office of  
117 conservation district supervisor. If, during the term of office, the individual no longer meets the  
118 eligibility requirements to hold that office, the office is deemed to be vacant. WAC 135-110-910 and  
119 WAC 135-110-930.
- 120 15. Elections are final when certified and the official results are announced by the Conservation  
121 Commission in May of each year or later as deemed necessary by the Commission. WAC 135-110-  
122 770. A supervisor-elect takes office and can begin official duties as a board supervisor when the  
123 election is final, which is after the May Commission meeting. RCW 89.08.190 says that "The  
124 commission shall establish procedures for elections, canvass the returns and announce the official  
125 results thereof. Election results may be announced by polling officials at the close of the election  
126 subject to official canvass of ballots by the commission. Supervisors elected shall take office at the  
127 first board meeting following the election." WAC 135-110-770(1) says that "elections are final when  
128 certified by the conservation commission and the official results are announced by the conservation  
129 commission in May of each year or later as deemed necessary." Read together, the RCW and WAC  
130 are linked. The phrase "following the election" in the RCW is linked to the initial phrase "the  
131 commission shall establish procedures for elections..." which is linked to the meaning of "final" for

132 election purposes in WAC 135-110-770(1). Elections are final when they are “certified by the  
133 conservation commission and the official results are announced by the conservation commission in  
134 May of each year or later as deemed necessary.” Therefore, a supervisor-elect takes office and can  
135 begin official duties as board supervisor when the election is final, which is after the May  
136 Commission meeting.

## 137 **F. Definitions – WAC 135-110-110**

138 "Absentee ballot" or "mail-in ballot" means a ballot issued to a voter before election day that can be  
139 delivered to the conservation district or designated election supervisor on or before the day of the  
140 election.

141 "Applicant" is an individual applying to the Conservation Commission for the office of appointed  
142 supervisor of a conservation district.

143 "Appointed supervisor" is an individual appointed by the Conservation Commission to a conservation  
144 district board of supervisors.

145 "Authorized conservation program" and "conservation program" mean the renewable resources  
146 program defined in RCW 89.08.220(7) which includes a comprehensive long-range plan and an annual  
147 plan of work.

148 "Ballot" or "official ballot" means the final, preprinted ballot containing the name of each declared,  
149 nominated candidate found eligible, and at least one line where a voter may enter the name of a write-  
150 in candidate.

151 "Ballot box" is a container secured against tampering into which ballots are placed.

152 "Candidate" means a person seeking the office of elected conservation district supervisor who has  
153 provided the required candidate information to the conservation district by the filing deadline and  
154 whose eligibility to run and to serve has been verified by the conservation district.

155 "Canvass" and "canvassing" mean to examine carefully or scrutinize the election returns for authenticity  
156 and proper count.

157 "Certify" and "certification" mean the canvassing of returns and the verification of substantial  
158 compliance with these procedures, as performed by the Conservation Commission.

159 "Commission" and "Conservation Commission" mean the Washington State Conservation Commission  
160 governing board and all deputies and representatives authorized to act on its behalf.

161 "Commission board," "Commission governing board," "Conservation Commission board," and  
162 "Conservation Commission governing board" mean the governing board of the Washington State  
163 Conservation Commission.

164 “Conservation district” and “district” mean a governmental subdivision of the State of Washington  
165 organized under the provisions of RCW 89.08 Conservation Districts Law.

166 “Conservation district board of supervisors,” “conservation district supervisors,” “district supervisors,”  
167 and “supervisors” mean the governing board of a conservation district, composed of elected and  
168 appointed supervisors.

169 “Conservation district supervisor,” “district supervisor,” and “supervisor” mean an elected or appointed  
170 board member of a local conservation district governing board, in which the governing board is referred  
171 to as the board of supervisors.

172 "Contested ballot" or "provisional ballot" means a paper ballot issued to a voter whose qualifications as  
173 a qualified district elector cannot be determined at the time the paper ballot is issued. A provisional  
174 ballot consists of two envelopes and a paper ballot.

175 "Declared nominated candidate" and "nominated candidate" means an individual found to be a qualified  
176 district elector who is eligible and who has submitted the candidate information required, including a  
177 qualified nominating petition, to the conservation district by the filing deadline, and the conservation  
178 district has verified the eligibility of the candidate.

179 “Declared vacancy” and “declared vacant” mean a declaration by the Conservation Commission that a  
180 conservation district supervisor position is vacant.

181 "Declared write-in candidate" means a person seeking the office of elected supervisor who has provided  
182 the required candidate information to the conservation district by the filing deadline, and the  
183 conservation district has found the person eligible.

184 "Double envelope balloting" means a paper balloting system consisting of an inner and an outer  
185 envelope, where a ballot is placed in an inner envelope with no personally identifying marks on it, and  
186 then the inner envelope with ballot is placed in the outer envelope upon which the voter has provided  
187 sufficient information to allow polling officers to verify the eligibility of the voter.

188 “Due notice” or “notice” means a notice published at least twice, with at least six days between  
189 publications, in a publication of general circulation within the affected area. If there is no such  
190 publication, a notice may be posted at a reasonable number of public places within the area where it is  
191 customary to post notices concerning county and municipal affairs. To illustrate, the first notice must be  
192 at least one week before the event (election resolution adoption meeting or election) and the second at  
193 least a day before the event (election resolution adoption meeting or election). There is no requirement  
194 for publication of a legal advertisement. However, if one is used, a copy of the announcement as  
195 published, showing the date of publication is sufficient proof of publication. An affidavit of publication  
196 from the publisher is then not required.

197 “Elected supervisor” is a qualified district elector (1) who received more valid votes than any other  
198 candidate and (2) whose election has been certified and announced by the Conservation Commission.

199 “Election supervisor” is an individual or entity appointed by a local conservation district governing board  
200 to organize, coordinate, and facilitates all conservation district activities related to the election and  
201 appointment of conservation district supervisors. Only the conservation district board of supervisors  
202 may set election dates and appoint the election supervisor.

203 “Electioneering” is the act of soliciting or advocating votes for a specific candidate, or speaking for or  
204 against a specific candidate, within 300 feet of a ballot box or voting place.

205 “Elector,” “district elector,” and “qualified district elector” mean an individual residing within the  
206 boundary of the conservation district and registered to vote in a county where the conservation district  
207 is located.

208 “Farm and agricultural land” is defined in RCW 89.08.020 as follows: “Farm and agricultural land” means  
209 either (a) land in any contiguous ownership of twenty or more acres devoted primarily to agricultural  
210 uses; (b) any parcel of land five acres or more but less than twenty acres devoted primarily to  
211 agricultural uses, which has produced a gross income from agricultural uses equivalent to one hundred  
212 dollars or more per acre per year for three of the five calendar years preceding the date of application  
213 for classification under this chapter; or (c) any parcel of land of less than five acres devoted primarily to  
214 agricultural uses which has produced a gross income of one thousand dollars or more per year for three  
215 of the five calendar years preceding the date of application for classification under this chapter.  
216 Agricultural lands shall also include farm woodlots of less than twenty and more than five acres and the  
217 land on which appurtenances necessary to production, preparation or sale of the agricultural products  
218 exist in conjunction with the lands producing such products. Agricultural lands shall also include any  
219 parcel of land of one to five acres, which is not contiguous, but which otherwise constitutes an integral  
220 part of farming operations being conducted on land qualifying under this section as “farm and  
221 agricultural lands.”

222 “Farm operator” or “operator of a farm” means a person who operates farm and agricultural land as  
223 defined in these procedures, and who meets this definition when candidate information is filed with the  
224 conservation district.

225 “Filing deadline” means four weeks before election day in the current election cycle, or more than four  
226 weeks if a local filing deadline is adopted by formal action of the conservation district board of  
227 supervisors.

228 “Full term,” “regular term,” and “full term of office” mean three years.

229 “Incumbent” is the person in present possession of the office of conservation district supervisor.

230 “Landowner” means a person with legal title of record to real property in the conservation district at the  
231 time of filing for election or applying for appointment.

232 “Mail-in ballot” is a double-envelope system consisting of two envelopes and a pre-printed ballot, in  
233 which the ballot is inserted into an inner envelope and sealed, with no marks or other information that

234 would identify the person voting. The outer envelope shows or contains sufficient information to  
235 identify the voter.

236 “Mail-in election” is an election in which mail-in ballots are provided before election day to qualified  
237 voters. Voters return completed ballots to a receiving location or address authorized by the  
238 conservation district board of supervisors.

239 “Malfeasance” means wrongful conduct that affects, interrupts, or interferes with the performance of a  
240 supervisor’s official duty. Such conduct includes, but is not limited to, the commission of some act  
241 which is wrongful or unlawful, or the unjust performance of some act which the party had no right to do,  
242 or the unjust performance of some act which the party had contracted not to do.

243 “Mid-term” and “mid-term vacancy” mean a vacancy in the office of conservation district supervisor,  
244 when such vacancy occurs before the full term of office has been fulfilled.

245 “Municipal officer” means all elected and appointed officers of a conservation district, together with all  
246 deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of  
247 the powers or functions of a municipal officer.

248 “Neglect of duty” means failure by a supervisor or supervisors to perform mandatory duties. Such  
249 duties include, but are not limited to, (a) compliance with local, state, and federal laws and rules, (b)  
250 attendance at a reasonable number of board meetings, (c) maintaining a full and accurate record of  
251 district business, (d) securing of surety bonds for board officers and employees, (e) carrying out an  
252 annual financial audit, (f) providing for keeping current a comprehensive long-range program, (g)  
253 providing for preparation of an annual work plan, (h) providing for informing the general public,  
254 agencies, and occupiers of lands within the conservation district of conservation district plans and  
255 programs, (i) providing for including affected community members in regard to current and proposed  
256 plans and programs, and (j) providing for the submission of the conservation district’s proposed long-  
257 range program and annual work plan to the Conservation Commission.

258 “Nominated candidate” is an individual found to be a qualified district elector who is eligible and who  
259 has submitted the candidate information required, including a qualified nominating petition, to the  
260 conservation district by the filing deadline, and the conservation district has verified the eligibility of the  
261 candidate.

262 “Nominating petition” is a list of signatures of nominators who desire a candidate’s name be placed on  
263 the official ballot for a conservation district election.

264 “Nominator” is a qualified district elector who signs a petition nominating an individual seeking the  
265 office of elected supervisor.

266 “Poll list” or “polling list” is a list of voters who voted in an election.

267 “Polling officer” means a person appointed by the election supervisor to verify voter eligibility, assure  
268 compliance with this rule in and around the polling place, issue ballots, count ballots, and verify the  
269 unofficial ballot count in writing to conservation district supervisors.

