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Election and Appointment Procedures

for

Conservation District Supervisors

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Washington State Conservation Commission
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**Election and Appointment Procedures
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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.
5. In circumstances where these rules and/or procedures are silent or in conflict, the Commission will look to general election law (RCW Chapter 29A) rules and procedures for guidance.

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.

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- 31 3. For appointment applications found to be significantly noncompliant, the conservation district or
32 applicant must correct all deficiencies on the application. The applicant and conservation district
33 must comply with these procedures before the Conservation Commission will act on an application
34 for appointment to the position of conservation district supervisor.

35 D. Disruptions prohibited – WAC 135-110-180

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

42 E. General requirements

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

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- 64 election activities at physical poll sites or through remote election processes may be performed.
65 WAC 135-110-370. Polling places selected must have sufficient parking to accommodate the
66 expected number of voters. Polling places must be accessible to voters. WAC 135-110-250 and WAC
67 135-110-580. If the election will be held only by mail, the date set by the conservation district is the
68 end date for receiving ballots from voters, and the location will be where ballots are counted. It is a
69 good practice, however, to specify in the election notice to voters when the last day, time, and
70 location mailed ballots may be received.
- 71 4. Every candidate in a conservation district election must be a qualified district elector. WAC 135-110-
72 300. A qualified district elector is a registered voter residing within the boundary of the conservation
73 district where the candidate wishes to serve. In addition, some positions may be required to own
74 land or operate a farm to be eligible. WAC 135-110-310.
- 75 5. The filing deadline for candidates is four weeks before election day, unless, by formal action, the
76 conservation district supervisors choose a filing deadline greater than four weeks before election
77 day. WAC 135-110-330. A conservation district may not make the filing deadline less than four
78 weeks, but may make the deadline more than four weeks, by formal action of the conservation
79 district board of supervisors. WAC 135-110-330.
- 80 6. There are three types of candidates: (1) declared, (2) declared nominated, and (3) undeclared write-
81 in candidates. WAC 135-110-350. Both declared and declared nominated candidates require the
82 filing of candidate information with the conservation district by the filing deadline. WAC 135-110-
83 350. In addition, a candidate wishing to have his or her name placed on the official ballot must
84 submit to the conservation district a nominating petition signed by at least 25 nominators by the
85 filing deadline. WAC 135-110-340. A candidate who submits a nominating petition on time, but
86 without at least 25 nominators, will be considered a declared candidate. WAC 135-110-350(1).
- 87 7. An individual who does not file candidate information with the conservation district by the filing
88 deadline is not eligible to be elected. WAC 135-110-320 and WAC 135-110-355.
- 89 8. Every physical poll site must have at least two polling officers present during the hours polls are
90 open. WAC 135-110-240. The election supervisor may serve as a polling officer at one poll site.
91 WAC 135-110-470. The conservation district must provide at least two polling officers at each poll
92 site, except the election supervisor may substitute for one polling officer at one poll site. WAC 135-
93 110-620. A conservation district supervisor, employee or municipal officer may not serve as a polling
94 officer in the conservation district election, unless the person is the election supervisor appointed by
95 the conservation district supervisors. WAC 135-110-440. While there is no prohibition against a
96 relative or spouse serving as a polling officer, it is important to keep in mind WAC 135-110-150 which

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- 97 says that conservation districts, employees and supervisors must remain impartial during an
98 election. Further, with WAC 135-110-150 in mind, there is no prohibition against a conservation
99 district supervisor, employee or municipal officer from serving as a polling officer in another districts'
100 election.
- 101 9. Every individual requesting a ballot for any conservation district election must be verified as a
102 qualified district elector before a ballot is counted. WAC 135-110-610. This applies to poll-site
103 elections and to mail-in elections.
- 104 10. At a poll-site election, a contested ballot must be issued if the voter's eligibility to vote cannot be
105 determined during polling and the individual wishes to vote. WAC 135-110-610.
- 106 11. All ballots or computer voting records must be retained by the conservation district for twelve
107 months after the election has been certified, at which time they may be destroyed, unless the
108 election has not been certified by the Conservation Commission or the election has been challenged.
109 WAC 135-110-140.
- 110 12. All election forms and documents submitted to the Conservation Commission must be copies. WAC
111 135-110-130. Conservation Districts must retain the original version of all election forms until ballots
112 may be discarded. WAC 135-110-130. The Conservation Commission may inspect original
113 documents. WAC 135-110-130.
- 114 13. An employee or municipal officer of a conservation district holding an election may assist in election-
115 related activities, but may not serve as a polling officer in the conservation district where they are
116 employed, unless the employee or municipal officer is the election supervisor appointed by the
117 conservation district board of supervisors. WAC 135-110-440.
- 118 14. An applicant or candidate must be eligible to serve at the time of application or filing for the office of
119 conservation district supervisor. If, during the term of office, the individual no longer meets the
120 eligibility requirements to hold that office, the office is deemed to be vacant. WAC 135-110-910 and
121 WAC 135-110-930.
- 122 15. Elections are final when certified and the official results are announced by the Conservation
123 Commission in May of each year or later as deemed necessary by the Commission. WAC 135-110-
124 770. A supervisor-elect takes office and can begin official duties as a board supervisor when the
125 election is final, which is after the May Commission meeting. RCW 89.08.190 says that "The
126 commission shall establish procedures for elections, canvass the returns and announce the official
127 results thereof. Election results may be announced by polling officials at the close of the election
128 subject to official canvass of ballots by the commission. Supervisors elected shall take office at the