- 270 “Poll site” and “polling site” mean a location where votes are collected in a ballot box.
- 271 “Poll-site election” and “walk-in election” mean an election in which a voter signs in on a poll list,  
272 receives a ballot from a polling officer, enters a vote for a candidate on the ballot, and places the ballot  
273 in a ballot box at a polling place supervised or monitored by polling officers.
- 274 “Print media” means physical material on which information or instructions are printed. Print media  
275 includes, but is not limited to, newspapers, magazines, newsletters, and handbills posted on bulletin  
276 boards or otherwise made available to citizens. Print media may include one or more web pages on a  
277 conservation district website, or on the Conservation Commission’s website, if at least one notice is  
278 published on physical media made widely available to potential voters. Print media does not include  
279 web pages on other websites, electronic mail, social networking sites, and similar electronic information  
280 sharing methods.
- 281 “Provisional ballot” or “contested ballot” means a paper ballot issued to a voter whose qualifications as  
282 a qualified district elector cannot be determined at the time the paper ballot is issued. A provisional  
283 ballot consists of two envelopes and a paper ballot.
- 284 “Qualified district elector” is a registered voter in the county where the district is located and who  
285 resides within the conservation district boundary.
- 286 “Qualified nominating petition” is a nominating petition which contains at least 25 signatures of  
287 nominators.
- 288 “Remote election” is an election in which ballots are returned by some means other than for a poll-site  
289 election. A mail-in election is a type of remote election.
- 290 “Resignation” and “to resign” mean the act of providing a signed and dated written notice to the  
291 Conservation Commission stating the individual’s intent to terminate serving in an elective or appointive  
292 office.
- 293 “Short term” or “short term of office” is a term of office less than three years in duration.
- 294 “Supervisor” means an elected or appointed board member of a local conservation district governing  
295 board, in which the governing board is referred to as the board of supervisors.
- 296 “Supervisor-elect” means a supervisor who received more valid votes than any of the other candidates  
297 running for the same position in a conservation district election, but the election has not yet been  
298 certified by the Conservation Commission.
- 299 “Tie” or “election tie” means an election where no candidate has received a simple majority of votes  
300 cast by qualified district electors, and two or more candidates have received the same number of votes  
301 cast by qualified district electors.
- 302 “Undeclared write-in candidate” is an individual who has not submitted required candidate information  
303 to the conservation district and who has not submitted a qualified nominating petition by the filing  
304 deadline.

305 "Voter" means a person who submits a ballot in a conservation district election.

306 "Voter list" is a list of registered voters obtained from the county auditor.

307 "Withdrawal of candidacy" and "to withdraw" means a written notice, signed and dated by the  
308 candidate, and delivered to the conservation district, stating the person's desire to be removed from  
309 consideration for the office of conservation district supervisor.

## Section 2: Elections

### A. Information standards

1. Notice of the Intent to Adopt an Election Resolution. A notice of the intent to adopt an election resolution must be published twice, at least six days between each publishing, before the meeting to adopt the Election Resolution can be held. The purpose of this Notice is to inform the public that the District intends to have a meeting at which the date, time, place and manner of the election will be set. WAC 135-110-220. **Districts may publish their adopted election resolution, and all subsequent election notices, on a Districts' web site. Districts who choose this option are required to publish the Notice of the Intent to Adopt an Election Resolution as usual (twice, at least a week apart, in a newspaper) accompanied by a clear statement in that notice that future election information will be posted ONLY on the districts' web site. Once that is accomplished, districts may then publish any further election notices or materials on their web site.**
2. Election resolution. An election resolution must be provided to the Conservation Commission on or before the candidate filing deadline. WAC 135-110-210(3). The purpose of this Notice is to inform the public, voters and potential candidates of the date, time, place and manner of the election. This Notice must be published twice, at least six days between each publishing, before the candidate filing deadline. **However, see the note above in Section 2(A)(1).** The form provided for this purpose by the Conservation Commission is Form 1. Conservation districts must provide the following information:
  - a) The name of the conservation district. WAC 135-110-210(2)a.
  - b) The date, physical location (address), and times polls will open and close for each polling place. WAC 135-110-210(2)b.
  - c) The election method(s) selected for the election. WAC 135-110-210(2)c.
  - d) The final date by which voters must request absentee ballots from the district. WAC 135-110-410.
  - e) A list showing the name of each elected and appointed conservation district supervisor with a term expiring in the election and appointment cycle covered by the resolution. WAC 135-110-210(2)d.
  - f) The filing deadline for candidates. WAC 135-110-210(2)e.

- 339 g) Identification of an individual appointed by the conservation district to fulfill the duties of  
340 election supervisor, including the mailing address, email address (if available), and phone  
341 number of the election supervisor. WAC 135-110-210(2)f.
- 342 h) Dated signature of at least one conservation district supervisor attesting to this information.  
343 WAC 135-110-210(2)g.
- 344 3. Candidate information. Specific information must be submitted by each candidate to the  
345 conservation district. WAC 135-110-320. The form provided for this purpose by the Conservation  
346 Commission is Form 2. Candidates must provide the following information:
- 347 a) The name of the conservation district. WAC 135-110-320(3)a.
- 348 b) The candidate's name, residential address, mailing address, and phone number. WAC 135-110-  
349 320(3)b.
- 350 c) Whether the candidate is a registered voter in the county where the conservation district is  
351 located. WAC 135-110-320(3)c.
- 352 d) Whether the candidate resides inside the conservation district boundary. WAC 135-110-320(3)d.
- 353 e) Two choices, only one of which may be selected by the candidate:
- 354 i) The candidate intends to run as a declared nominated candidate with his or her name on the  
355 official ballot. This option will require a validated nominating petition from the candidate.  
356 WAC 135-110-350(2).
- 357 ii) The candidate intends to run as a declared candidate. The candidate's name will not appear  
358 on the official ballot, and no nominating petition is required. WAC 135-110-350(1).
- 359 f) Two choices, only one of which may be selected by the candidate (WAC 135-110-320(3)e):
- 360 i) The candidate is a landowner or operator of a farm, as defined in these procedures.
- 361 ii) The candidate is not a landowner or operator of a farm, as defined in these procedures.
- 362 g) Dated signature of the candidate attesting to the information provided. WAC 135-110-320(3)f.
- 363 4. Nominating petition. A nominating petition is required for candidates who wish to have their names  
364 pre-printed on the official ballot. WAC 135-110-340. The form provided for this purpose by the  
365 Conservation Commission is Form 3. Candidates must provide the following information:
- 366 a) The name of the conservation district. WAC 135-110-340(2)a.
- 367 b) The name of the candidate. WAC 135-110-340(2)b.
- 368 c) The name and address of each nominator. For verification purposes, this information should  
369 match the information in the voter registration rolls held by the County Auditor. WAC 135-110-  
370 340(2)c.

- 371 d) Each nominator needs to sign the petition, and by their signature, state his or her wish for the  
372 candidate named in the petition to be placed on the official ballot. WAC 135-110-340(2)d.
- 373 e) A notation by the conservation district next to each nominator, identifying the nominator as a  
374 qualified district elector eligible to sign the petition, or found by the conservation district to be  
375 ineligible. WAC 135-110-355(3).
- 376 5. Eligibility determination. The form provided for this purpose by the Conservation Commission is  
377 Form 4. WAC 135-110-355. Conservation districts must provide the following information for each  
378 candidate (declared, declared nominated, or write-in):
- 379 a) The name of the conservation district.
- 380 b) The name of the candidate or incumbent. WAC 135-110-355(2)a.
- 381 c) Whether the candidate did, or did not, submit required candidate information by the filing  
382 deadline. WAC 135-110-355(2)b.
- 383 d) Whether the candidate did, or did not, submit a completed nominating petition by the filing  
384 deadline. WAC 135-110-355(2)c.
- 385 e) Whether the person named on the form is, or is not, a qualified district elector on the day of  
386 filing. WAC 135-110-355(2)d.
- 387 f) Whether at least two of the three elected conservation district supervisors on the conservation  
388 district Board of Supervisors will be landowners or operators of farms if the candidate is elected.  
389 RCW 89.08.160 requires two of the three elected supervisors to be either a landowner or  
390 operator of a farm. If the election of a candidate would cause a conservation district board of  
391 supervisors to contain fewer than two elected supervisors who are landowners or farm  
392 operators, the candidate is not eligible to be elected. WAC 135-110-310. "Landowner" and  
393 "farm operator" are two separate categories and are defined in WAC 135-110-110.
- 394 g) The dated name and signature of the conservation district representative making these  
395 determinations. WAC 135-110-355(2)e.
- 396 h) The total number of nominators who signed the nominating petition, and the total number of  
397 nominators found to be qualified district electors eligible to sign the petition. WAC 135-110-  
398 355(3).
- 399 i) A declaration that (WAC 135-110-355):
- 400 i) the candidate did submit candidate information by the filing deadline;
- 401 ii) the candidate's nominating petition was received by the filing deadline;
- 402 iii) the candidate or named individual is a qualified district elector on the day of filing;
- 403 iv) at least 25 qualified district electors did sign the nominating petition; and

- 404 v) such declaration to be signed and dated by a conservation district supervisor or the  
405 appointed election supervisor.
- 406 6. Verification of compliance with due notice requirements. The form provided for this purpose by the  
407 Conservation Commission is Form 5. WAC 135-110-220 and WAC 135-110-110. Conservation  
408 districts must provide the following information:
- 409 a) The name of the conservation district.
- 410 b) A complete list of each published notice, by date and name of publication, or in the case of  
411 electronic publications, by first date of publication and the web address. Please note: There are  
412 two types of election notices: (1) Notice of the Intent to Adopt an Election Resolution: the  
413 purpose of this notice is to inform the public that the District intends to have a meeting at which  
414 the date, time, place and manner of the election will be set. This Notice must be published  
415 twice, at least six days between each publishing, before the meeting to adopt the Election  
416 Resolution can be held; (2) Notice of the Adopted Election Resolution: the purpose of this Notice  
417 is to inform the public, voters and potential candidates of the date, time, place and manner of  
418 the election. This Notice must be published twice, at least six days between each publishing,  
419 before the candidate filing deadline.
- 420 c) The dated name and signature of a conservation district supervisor or election supervisor  
421 attesting to compliance with due notice requirements.
- 422 d) Copies of notices, advertisements, and publications are not required, unless also used to notify  
423 the public of the opportunity to apply for appointed supervisor positions.
- 424 7. Poll list. The form provided for this purpose by the Conservation Commission is Form 6. WAC 135-  
425 110-550. Conservation districts and voters must provide the following information:
- 426 a) The name of the conservation district. WAC 135-110-550(2)a.
- 427 b) The location of the poll site. WAC 135-110-550(2)b.
- 428 c) Identification of this poll list as applying to a poll-site or mail-in election. WAC 135-110-550(2)b.
- 429 d) The date the polls were open. WAC 135-110-550(2)b.
- 430 e) Each voter must provide:
- 431 i) Name. WAC 135-110-550(3)a.
- 432 ii) Address that matches the voter registration list, including city. WAC 135-110-550(3)b.
- 433 iii) Signature of the voter. WAC 135-110-550(3)c.
- 434 f) For each voter, a polling officer must determine whether the voter is eligible to vote. If eligibility  
435 is contested, each such determination must be initialed by the polling officer. WAC 135-110-460;  
436 WAC 135-110-610.

- 437 8. Ballot results report. The form provided for this purpose by the Conservation Commission is Form 7.  
438 WAC 135-110-750. Conservation districts and polling officers must provide the following  
439 information:
- 440 a) The name of the conservation district. WAC 135-110-750(3)a.
  - 441 b) The location of the poll site. WAC 135-110-750(3)b.
  - 442 c) Identification of this report as applying to a particular poll site or to a mail-in election. WAC 135-  
443 110-750(3)b.
  - 444 d) The date of the election. WAC 135-110-750(3)b.
  - 445 e) For each candidate:
    - 446 i) Identify the candidate by name. WAC 135-110-750(4)a.
    - 447 ii) Provide the number of eligible votes counted, the number of disqualified votes counted, and  
448 the total number of votes received for each candidate. The total should be the eligible votes  
449 plus the disqualified votes. WAC 135-110-750(4)b and (5).
    - 450 iii) Identify the unofficial winner and whether the unofficial winner is a nominated candidate  
451 listed on the official ballot or is a declared write-in candidate or is an undeclared write-in  
452 candidate. WAC 135-110-750(6).
    - 453 iv) Each ballot results reporting form must be signed and dated by the polling officers who  
454 counted the ballots so reported. WAC 135-110-750(7).

## 455 **B. Forms and reports required**

- 456 1. Conservation districts must provide the information described in the previous section to the  
457 Conservation Commission.
- 458 2. Conservation districts must use forms provided by the Conservation Commission.
- 459 3. All documents provided to the public and to the Conservation Commission should be on white or  
460 light-colored paper.
- 461 4. Due dates for forms, documents, lists, reports, and applications.
  - 462 a) Documents provided by a candidate to the conservation district.
    - 463 i) For nominated candidates, candidate information and the nominating petition is due to the  
464 conservation district by the filing deadline.
    - 465 ii) For declared write-in candidates, candidate information is due to the conservation district by  
466 the filing deadline.

- 467 b) Documents provided by the conservation district to the Conservation Commission in Lacey,  
468 Washington.
- 469 i) A copy of the election resolution is due to the Conservation Commission by the candidate  
470 filing deadline. The conservation district must retain the original.
- 471 Copies of candidate information, nominating petitions, candidate eligibility, due notice  
472 compliance, poll lists, and ballot results are due to the Conservation Commission within four  
473 weeks following the conservation district's last published election date. The conservation  
474 district must retain all original documents.
- 475

**TABLE 1: Forms and when forms are due**

Name of Election Form	Due from candidate to conservation district	Due from conservation district to Conservation Commission
Form 1: Conservation district election resolution and appointment of election supervisor (one form per election)	N/A	Copy to be provided by the candidate filing deadline
Form 2: Candidate information (one form per candidate)	Filing deadline is four weeks before the election but may be more by action of the conservation district board of supervisors	Copies to be provided to the Conservation Commission within four weeks after the election date
Form 3: Nominating petition (one petition with 25 qualified nominating signatures on it for each candidate wishing his or her name to be on the official ballot)	Filing deadline as described above	
Form 4: Eligibility determination (one form per candidate)	N/A	
Form 5: Due notice compliance (one form per election)	N/A	
Form 6: Poll list (all pages)	N/A	
Form 7: Ballot results report (one report for each poll site, one for absentee ballots, and for each type of election)	N/A	
Automatic Re-Election Checklist	N/A	Ballots to be kept by the conservation district and made available upon request of the Conservation Commission
Ballots: As many ballots as needed, to be printed by the conservation district	N/A	

## 477 **C. Conservation Commission duties**

### 478 1. General

479 a) The Conservation Commission may request copies of documents and inspect original documents  
480 and records.

### 481 2. Before elections

482 a) The Conservation Commission must make these procedures available for stakeholder review and  
483 comment.

484 b) The Conservation Commission must notify all conservation districts of supervisor terms of office  
485 due to expire. Notice must be provided to conservation districts by November 30 in the year  
486 preceding elections.

487 c) These procedures become effective on the date they were last revised.

488 d) The Conservation Commission may amend these procedures at any time to assure the fair,  
489 proper, and orderly election and appointment of conservation district supervisors.

### 490 3. During a poll-site election

491 a) Conservation Commission board members and/or employees may monitor conservation district  
492 elections without notice.

### 493 4. After the polls close

494 a) The Conservation Commission will canvass the returns of conservation district elections to verify  
495 election results and to determine if the election was properly conducted according to the  
496 requirements in these procedures.

497 b) The Conservation Commission board will certify all conservation district elections found to  
498 substantially comply with the requirements in these procedures.

499 c) The Conservation Commission will announce the official election results, or decline to announce  
500 official results, for each conservation district election after the elections have been certified.

501 d) The Conservation Commission will act on elections for full-term positions annually at its regular  
502 meeting on the third Thursday in May.

## 503 **D. Conservation District duties**

### 504 1. General

505 a) A conservation district must hold an election each year.

506 b) A copy of these procedures must be made available for public inspection at each poll site.

- 507 2. Before an election
- 508 a) Each conservation district must publish a Notice of the Intent to Adopt an Election Resolution.  
509 The purpose of this notice is to inform the public that the District intends to have a meeting at  
510 which the date, time, place and manner of the election will be set. This Notice must be published  
511 twice, at least six days between each publishing, before the meeting to adopt the Election  
512 Resolution can be held.
- 513 b) Each conservation district must hold a meeting after the Notice of the Intent to Adopt an Election  
514 Resolution has been properly published. The purpose of this meeting is to adopt an Election  
515 Resolution.
- 516 c) Each conservation district must publish a Notice of the Adopted Election Resolution. The  
517 purpose of this Notice is to inform the public, voters and potential candidates of the date, time,  
518 place and manner of the election. This Notice must be published twice, at least six days between  
519 each publishing, before the candidate filing deadline. The Notice must set election date(s),  
520 location(s), and polling times by resolution and that information must be communicated to the  
521 Conservation Commission by the candidate filing deadline.
- 522 i) Each polling place must be open for at least four hours at a time convenient for voters in that  
523 district. Two polling officers must be present.
- 524 ii) Polling places must have sufficient parking to accommodate the expected number of voters.
- 525 iii) Polling places must be accessible to those with disabilities.
- 526 iv) The election date must be in the first three calendar months of the election year. Form 1 is  
527 recommended for the resolution.
- 528 v) If the election will be held by mail, the date set by the conservation district is the last date  
529 ballots may be received from voters. The location will be where ballots are counted. If  
530 necessary to accommodate voter(s) pursuant to WAC 135-110-250, a district conducting a  
531 mail-in election may be required to provide at least one polling place where voters can  
532 deliver their completed ballots or vote as in a poll-site election.
- 533 vi) The last date voters can request absentee ballots must be set in the Notice.
- 534 d) Each conservation district must appoint an election supervisor.
- 535 i) The election supervisor may be a conservation district supervisor, conservation district  
536 employee, or any other person appointed by the conservation district board of supervisors.
- 537 ii) The election supervisor serves as the primary point of contact between the conservation  
538 district and the Conservation Commission for all functions to be performed by the  
539 conservation district in the election and appointment of conservation district supervisors.

- 540           iii) The election supervisor organizes, coordinates, and facilitates election-related activities of  
541           the conservation district related to the election and appointment of conservation district  
542           supervisors. The election supervisor assures that required documentation is properly  
543           completed and transmitted on time to the Conservation Commission. The election supervisor  
544           may also serve as a polling officer.
- 545           iv) Conservation district supervisors remain responsible for conducting the election and for  
546           complying with these published requirements and procedures.
- 547    e) For each candidate, a conservation district supervisor or the appointed election supervisor must  
548           verify that specific eligibility requirements have been met and, for declared nominated  
549           candidates, direct whether or not to place the name of the candidate on the ballot.
- 550           i) For each declared nominated candidate, a conservation district must:
- 551               (1) Verify that candidate information was received by the filing deadline.
- 552               (2) Verify that the nominating petition was received by the filing deadline.
- 553               (3) Verify that at least 25 qualified district electors signed the nominating petition.
- 554               (4) Determine whether the candidate is a qualified district elector.
- 555               (5) Determine whether the composition of the conservation district board will meet  
556               statutory requirements if the candidate is elected.
- 557               (6) If requirements one through five above are met, the conservation district must direct that  
558               the name of the candidate be placed on the ballot.
- 559           ii) For each declared candidate, a conservation district must:
- 560               (1) Verify that candidate information was received by the filing deadline.
- 561               (2) Determine whether the candidate is a qualified district elector.
- 562               (3) Determine whether the composition of the conservation district board will meet  
563               statutory requirements if the candidate is elected.
- 564           iii) For each undeclared write-in candidate, a conservation district must:
- 565               (1) Verify that candidate information is received within four weeks (twenty-eight calendar  
566               days) following the first date of election.
- 567               (2) Determine whether the candidate is a qualified district elector.
- 568               (3) Determine whether the composition of the conservation district board will meet  
569               statutory requirements if the candidate is elected.
- 570           iv) Such determinations must be made separately for each candidate.

- 571 v) A county auditor or the Conservation Commission may assist a conservation district in  
572 determining the eligibility of a candidate, upon request of the conservation district.
- 573 f) The conservation district must verify the eligibility of individuals wishing to serve, or continue to  
574 serve, as an elected conservation district supervisor.
- 575 g) The conservation district must provide due notice of the election to potential voters.
- 576 i) The conservation district must publish at least two notices as defined in “due notice” and  
577 “print media.” Conservation districts are strongly encouraged to exceed the minimum  
578 requirements for due notice. Due notice is defined in WAC 135-110-110 and explained in  
579 WAC 135-110-220.
- 580 ii) There are two types of election notices:
- 581 (1) Notice of the Intent to Adopt an Election Resolution: the purpose of this notice is to  
582 inform the public that the District intends to have a meeting at which the date, time,  
583 place and manner of the election will be set. This Notice must be published twice, at least  
584 six days between each publishing, before the meeting to adopt the Election Resolution  
585 can be held.
- 586 (2) Notice of the Adopted Election Resolution: the purpose of this Notice is to inform the  
587 public, voters and potential candidates of the date, time, place and manner of the  
588 election. This Notice must be published twice, at least six days between each publishing,  
589 before the candidate filing deadline.
- 590 iii) The Adopted Election Resolution Notice must contain, at minimum, the following  
591 information:
- 592 (1) The name of the conservation district.
- 593 (2) The election method[s] selected for the election.
- 594 (3) The date(s), location(s), and times polls open and close.
- 595 (4) That candidates must be registered voters who reside in the conservation district.
- 596 (5) That candidates may be required to be landowners or operators of a farm, depending on  
597 the current composition of the conservation district board of supervisors.
- 598 (6) The filing deadline for candidates.
- 599 (7) The last day on which voters can request absentee ballots from the district.
- 600 (8) That eligible voters are registered voters who reside in the conservation district.
- 601 (9) That a conservation district supervisor is a public official who serves without  
602 compensation and who sets policy and direction for the conservation district.

- 603 (10) That published election procedures can be viewed at the conservation district office and  
604 are available from the Washington State Conservation Commission.
- 605 iv) If the election is also to be held by mail, the Election notice must describe how to obtain a  
606 ballot and the deadline for returning ballots.
- 607 v) For appointed position notices, refer to Section 3.D.2 of these procedures.
- 608 vi) The Election notice and notice of appointed positions may be combined.
- 609 vii) Conservation districts are strongly encouraged to exceed the minimum due notice  
610 requirements so that interested parties may be informed of the opportunity to serve as a  
611 conservation district supervisor.
- 612 h) The conservation district must determine the number of polling officers.
- 613 i) The conservation district must provide at least two polling officers at each poll site, except  
614 the election supervisor may substitute for one polling officer at one poll site.
- 615 ii) If due notice of the election resolution and the election have been duly published by the  
616 conservation district, and the only person filing by the filing deadline is the incumbent, and  
617 the conservation district verifies the continued eligibility of the incumbent to serve another  
618 term of office, and the incumbent has not resigned on or before the last date of election,  
619 then the incumbent is automatically reelected. When an incumbent is automatically  
620 reelected, no other election activities at physical poll sites or through remote election  
621 processes may be performed, provided that, before election day, the conservation district  
622 has informed the voting public that the incumbent has been reelected by reason of being the  
623 only person filing for the position, and that no poll site, mail, or absentee balloting will be  
624 performed, and on election day, signs containing this information must have been posted at  
625 poll sites. Within four weeks of the first date of election as scheduled in the election  
626 resolution, the conservation district must inform the Conservation Commission of the  
627 automatic reelection of the incumbent. Refer to Section 2.J “Non-standard Election  
628 Outcomes” in these procedures for additional information.
- 629 i) If a candidate is found by the conservation district to be ineligible, the conservation district must  
630 inform the candidate of the reasons. The conservation district may not print that candidate’s  
631 name on the official ballot. If the reason is the lack of sufficient nominators on the nominating  
632 petition, the candidate must be considered a declared write-in candidate and the candidate must  
633 be so informed by the conservation district.
- 634 j) To assist voters in the selection of a candidate during voting, a conservation district may publish  
635 information provided by nominated and declared candidates.
- 636 i) If a conservation district chooses to publish information about candidates, it must provide  
637 equal opportunity for publication and equivalent space to each nominated and declared  
638 write-in candidate.

- 639 ii) A conservation district must not take an official position on any candidate that promotes, or  
640 is prejudicial to, a candidate, nor may supervisors or employees of the conservation district  
641 do so in their official capacity.
- 642 iii) On election day, information provided by candidates may not be provided to voters within  
643 300 feet of the poll site.
- 644 k) A conservation district must create a ballot and provide a ballot to each person who wishes to  
645 vote in the conservation district election.
- 646 i) The ballot must list the names of all candidates ordered to be placed on the ballot. Names on  
647 the ballot must be listed in alphabetical order by last name, from top to bottom. Example:  
648 Jane Adams would be listed above John Doe.
- 649 ii) The ballot must contain at least one blank line where a voter can enter the name of a  
650 undeclared write-in candidate.
- 651 iii) One empty checkbox or blank space should be provided next to each candidate's name  
652 printed on the ballot.
- 653 iv) During a poll-site election, the conservation district must provide a contested ballot to any  
654 individual wishing to vote who cannot be verified as eligible to vote prior to the issuance of a  
655 ballot. A double-envelope system consisting of two envelopes and a ballot must be used for  
656 all contested ballots.
- 657 v) For electronic voting, the functional equivalent of a paper ballot must be utilized.
- 658 vi) A conservation district may send or provide ballots to all individuals who, in the three years  
659 preceding the election, have voted in a conservation district election or have participated in  
660 conservation district services or programs. WAC 135-110-515(4). However, if a conservation  
661 district provides unrequested ballots to a population that is less than all the eligible voters  
662 within the conservation district boundary, the conservation district must not use lists  
663 obtained from an individual conservation district supervisor or employee, nor from any  
664 candidate, nor from any trade, company, church, union, fraternal or other organization. WAC  
665 135-110-420. So long as a list generated by a conservation district pursuant to WAC 135-110-  
666 515(4) includes all such individuals, such a list is exempt from WAC 135-110-420.
- 667 vii) Absentee ballots must be provided to eligible voters upon request, and voters need not  
668 provide proof of any special condition to obtain an absentee ballot. WAC 135-110-520. Also,  
669 the conservation district must provide a ballot to any person who requests a ballot. WAC  
670 135-110-515. An eligible voter should declare their eligibility to the district before a request  
671 for an absentee ballot can be fulfilled by the district. The declaration by the voter can be  
672 done in writing, electronically, or orally. A request for an absentee ballot can be made in  
673 person, in writing, by telephone, or electronically, by the voter, a family member, or a  
674 registered domestic partner. Only one absentee ballot request per voter can be made.

- 675 Multiple absentee ballots can be sent to the same address, provided that each absentee  
676 ballot can be matched to a request by a voter at that address. Sample absentee ballot  
677 instructions and a request form are provided in Appendix A.
- 678 l) The conservation district must obtain a current list of registered voters from the County Auditor  
679 for all territory within the conservation district boundary.
- 680 m) The conservation district must be able to show or describe the legal boundary of the  
681 conservation district to any voter or to any representative of the Conservation Commission, upon  
682 demand.
- 683 3. Before a mail-in (or remote) election
- 684 a) A conservation district holding a mail-in election must appoint an election supervisor and have  
685 declared at least one poll site.
- 686 b) Double-envelope voting (or the secure electronic equivalent) is required for mail-in/remote  
687 elections.
- 688 i) A double-envelope system meeting the requirements for contested balloting must be used by  
689 the conservation district in the mail-in election.
- 690 ii) Provision must be made for the outer envelope to show or contain sufficient information to  
691 identify the voter. The voter should print his or her name and address as registered with the  
692 County Auditor.
- 693 c) Due notice to voters must provide sufficient time for voters to obtain and return ballots to the  
694 conservation district. Allowing at least one week after the second required notice has been  
695 published is recommended.
- 696 d) Ballots must be offered to potential voters within the conservation district boundary. To receive  
697 a ballot, the voter must request a ballot prior to the current election, unless a district is utilizing  
698 WAC 135-110-515(4) (see Section 2(D)2(k)vi above). The election supervisor must verify the voter  
699 is a qualified district elector before the ballot is counted.
- 700 4. During a poll-site election
- 701 a) Conservation district supervisors or staff may assist polling officers, but may not directly issue  
702 ballots or count ballots, unless such person is also the election supervisor appointed by the  
703 conservation district board of supervisors.
- 704 b) Each poll site must have a ballot box, signage, and be accessible to voters.
- 705 i) Each poll site must have at least one ballot box.
- 706 ii) Each poll site must be conspicuously identified to voters as the place to vote.
- 707 iii) Poll sites must not create undue hardship for disabled voters.

- 708           iv) Polling places must be open for a minimum of four hours at a time convenient for voters in  
709           that district.
- 710           c) The conservation district must provide polling officers at each poll site.
- 711           i) Polling officers must be independent third parties who are not supervisors, employees, or  
712           municipal officers of the conservation district holding the election. Further, with WAC 135-  
713           110-150 in mind, there is no prohibition against a conservation district supervisor, employee  
714           or municipal officer from serving as a polling officer in another districts' election. A  
715           conservation district supervisor, employee or municipal officer may not serve as a polling  
716           officer in the conservation district election, unless the person is the election supervisor  
717           appointed by the conservation district supervisors. WAC 135-110-440. While there is no  
718           prohibition against a relative or spouse serving as a polling officer, it is important to keep in  
719           mind WAC 135-110-150 which says that conservation districts, employees and supervisors  
720           must remain impartial during an election. Therefore, it is recommended that polling officers  
721           not be immediate family members or live in the same household of such supervisors,  
722           employees, or municipal officers.
- 723           ii) The election supervisor appointed by the conservation district may serve as a polling officer  
724           at one poll site, even if he or she is a supervisor, employee, or municipal officer of the  
725           conservation district holding the election. An election supervisor who also serves as a polling  
726           officer has all of the responsibilities and duties listed in Section 2.F.
- 727           iii) The conservation district must provide at least two polling officers at each poll site, except  
728           the election supervisor may substitute for one polling officer at one poll site.
- 729           iv) If due notice of the election resolution and the election have been duly published by the  
730           conservation district, and the only person filing by the filing deadline is the incumbent, and  
731           the conservation district verifies the continued eligibility of the incumbent to serve another  
732           term of office, and the incumbent has not resigned on or before the last date of election,  
733           then the incumbent is automatically reelected. When an incumbent is automatically  
734           reelected, no other election activities at physical poll sites or through remote election  
735           processes may be performed, provided that, before election day, the conservation district  
736           has informed the voting public that the incumbent has been reelected by reason of being the  
737           only person filing for the position, and that no poll site, mail, or absentee balloting will be  
738           performed, and on election day, signs containing this information must have been posted at  
739           poll sites. Within four weeks of the first date of election as scheduled in the election  
740           resolution, the conservation district must inform the Conservation Commission of the  
741           automatic reelection of the incumbent. Refer to Section 2.J "Non-standard Election  
742           Outcomes" in these procedures for additional information.
- 743           v) Individuals hired temporarily to serve as polling officers are not considered employees for the  
744           purposes of this section.

- 745 vi) Before the polls open, the conservation district must review with polling officers the  
746 procedures for verifying voters, issuing ballots, issuing contested ballots, and tallying and  
747 reporting election results.
- 748 d) Conservation districts must assure privacy in voting.
- 749 i) The ballot choice made by a voter must not be seen by any other person during the act of  
750 voting or the placing of the ballot in the ballot box.
- 751 ii) Paper ballots must be placed into ballot boxes. Electronic ballots must assure at least the  
752 same level of security and privacy as provided by paper balloting.
- 753 e) The conservation district must not post the names of nominated and declared write-in  
754 candidates at the polls. It is the responsibility of candidates to inform the voting public of their  
755 candidacy for the office of conservation district supervisor.
- 756 f) The name of a nominated candidate or declared write-in candidate who has submitted a  
757 withdrawal of candidacy in writing to the conservation district may not be posted at the polling  
758 place. It is the responsibility of candidates to inform the voting public of their status in seeking  
759 the office of conservation district supervisor.
- 760 5. After the polls close
- 761 a) One or more conservation district supervisors, or the election supervisor, must receive from  
762 polling officers the following:
- 763 i) All poll list pages;
- 764 ii) All ballots;
- 765 iii) A completed ballot results report for each polling site, absentee ballots and for each type of  
766 election held (poll-site or mail-in); and
- 767 iv) All working papers and notes made by polling officers.
- 768 b) When polling officers have transferred all properly completed forms and documents, and all  
769 ballots, to a conservation district supervisor or the election supervisor, the polling officers may  
770 be excused from their official duty.
- 771 c) The conservation district must deliver to the Conservation Commission copies of all properly  
772 completed forms (candidate information, nominating petition, verification of eligibility,  
773 verification of due notice compliance, poll list, and ballot results reports) within four weeks to  
774 the Conservation Commission office in Lacey, Washington.
- 775 d) The conservation district must retain all original forms, documents, and ballots for six months  
776 after the election has been certified, at which time they may be destroyed unless the election  
777 has not been certified or the election is contested.

## 778 **E. Election Supervisor duties**

### 779 1. Before an election

780 a) Confirm that the election resolution has been provided to the Conservation Commission by the  
781 candidate filing deadline.

782 b) Confirm due notice requirements have been satisfied.

783 c) Confirm two polling officers will be present at each poll site. One polling officer and the election  
784 supervisor may substitute for the two polling officer requirement at one poll site.

785 d) Prepare polling officers to perform the tasks required of them by reviewing these procedures,  
786 the poll list form, the ballot results form, and contested balloting, and confirm all required  
787 resources are available at each polling place.

788 e) Provide absentee ballots upon request; provide absentee ballot information (instructions,  
789 deadlines, etc) to voters (see Appendix A); and abide by the double-envelope system for  
790 absentee ballots.

### 791 2. During a poll-site election

792 a) A conservation district supervisor or the election supervisor appointed by the conservation  
793 district board of supervisors may extend the time polls are open, if needed to accommodate  
794 voters or if needed to obtain additional ballots.

795 b) The election supervisor may assist polling officers but may not issue ballots in a poll-site election,  
796 unless the election supervisor is serving as a polling officer as described in Section D.2.b. Ballots  
797 remain in the custody of polling officers at all times during a poll-site election.

798 c) An election supervisor who also serves as a polling officer has all of the responsibilities and duties  
799 listed in Section 2.F.

### 800 3. After the polls close

801 a) The election supervisor may assist polling officers, but may not count ballots, unless the election  
802 supervisor is serving as a polling officer as described in Section D.2.b.

803 b) One or more conservation district supervisors, conservation district employees, Conservation  
804 Commission representatives, or members of the public may observe the handling of ballots and  
805 the counting of votes, but may not interfere or disrupt the proceedings in any way.

### 806 4. During a mail-in election and / or for absentee ballots

807 a) The election supervisor receives and safeguards mail-in or absentee ballots returned by voters.

808 i) The election supervisor performs all the tasks as for a poll-site election, and determines if  
809 mail-in ballots and / or for absentee ballots are cast by qualified district electors.

- 810            ii) The election supervisor does not count ballots. Polling officers count the ballots.
- 811            b) Double-envelope voting is required for mail-in and / or for absentee ballots elections.
- 812            i) A double-envelope system identical to contested balloting must be used by the conservation  
813            district in a mail-in election and for absentee ballots.
- 814            ii) Ballots are to be inserted in an inner envelope and sealed, with no marks or other  
815            information that would identify the person voting. The outer envelope must show or contain  
816            sufficient information to identify the voter. The name and address of the voter, as shown on  
817            the list of registered voters obtained from the County Auditor, is recommended.
- 818            iii) Mail-in and absentee ballots are to be delivered to the election supervisor.
- 819            c) The election supervisor determines if mail-in and absentee ballots votes are submitted by  
820            qualified district electors.
- 821            i) As ballots are received from voters, the election supervisor may verify each mail-in and  
822            absentee ballot as eligible or disqualified based on the information provided on or in the  
823            outer envelope of the mail-in or absentee ballot. Alternatively, the election supervisor may  
824            wait until all ballots are received, at which time the eligibility of each voter must be verified  
825            before outer envelopes are opened.
- 826            ii) When a voter cannot be verified as eligible to vote in this election, the outer envelope must  
827            not be opened, and the ballot must be counted as a disqualified ballot.
- 828            iii) The election supervisor may enlist the help of polling officers in verifying mail-in and  
829            absentee ballots as eligible or disqualified.
- 830            iv) The election supervisor must not open the inner envelope containing the actual ballot.  
831            Polling officers must open and count each ballot that has been verified as having been cast by  
832            a qualified district elector.
- 833            v) The inner envelope for each mail-in or absentee ballot found to be cast by a person who is  
834            not a qualified district elector must not be opened.

## 835 **F. Polling Officer duties**

- 836            1. Before an election
- 837            a) Review contested ballots: what they are, when they are issued, and how they are counted.
- 838            b) Review the poll list form and the ballot results reporting form, and how to complete them.
- 839            c) Confirm these resources are available at each poll site:
- 840            i) Sufficient ballots for the expected number of voters;
- 841            ii) A reasonable supply of contested ballots (double-envelope system);

- 842           iii) A ballot box;
- 843           iv) Voting booth or other means of assuring votes can be cast privately;
- 844           v) A list of registered voters (voter list);
- 845           vi) A map or description of the conservation district legal boundary;
- 846           vii) A copy of these procedures; and
- 847           viii) Poll list forms and ballot results reporting forms.
- 848    2. During a poll-site election
- 849           a) Polling officers must monitor the voting place for compliance with these procedures, and also
- 850           serve as guardians of all issued and unissued ballots.
- 851           b) Polling officers verify voters and issue ballots.
- 852                    i) A polling officer must verify a voter is a qualified district elector before issuing a ballot to the
- 853                    voter and record that determination on the poll list.
- 854                    ii) At least one polling officer must be present and in control of the ballot box(es) at all times
- 855                    while the polls are open.
- 856                    iii) At a poll-site election, a contested ballot must be issued if the voter's eligibility to vote
- 857                    cannot be determined during polling. A voter whose eligibility cannot be determined may
- 858                    only vote on a contested ballot. Contested balloting should be explained to the voter.
- 859                    Following is an example dialog:
- 860                                *At this time, I cannot verify you are a qualified district elector eligible to vote in this*
- 861                                *election. For your vote to be counted, you must be a registered voter living inside the*
- 862                                *boundary of the conservation district.*
- 863                                *Every vote is important, so if you wish to vote, I will issue you a contested ballot so that*
- 864                                *you can vote. Election officials will determine your eligibility to vote after the polls are*
- 865                                *closed and count all ballots.*
- 866                                *The contested ballot is a package consisting of a ballot and two envelopes. After you mark*
- 867                                *the ballot, place it inside one envelope and seal that envelope. Do not make any*
- 868                                *identifying marks on that envelope. Place the sealed envelope inside the second envelope.*
- 869                                *On the outside of the second envelope, print your name and address as used by the*
- 870                                *County Auditor for your voter registration record, then place the completed contested*
- 871                                *ballot package in the ballot box.*
- 872            iv) Polling officers use the poll list to track the identity and number of voters, to identify
- 873            determinations made by polling officers as to voter eligibility, and to identify voters issued
- 874            contested ballots.

- 875 v) For absentee ballots received during a poll-site election, polling officer should follow the  
876 procedure, as directed by the Election Supervisor, set out in Section E(4) Election Supervisor  
877 Duties above.
- 878 c) Polling officers are to close the polls at the published time, unless the polls are extended by a  
879 conservation district supervisor or the election supervisor.
- 880 i) Those who are waiting in line when the polls are scheduled to be closed must be allowed to  
881 check in and vote.
- 882 ii) Poll times may not be less than advertised.
- 883 iii) A conservation district supervisor or the election supervisor appointed by the board may  
884 extend the time polls are open, if needed to accommodate voters.
- 885 3. After the polls close
- 886 a) Polling officers open the ballot box or boxes and count the votes cast for each candidate.
- 887 i) If the election had more than one polling place, polling officers may transport uncounted  
888 ballots in the ballot boxes to a central location for counting.
- 889 ii) Ballots must remain in the custody of polling officers until counted. Polling officers count all  
890 votes cast. Absentee ballots should be tallied separately from poll-site ballots.
- 891 iii) All votes must be counted, including eligible votes and disqualified votes.
- 892 iv) A vote on a contested ballot where the voter is found to be ineligible to vote is to be counted  
893 as a disqualified vote.
- 894 v) When verifying a voter who cast a contested ballot, compare the name and address provided  
895 by the voter with the voter list obtained from the County Auditor.
- 896 vi) The ballot count results are reported on the ballot results report, which is to be provided by a  
897 polling officer to the election supervisor or a supervisor of the conservation district holding  
898 the election.
- 899 b) Provide a completed ballot results report for each type and location of election held (poll-site  
900 and mail-in), and for absentee ballots (if any were received) to a conservation district supervisor  
901 or the election supervisor.
- 902 c) Surrender all poll list documents, all ballots, all working notes and papers, and all ballot results  
903 reports to a conservation district supervisor or the election supervisor.
- 904 d) Polling officers may announce the unofficial results of the election, subject to certification by the  
905 Conservation Commission.
- 906 4. During a mail-in election
- 907 a) Polling officers receive each ballot from the election supervisor.

- 908 i) Each ballot must be sealed inside an envelope.
- 909 ii) Only one ballot may be in an envelope. If more than one ballot is found inside a single  
910 envelope, all such ballots must be disqualified.
- 911 iii) A ballot in an in unsealed inner envelope must be disqualified.
- 912 b) Polling officers count votes and verify the ballot count in writing.
- 913 i) All votes must be counted: eligible, and disqualified. There are no contested ballots in a mail-  
914 in election.
- 915 ii) Ballot counts are reported on the ballot results report form, which is to be provided by a  
916 polling officer to a supervisor of the conservation district holding the election.
- 917 c) If the conservation district holds a poll-site election and a mail-in election, polling officers must  
918 count and report ballots separately for each type of election and for absentee ballots (if any were  
919 received) and for each poll location. This means a separate ballot results report must be  
920 completed for each type of election, absentee ballots, and location of election.

## 921 **G. Candidate duties**

- 922 1. Before an election
- 923 a) Any person wishing to be a candidate must file candidate information (Election Form 2) with the  
924 conservation district by the candidate filing deadline.
- 925 b) A candidate wishing to have his or her name pre-printed on the official ballot must provide a  
926 qualified nominating petition (Election Form 3) signed by at least 25 qualified district electors to  
927 the conservation district by the candidate filing deadline. The election supervisor will verify  
928 nominators on the nominating petition.
- 929 c) If the incumbent on the conservation district board who currently holds the elected office subject  
930 to the current years' election provides candidate information (Election Form 2) by the candidate  
931 filing deadline, the incumbent will be eligible to be re-elected. However, under WAC 135-110-  
932 340, unless the incumbent obtains the 25 qualified nominating signatures (Election Form 3), the  
933 incumbent's name will not appear on the ballot. In order for the incumbent's name to appear on  
934 the election ballot, the incumbent must file both Form 2 and Form 3 by the candidate filing  
935 deadline, and Form 3 must have at least 25 qualified nominating signatures. Only after an  
936 incumbent correctly files both Form 2 and Form 3 with the District will the District place the  
937 incumbent's name on the official ballot. Furthermore, a District wherein an incumbent files only  
938 candidate information (Form 2) and not the 25 qualified nominating signatures (Form 3) cannot  
939 use WAC 135-110-370 to automatically re-elect the incumbent (if all other provisions of WAC  
940 135-110-370 are also met).

- 941 d) Should a candidate wish to withdraw his or her candidacy, written notice to that effect must be  
942 provided to the conservation district before Election Day. Notice by any other means will be  
943 considered invalid. If the candidate is running as a nominated candidate and ballots have already  
944 been printed, the conservation district is not obligated to reprint ballots to remove the  
945 withdrawn candidate's name.
- 946 e) It is the responsibility of a candidate to inform voters of the candidate's desire and qualifications  
947 to be elected to the office of conservation district supervisor. A conservation district may provide  
948 equal opportunity and equivalent space to candidates for this purpose but are not required to do  
949 so. Such information must not be provided within 300 feet of polls on Election Day.
- 950 f) Every candidate must be eligible to be elected to, and hold the office of, conservation district  
951 supervisor on the day of the filing of candidate information with the conservation district.
- 952 2. During a poll-site election
- 953 a) Candidates may not seek to influence voters to vote for or against a specific candidate within 300  
954 feet of ballot box(es).
- 955 b) Candidates may observe an election while the polls are open but may not interfere with voters or  
956 polling officers.
- 957 c) Candidates may observe the counting of ballots but may not interfere with polling officers or the  
958 election supervisor.
- 959 3. After the polls close
- 960 a) Candidates may not disrupt or interfere with polling officers.
- 961 b) Candidates may observe the counting of votes.
- 962 c) The supervisor-elect becomes a municipal officer upon certification of the election by the  
963 Conservation Commission.

## 964 **H. Nominator duties**

- 965 1. Before an election
- 966 a) Persons signing a nominating petition must be registered voters residing within the boundary of  
967 the conservation district holding the election.
- 968 b) Information provided on the Nominating Petition must be legible or it cannot be counted.
- 969 c) Nominators may sign a Nominating Petition for more than one candidate.
- 970 d) Nominators may only sign a candidate's Nominating Petition once.
- 971 e) A nominator's signature is not a vote for the candidate. Signing the Nominating Petition is a  
972 request that the candidate's name be pre-printed on the official ballot.

973 **I. Voter duties**

974 1. During a poll-site election

- 975 a) No voter may seek to influence any other voters within 300 feet of the ballot box(es).
- 976 b) A voter may observe an election but may not interfere with voters or polling officers.
- 977 c) A voter must sign in on a poll list and provide sufficient information for a polling officer to  
978 determine the individual's eligibility to vote.
- 979 d) Before receiving a ballot, the identity of a voter must be verified by a polling officer. Acceptable  
980 forms of voter identification include:
- 981 i) Valid Washington State driver's license or Valid Washington State identification card; or
- 982 ii) Any other identification allowed for registering to vote by the Auditor of the County where  
983 the conservation district is located.
- 984 e) A voter who cannot be confirmed at the polling place as eligible to vote may vote, but only on a  
985 contested ballot issued by a polling officer.

986 2. After the polls close

- 987 a) Voters and other citizens may not disrupt or interfere with polling officers.

988 **J. Non-standard election outcomes**

989 1. Incumbent automatically reelected if no other person files. WAC 135-110-370.

- 990 a) The incumbent is automatically reelected to another three-year term if:
- 991 i) Due notice of the election resolution and the election have been duly published by the  
992 conservation district (Election Form 5);
- 993 (1) The information in the election resolution been published, at least twice, a week apart,  
994 the first time being at least one week before the candidate filing deadline and the second  
995 at least one day before the candidate filing deadline;
- 996 (2) The date, time, place and manner of the election been published, at least twice, a week  
997 apart, the first time being at least one week before the candidate filing deadline and the  
998 second at least one day before the candidate filing deadline;
- 999 ii) The only person filing by the candidate filing deadline is the incumbent;
- 1000 (1) At the time of filing, the incumbent was a qualified district elector (at the time of filing,  
1001 the incumbent was a registered voter in the county where the district is located and a  
1002 resident within the conservation district boundary);

- 1003 (2) At the time of filing, and on or before the candidate filing deadline, the incumbent  
1004 submitted to the conservation district Election Form 2, information including:
- 1005 (a) The name of the conservation district;
- 1006 (b) The incumbent's name, residential address, mailing address (if different), and phone  
1007 number;
- 1008 (c) Whether the person is a registered voter in the county where the conservation district  
1009 is located;
- 1010 (d) Whether the person resides inside the conservation district boundary;
- 1011 (e) Whether the person is a landowner or an operator of a farm; and
- 1012 (f) The dated signature of the incumbent attesting to the accuracy of the information so  
1013 provided.
- 1014 (3) At least 25 qualified nominating signatures (Election Form 3) by the candidate filing  
1015 deadline. If 25 qualified nominating signatures are not submitted to the District by the  
1016 incumbent by the candidate filing deadline, the District cannot use WAC 135-110-370 to  
1017 automatically re-elect the incumbent.
- 1018 iii) The conservation district verifies the continued eligibility of the incumbent to serve another  
1019 term of office (Election Form 4);
- 1020 (1) The election supervisor has determined that
- 1021 (a) The name of the incumbent (who filed the candidate information) is the correct legal  
1022 name of the individual;
- 1023 (b) That the incumbent submitted candidate information by the filing deadline;
- 1024 (c) That the incumbent submitted a valid nominating petition by the filing deadline;
- 1025 (d) That the incumbent was a qualified district elector on the day of filing; and
- 1026 (e) That at least two of the three elected conservation district supervisors on the  
1027 conservation district board of supervisors will be landowners or operators of farms if  
1028 the incumbent is elected;
- 1029 iv) The incumbent has not resigned on or before the last date of election; and
- 1030 v) Before election day, the conservation district must have informed the voting public that the  
1031 incumbent has been reelected by reason of being the only person filing for the position, and  
1032 that no poll site, mail, or absentee balloting will be performed, and on election day, signs  
1033 containing this information were posted at poll sites. Election Form 5.

- 1034 b) Within four weeks of the first date of election as scheduled in the election resolution, the  
1035 conservation district must inform the Conservation Commission of the automatic reelection of  
1036 the incumbent.
- 1037 c) Election supervisors must use the Automatic Re-Election of the Incumbent Checklist in order to  
1038 ensure compliance with WAC 135-110-370.
- 1039 d) So long as the Automatic Re-Election Checklist is complete and all provisions of WAC 135-110-  
1040 370 are met, a district is free to proceed with cancelling an election. This can be done with or  
1041 without formal board action.
- 1042 i) Without formal board action: Under WAC 135-110-230, a District Board of Supervisors must  
1043 appoint an Election Supervisor. That Election Supervisor is empowered by the Board,  
1044 through WAC 135-110-230, to conduct all operations of the election, including the  
1045 determination and operation of automatically re-electing the incumbent (provided the terms  
1046 of WAC 135-110-370 are met). Therefore, the appointed Election Supervisor can proceed to  
1047 cancel an election provided all the conditions of WAC 135-110-370 are met. Ultimately, as  
1048 WAC 135-110-230(3) notes, the Board is responsible for the actions of the Election  
1049 Supervisor.
- 1050 ii) With formal board action: the board of supervisors may choose to proceed with cancelling  
1051 an election (provided that all provisions of WAC 135-110-370 are met), by passing a  
1052 resolution so stating and in compliance with WAC 135-110-370.
- 1053 2. Undeclared write-in candidate may be elected if no person files. WAC 135-110-360.
- 1054 a) If no person has filed by the filing deadline, or if the election supervisor finds ineligible all persons  
1055 who filed, then only undeclared write-in candidates may be elected.
- 1056 i) The undeclared write-in candidate, deemed the unofficial winner, must submit required  
1057 candidate information to the conservation district, and
- 1058 ii) Within four weeks (twenty-eight calendar days) following the first date of election, the  
1059 election supervisor must verify the eligibility of the unofficial winner to be elected and to  
1060 serve.
- 1061 iii) If the conservation district is unable to verify eligibility of the unofficial winner within four  
1062 weeks of the election, the unofficial winner is disqualified. The person receiving the next  
1063 highest vote count must then submit required candidate information and the conservation  
1064 district must verify his or her eligibility as described above.
- 1065 iv) If the undeclared write-in candidate who is the unofficial winner is found ineligible and no  
1066 other persons received votes, the Conservation Commission will officially announce another  
1067 full term of office for the incumbent on the third Thursday in May, but only upon verification  
1068 by the conservation district of the eligibility of the incumbent to serve in the office of elected  
1069 conservation district supervisor.

- 1070 b) Written marks made on a ballot for a write-in candidate shall be governed by the same standards  
1071 as set out in WAC 434-261-086.
- 1072 3. Election results in a tie. WAC 135-110-730.
- 1073 a) In the case of two or more eligible candidates receiving the most votes, and each receives an  
1074 equal number of votes, the conservation district must recount the ballots.
- 1075 b) Conservation district supervisors may perform the recount at a regular or special meeting of the  
1076 conservation district board of supervisors, or may charge polling officers with this duty.
- 1077 c) If a tie is verified by the recount, the winner of the election must be determined by drawing of  
1078 names as provided under RCW 29A.60.221 to ensure the drawing is equitable to all affected  
1079 candidates.
- 1080 i) If no more than two candidates are tied, a coin toss may be used in lieu of drawing names to  
1081 determine the unofficial winner.
- 1082 ii) If more than two candidates are tied, only a drawing of names may be used to determine the  
1083 unofficial winner.
- 1084 iii) A representative of the Conservation Commission must be present for any drawing of names  
1085 or coin toss.
- 1086 d) The candidate whose name is drawn (or who wins the coin toss) becomes the supervisor-elect.
- 1087 4. No eligible candidate elected. WAC 135-110-740.
- 1088 a) When no eligible candidate is elected, the Conservation Commission will officially announce  
1089 another full term of office for the incumbent on the third Thursday in May, but only upon  
1090 verification by the conservation district of the eligibility of the incumbent to serve in the office of  
1091 elected conservation district supervisor.
- 1092 b) If the conservation district determines the incumbent conservation district supervisor is no  
1093 longer eligible to serve in the office of elected conservation district supervisor, or if the  
1094 incumbent has resigned, the position is deemed vacant and the conservation district may  
1095 appoint an eligible successor following the official announcement by the Conservation  
1096 Commission.

## 1097 **K. Emergencies**

- 1098 1. Emergency relocation or rescheduling of election
- 1099 a) A conservation district may not change the date(s) or location(s) of poll sites unless an  
1100 emergency exists.

- 1101        b) A conservation district supervisor or the election supervisor may declare an emergency when  
1102        adverse conditions may negatively affect the health or safety of voters or the timely return of  
1103        absentee ballots. Such conditions may include, but are not limited to:
- 1104            i) Hazardous weather conditions;
- 1105            i) Damage to roads, buildings, or other infrastructure;
- 1106            ii) Chemical spills;
- 1107            iii) Fire and smoke; or
- 1108            iv) Volcanic eruption, earthquake, landslides, mudflows, and floods.
- 1109        c) When an emergency is so declared, the conservation district should attempt to inform all  
1110        conservation district supervisors and candidates listed on the ballot.
- 1111        d) When a polling site is changed in response to an emergency, and the election date is not  
1112        changed, signage sufficient to notify potential voters must be provided to redirect voters to the  
1113        new polling site(s). Poll times should be extended to allow for additional travel time to the  
1114        relocated polls.
- 1115        e) When the election date is changed in response to an emergency, the conservation district should  
1116        first seek to provide due notice to inform the public of the change. If due notice is not possible,  
1117        the conservation district should take reasonable measures to inform the public of the change.  
1118        Reasonable measures may include, but are not limited to: announcements on local radio or  
1119        television; posting on web pages; announcements in newspapers; and posting of handbills or  
1120        flyers.
- 1121        f) When one or more polling sites are changed and the date is changed in response to an  
1122        emergency, the conservation district should perform the actions described above in subparts (d)  
1123        and (e).
- 1124        g) The Conservation Commission must be informed of all emergency changes to poll locations or  
1125        dates before voting begins.

## SECTION 3: APPOINTMENTS

### A. Information required

1. Only application forms provided by the Conservation Commission may be used to apply for the position of appointed supervisor. The Conservation Commission will make these application forms available to conservation districts and interested citizens.
2. The information the Conservation Commission will require on the application form includes:
  - a) The name of the conservation district.
  - b) The name, residential address, mailing address, phone number, and email address (if available) for the applicant.
  - c) Yes/No questions about the applicant being a registered voter, whether the applicant is a landowner or operator of a farm, whether the applicant resides inside the district, and whether the applicant owns land inside the district. An applicant must be a registered voter in the state of Washington.
  - d) The applicant's current occupation.
  - e) A description of the applicant's experience with boards and organizations.
  - f) A description of special training, skills and experience that may help the applicant perform the duties expected of a conservation district supervisor.
  - g) The name and phone number of at least one person the Conservation Commission may contact regarding the applicant's qualifications.
  - h) Information about why the applicant is interested in serving as a conservation district supervisor.
  - i) Information about whether the applicant has ever attended a meeting of the conservation district board of supervisors.
  - j) Information about whether the applicant has ever served as a conservation district supervisor.
  - k) Information about whether the applicant has reviewed the mission statement, annual plan, and long-range plan of the conservation district.
  - l) Information about whether the applicant has a farm plan, and if so, what the applicant's thoughts are on the process to develop the plan, and the plan itself.
  - m) Information about what the applicant thinks the appropriate role is for district supervisors to engage with other entities active in the district area, such as the county or state agencies.

- 1157 n) Information about what the applicant thinks the appropriate role is for the district supervisors to address  
1158 natural resource concerns in the district area.
- 1159
- 1160 o) Information about whether the applicant has any prior experience reviewing contracts or other legal  
1161 instruments.
- 1162
- 1163 p) Information about whether the applicant has any previous experience as a participant in a collaborative  
1164 process.
- 1165
- 1166 q) Information about whether the applicant has any previous experience with installing practices on a farm.
- 1167 r) The dated signature of the applicant.

## **B. Forms and reports required**

- 1169 1. Conservation districts must provide to the Conservation Commission copies of advertisements and  
1170 publications used to notify the community of the ability to apply for an appointed conservation  
1171 district supervisor position.
- 1172 2. Documents provided by applicants for the office of appointed supervisor to the Conservation  
1173 Commission in Lacey, Washington.
- 1174 a) General
  - 1175 i) Applications must be originals, not copies.
  - 1176 ii) Applications and associated documents are to be delivered to the Conservation Commission  
1177 in Lacey, Washington.
  - 1178 iii) An applicant should keep a copy of the application and associated documents until the  
1179 Conservation Commission confirms receipt of submitted materials.
  - 1180 iv) Letters of recommendation, resumes, and other items do not need to be included with the  
1181 application.
  - 1182 v) Late applications and associated documents cannot be considered.
  - 1183 vi) The Conservation Commission will not consider applications submitted by someone other  
1184 than the applicant.
- 1185 b) For appointment to a full term of office
  - 1186 i) Applications and supporting materials must be received by the Commission no later than  
1187 March 31.
  - 1188 ii) If an incumbent holding the office of appointed conservation district supervisor wishes to be  
1189 reappointed, the incumbent must reapply for appointment. This clearly identifies to the

1190 Conservation Commission the wishes of the incumbent, and allows the Conservation  
1191 Commission to verify the eligibility of the incumbent to continue his or her service.

1192 c) For appointment to a partial or mid-term term of office

1193 i) In consultation with the Conservation Commission, the conservation district will establish a  
1194 deadline for applications and publicize that date.

1195 ii) Applications and associated documents are to be delivered to the Conservation Commission  
1196 in Lacey, Washington.

## 1197 **C. Conservation Commission duties**

1198 1. The Conservation Commission must notify affected parties.

1199 a) The Conservation Commission must notify each conservation district of upcoming vacancies in  
1200 the position of appointed conservation district supervisor by January 15 of the year in which  
1201 terms expire.

1202 b) The Conservation Commission must notify each appointed supervisor whose term is expiring by  
1203 January 15 of the year in which the term expires.

1204 2. The Conservation Commission must make these procedures and appropriate application forms  
1205 available to any interested person.

1206 3. The Conservation Commission must provide copies of applications to the conservation district prior  
1207 to the Conservation Commission making an appointment.

1208 4. The Conservation Commission may supplement at its cost any conservation district notice or  
1209 advertising for applicants for appointed supervisor.

1210 5. In the event an incomplete application is received, the Conservation Commission will attempt to  
1211 contact the applicant so the application can be corrected. However, the Conservation Commission is  
1212 not bound to perform any additional investigation or due diligence if an applicant does not respond  
1213 or if the application remains incomplete.

1214 6. In the event no applications are submitted from qualified applicants for a conservation district, the  
1215 Conservation Commission may seek qualified applicants from the community served by the  
1216 conservation district. The Commission may contact each district which received no applications and  
1217 offer an option to re-advertise the open appointed position for a four week period. If the district  
1218 declines this option, the Commission will seek qualified applicants itself. Applications received as a  
1219 result of the second round of advertising will be processed as soon as possible by the Commission.

1220 7. Conservation Commission procedures for full-term appointments.

1221 a) Full-term appointments will be made annually at the regular Conservation Commission meeting  
1222 to be held the third Thursday in May of each year.

- 1223 b) The term of office will be three years. The term of office for a full-term appointment will expire  
1224 on the third Thursday of May three years following the appointment.
- 1225 c) Prior to the May meeting of the Conservation Commission Board, the Conservation Commission  
1226 will evaluate all applications received by March 31 in the year the position is open for  
1227 appointment.
- 1228 d) The Conservation Commission will evaluate the suitability and capability of all applicants for the  
1229 position of appointed supervisor.
- 1230 e) A Conservation Commission representative will contact a conservation district supervisor from  
1231 the affected conservation district prior to the Conservation Commission making the  
1232 appointment.
- 1233 f) The Conservation Commission will notify all applicants, including those not appointed, of the  
1234 appointments made at its May meeting.
- 1235 g) The Conservation Commission must notify each conservation district of the appointments made  
1236 following the May meeting.
- 1237 8. Conservation Commission procedures for mid-term appointments.
- 1238 a) The term of office will be until the end of the original full-term.
- 1239 b) To assure continuity of district operations and effectiveness in administering the authorized  
1240 conservation program of the conservation district, the Conservation Commission may act on an  
1241 application for mid-term appointment at any time, as determined solely by the Conservation  
1242 Commission.
- 1243 c) The Conservation Commission will evaluate the suitability and capability of all applicants for the  
1244 position of appointed supervisor.
- 1245 d) A Conservation Commission representative will contact a conservation district supervisor from  
1246 the affected conservation district prior to the Conservation Commission making the  
1247 appointment.
- 1248 e) The Conservation Commission will notify all applicants, including those not appointed, of the  
1249 mid-term appointments made.
- 1250 f) The Conservation Commission will notify each conservation district of the mid-term  
1251 appointments made.

## **D. Conservation District duties**

1. Conservation districts must provide due notice to citizens of the opportunity to apply for appointment to a full term of office as a conservation district supervisor.
  - a) Notices should be published at least several weeks before the application deadline.
  - b) Copies of published notices must be provided to the Conservation Commission.
  - c) Notices for elections and appointments may be combined.
2. Notices to the public must include at least the following information:
  - a) There is an upcoming vacant or unexpired appointed supervisor position.
  - b) An applicant must be a registered voter in the state of Washington.
  - c) Applicants may be required to be landowners or operators of a farm, depending on the current composition of the conservation district board of supervisors.
  - d) A conservation district supervisor sets policy and direction for the conservation district.
  - e) A conservation district supervisor is a public official who serves without compensation.
  - f) Application forms may be obtained from the conservation district or the Conservation Commission.
3. Deadlines for applications vary
  - a) For full-term appointments, the deadline for applications and associated materials to be received by the Conservation Commission in Lacey, Washington, is March 31.
  - b) For partial or mid-term appointments, the conservation district must consult with the Conservation Commission to determine an appropriate due date, and then publish that date.
4. If a conservation district receives an original application or associated documents from an applicant, the conservation district must forward to the Conservation Commission all such materials.
  - a) The Conservation Commission will not accept applications submitted by parties other than the applicant, but if a conservation district forwards originals, the Conservation Commission will confirm the application with the applicant.
  - b) If an applicant does not confirm his or her intent to apply, the application will be rejected by the Conservation Commission.
5. Conservation district procedures for a full-term appointment.
  - a) The application period is January 1 through March 31 in the year the appointment is to occur.

- 1281            b) The conservation district must notify the newly appointed supervisor of the date and time of the  
1282            next meeting of its board of supervisors.
- 1283    6. Conservation district procedures for mid-term appointments
- 1284            a) The conservation district must consult with the Conservation Commission in determining an  
1285            appropriate application period and deadline for applications.
- 1286            b) The application period must be at least four weeks (28 calendar days) in duration.
- 1287            c) The conservation district must select a reasonable deadline for applications to be received by the  
1288            Conservation Commission, preferably at least four weeks before the regular Conservation  
1289            Commission meeting at which the conservation district wishes the appointment to be made.
- 1290            d) A conservation district is not required to provide due notice, but should strive to do so unless an  
1291            emergency exists that calls for immediate filling of the vacant office.
- 1292            e) A conservation district may extend the deadline for applications upon consultation with, and  
1293            agreement by, the Conservation Commission. Due notice of the extended deadline must be  
1294            provided by the conservation district.
- 1295            f) The conservation district must notify a newly appointed supervisor of the date and time of the  
1296            next meeting of its board of supervisors.

## 1297    **E. Applicant duties**

- 1298    1. Applicants for the position of appointed supervisor of a conservation district must be registered  
1299    voters in Washington State.
- 1300    2. Applicants may obtain the application forms from any conservation district or from the Washington  
1301    Conservation Commission, PO Box 47721, Olympia, Washington 98504-7721 or on the Conservation  
1302    Commission website at <http://www.scc.wa.gov/>.
- 1303    3. Applicant procedures for full-term appointments.
- 1304            a) Applications and supporting materials must be received by the Commission no later than March  
1305            31.
- 1306            b) An applicant submitting an incomplete application or inaccurate application will not be  
1307            considered for appointment until the application is corrected by the applicant.
- 1308            c) An applicant becomes a municipal officer of the conservation district upon formal appointment  
1309            by the Conservation Commission.
- 1310            d) Newly appointed supervisors may begin performing the duties required of conservation district  
1311            supervisors at the next regular or special meeting of the conservation district board of  
1312            supervisors following appointment by the Conservation Commission.

- 1313 4. Applicant procedures for mid-term appointments.
- 1314 a) An incomplete or inaccurate application will not be considered for appointment until and unless  
1315 it is corrected by the applicant.
- 1316 b) An applicant becomes a municipal officer of the conservation district upon appointment to office  
1317 by the Conservation Commission.
- 1318 c) Newly appointed supervisors may begin performing the duties required of conservation district  
1319 supervisors at the next regular or special meeting of the conservation district board of  
1320 supervisors following appointment by the Conservation Commission.
- 1321

## SECTION 4: VACANCY, REMOVAL, AND REPLACEMENT

### A. Only vacant offices may be filled – WAC 135-110-900

1. The office of conservation district supervisor may not be filled by election or appointment unless the term of office has expired, or the position has been immediately vacated as described in this section, or the Conservation Commission has declared the position vacant.

### B. Supervisors must be eligible to serve – WAC 135-110-910

1. A conservation district supervisor must be eligible to serve in the office of conservation district supervisor throughout the term of office.
2. If an incumbent no longer meets the minimum eligibility requirements to serve as a conservation district supervisor, the office is deemed vacant.

### C. Resignation from office – WAC 135-110-920

1. A conservation district supervisor may resign from public office at any time, and for any reason.
2. Resignations must be made in writing to the Conservation Commission or to the conservation district.
3. Resignations are effective on the date received, unless the incumbent has specified a future date for the resignation to become effective.

### D. Ceasing to be a registered voter – WAC 135-110-930

1. The office held by an elected conservation district supervisor is immediately vacant upon that supervisor no longer meeting the definition of a qualified district elector.
2. The office held by an appointed conservation district supervisor is immediately vacant upon that supervisor no longer being a registered voter in the state of Washington.

### E. Death of the supervisor – WAC 135-110-940

1. The office held by a conservation district supervisor is immediately vacant upon the death of the supervisor.

1346 **F. Declaration voiding an election or appointment – WAC 135-110-**  
1347 **950**

- 1348 1. The office held by a conservation district supervisor is vacant upon the decision of a competent  
1349 tribunal declaring void his or her election or appointment.

1350 **G. Removal from office – WAC 135-110-960**

- 1351 1. As provided in RCW 89.08.200, a conservation district supervisor may be removed from office by the  
1352 conservation commission governing board upon notice and hearing for neglect of duty or  
1353 malfeasance.
- 1354 2. The conservation commission must provide notice to the supervisor detailing the specific elements  
1355 of the neglect of duty or malfeasance for which removal is sought. The supervisor shall be given the  
1356 opportunity to respond in writing to the elements contained in the notice within thirty days of the  
1357 notice to the supervisor from the conservation commission. Notice to the supervisor from the  
1358 conservation commission shall be by certified mailing to the address of record for that supervisor.
- 1359 3. The conservation commission must hold at least one public hearing no earlier than sixty days from  
1360 the date of certified mailing to the supervisor in the area served by the conservation district  
1361 supervisor before acting to remove the incumbent from office.
- 1362 4. Following the public hearing, the conservation commission shall vote on the removal of the  
1363 supervisor based on official findings of fact detailing the cause or causes of removal.

1364 **H. Replacement – WAC 135-110-970**

- 1365 1. A vacancy in the office of elected conservation district supervisor is filled by the conservation district  
1366 board of supervisors for the remainder of the unexpired term, subject to the verification of  
1367 supervisor qualifications by the conservation commission. While due notice to the affected  
1368 community is strongly recommended, it is not required. Notice must be given of the appointment as  
1369 soon as practicable by the District to the Commission. Please remember that any appointee to a  
1370 vacant elected supervisor position must still be eligible to serve under WAC 135-110-910. Therefore,  
1371 depending on the current make-up of the board of supervisors, an appointee to a vacant elected  
1372 supervisor position may be required to be a landowner or farm operator at the time of appointment.  
1373 Districts should make this determination before appointing someone to fill the vacant elected  
1374 supervisor position. At least two of the three elected conservation district supervisors on the  
1375 conservation district board must be landowners or operators of farms. The definition of landowner  
1376 and farm operator is set out in WAC 135-110-110.

- 1377 2. A vacancy in the office of appointed conservation district supervisor is filled by the Conservation  
1378 Commission for the remainder of the unexpired term. The conservation district may publish due  
1379 notice of the vacancy.
- 1380 a) Conservation Commission requirements are identified in Section 3.C.8 of these procedures.  
1381 b) Conservation district requirements are identified in Section 3.D.6 of these procedures.  
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## Appendix A

[INSERT DISTRICT NAME] Conservation District  
[INSERT ADDRESS, PHONE, EMAIL]

### **PLEASE READ THESE IMPORTANT VOTING INSTRUCTIONS**

Dear registered voter:

Thank you for participating in our election by requesting an absentee ballot for the [INSERT DISTRICT NAME] Conservation District Board of Supervisor Election, which will be held on [INSERT DATE].

#### **TYPES OF CANDIDATES:**

Per WAC 134-110-350, there are three types of candidates:

- (1) A declared candidate is a qualified district elector who has submitted a candidate information form to the conservation district by the filing deadline, but has not submitted a qualified nomination petition signed by 25 registered voters. The name of this type of candidate will not appear on the ballot.
- (2) A declared nominated candidate is a qualified district elector who has submitted a candidate information form and a qualified nominating petition signed by 25 registered voters to the conservation district by the filing deadline. The name of this type of candidate will appear on the ballot.
- (3) An undeclared write-in candidate is a qualified district elector who has not submitted a candidate information form nor a qualified nomination petition signed by 25 registered voters to the conservation district by the filing deadline. Per WAC 135-110-360 an undeclared write-in candidate may only win if no candidates have filed by the candidate filing deadline or all the candidates who have filed have been found ineligible.

#### **CANDIDATES IN THIS ELECTION:**

[INSERT DESCRIPTION OF CANDIDATES IN THIS ELECTION].

#### **BALLOT SYSTEM:**

Our absentee ballot system is a two-envelope system to ensure the confidentiality of your vote. Complete the ballot and the attest statement and voter information form. Place only your completed ballot inside the smaller secrecy envelope being sure there are no identifying markings on the outside of the envelope then seal the envelope. If there is more than one ballot in the secrecy envelope or the secrecy envelope is not sealed, the ballot will be disqualified.

Place the sealed secrecy envelope and the attest statement and voter information form into the larger envelope, which has our address preprinted in the addressee area of the envelope. The information on the attest statement and information form will be used to verify whether or not you are a registered Washington state voter living in [INSERT COUNTY NAME] County. If we cannot find your name on the voter rolls because you have used a nickname or you have moved and not updated your registration with the County, your ballot will be contested. Seal the outer envelope and write your name and return address in the upper left corner of the envelope.

Your absentee ballot must be received by the Conservation District by mail or in person no later than [INSERT TIME] on [INSERT DATE] (WAC 135-110-110). Ballots post marked earlier, but received in the mail after [INSERT TIME] on [INSERT DATE] cannot be counted.

Conservation district election procedures are set by the Washington State Conservation Commission and are governed under WAC Chapter 135-110. If you have any further questions about the election procedures, please call the conservation district.

Sincerely,  
[INSERT NAME]  
Election Supervisor

[Page 1 of 3]

[INSERT DISTRICT NAME] Conservation District

1. Complete the ballot.
2. Place your completed ballot into the smaller secrecy envelope with no identifying marks.
3. Seal the secrecy envelope with only your ballot in it.
4. Complete the attest statement and voter information form.
5. Place the sealed secrecy envelope and the attest statement and voter information form into the larger white envelope with the [INSERT DISTRICT NAME] Conservation District address in the addressee area of the envelope.
6. Write your name and address in the upper left hand corner of the envelope.
7. Bring or mail the ballot to the [INSERT DISTRICT NAME] Conservation District office at [INSERT ADDRESS]. It must be received no later than [INSERT TIME] on [INSERT DATE].

[Page 2 of 3]

[INSERT DISTRICT NAME] Conservation District

**Attest Statement and Voter Eligibility Information**

I swear under penalty of perjury under the laws of the State of Washington that I reasonably believe that I am a registered voter of Washington state and that I reside within the [INSERT DISTRICT NAME] Conservation District boundaries.

Signature \_\_\_\_\_

**Voter Eligibility Information:**

Print your name clearly as it appears on your County voter registration:

\_\_\_\_\_  
First Name                      Middle Initial                      Last Name

Print your address as it appears on your County voter registration:

Physical home address:

\_\_\_\_\_  
House number                      Street                      Unit #

\_\_\_\_\_  
City

Mailing address (if different from physical home address):

\_\_\_\_\_  
PO Box Number or House Number      Street                      Unit #

\_\_\_\_\_  
City                      Phone Number

We will only call you if we are having difficulty verifying that you are a registered Washington state voter living in \_\_\_\_\_ County.

**We will not be able to count your vote if**

- You are not a registered Washington state voter living in [INSERT COUNTY NAME] County. (This will be verified by checking the [INSERT COUNTY NAME] County Auditor's voter rolls.)
- We cannot read your name and address on this form.
- Anything except the ballot is inside the secrecy envelope.
- The secrecy ballot is not sealed.
- The name or address on this form is different from the one on the [INSERT COUNTY NAME] County Auditor's voter rolls.

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**[INSERT DISTRICT NAME] Conservation District**

[INSERT ADDRESS, PHONE, EMAIL]

**Board of Supervisor Election Absentee Ballot Request**

I, \_\_\_\_\_, a registered voter of [INSERT COUNTY  
NAME]

(printed first name, middle initial, last name as it appears on your voter registration card)

County, WA living at \_\_\_\_\_  
number street City

request  in person,  in writing,  by telephone, or  electronically, by  the voter,  a family member, or  a registered domestic partner, that an absentee ballot for the Conservation District Board of Supervisors election be mailed to me at the following address:

Mailing address (If the same as above, please write same.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature [check here if the request was  by telephone or  electronically]

Day Time Phone Number: \_\_\_\_\_

Email (optional) \_\_\_\_\_

Absentee ballot requests made in person, by phone or by email must be received by the [INSERT DISTRICT  
NAME] Conservation District no later than [INSERT TIME] on [INSERT DATE].

Completed ballots may be mailed or dropped off, but must be received by [INSERT TIME], [INSERT DATE] at  
[INSERT LOCATION OR ADDRESS].

If you have any questions, call our office at [INSERT TELEPHONE NUMBER].