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130 first board meeting following the election.” WAC 135-110-770(1) says that “elections are final when
131 certified by the conservation commission and the official results are announced by the conservation
132 commission in May of each year or later as deemed necessary.” Read together, the RCW and WAC
133 are linked. The phrase “following the election” in the RCW is linked to the initial phrase “the
134 commission shall establish procedures for elections...” which is linked to the meaning of “final” for
135 election purposes in WAC 135-110-770(1). Elections are final when they are “certified by the
136 conservation commission and the official results are announced by the conservation commission in
137 May of each year or later as deemed necessary.” Therefore, a supervisor-elect takes office and can
138 begin official duties as board supervisor when the election is final, which is after the May
139 Commission meeting.

140 **F. Definitions – WAC 135-110-110**

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

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

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

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

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

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

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

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

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

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

164 "Commission board," "Commission governing board," "Conservation Commission board," and
165 "Conservation Commission governing board" mean the governing board of the Washington State
166 Conservation Commission.

167 "Conservation district" and "district" mean a governmental subdivision of the State of Washington
168 organized under the provisions of RCW 89.08 Conservation Districts Law.

169 "Conservation district board of supervisors," "conservation district supervisors," "district supervisors,"
170 and "supervisors" mean the governing board of a conservation district, composed of elected and
171 appointed supervisors.

172 "Conservation district supervisor," "district supervisor," and "supervisor" mean an elected or appointed
173 board member of a local conservation district governing board, in which the governing board is referred
174 to as the board of supervisors.

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

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

182 "Declared vacancy" and "declared vacant" mean a declaration by the Conservation Commission that a
183 conservation district supervisor position is vacant.

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

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

191 "Due notice" or "notice" means a notice published at least twice, with at least six days between
192 publications, in a publication of general circulation within the affected area. If there is no such
193 publication, a notice may be posted at a reasonable number of public places within the area where it is
194 customary to post notices concerning county and municipal affairs. To illustrate, the first notice must be
195 at least one week before the event (election resolution adoption meeting or election) and the second at
196 least a day before the event (election resolution adoption meeting or election). There is no requirement
197 for publication of a legal advertisement. However, if one is used, a copy of the announcement as

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198 published, showing the date of publication is sufficient proof of publication. An affidavit of publication
199 from the publisher is then not required.

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

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

206 "Electioneering" is the act of soliciting or advocating votes for a specific candidate, or speaking for or
207 against a specific candidate, within 300 feet of a ballot box or voting place.

208 "Elector," "district elector," and "qualified district elector" mean an individual residing within the
209 boundary of the conservation district and registered to vote in a county where the conservation district
210 is located.

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

225 "Farm operator" or "operator of a farm" means a person who operates farm and agricultural land as
226 defined in these procedures, and who meets this definition when candidate information is filed with the
227 conservation district.

228 "Filing deadline" means four weeks before election day in the current election cycle, or more than four
229 weeks if a local filing deadline is adopted by formal action of the conservation district board of
230 supervisors.

231 "Full term," "regular term," and "full term of office" mean three years.

232 "Incumbent" is the person in present possession of the office of conservation district supervisor.

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233 "Landowner" means a person with legal title of record to real property in the conservation district at the
234 time of filing for election or applying for appointment.

235 "Mail-in ballot" is a double-envelope system consisting of two envelopes and a pre-printed ballot, in
236 which the ballot is inserted into an inner envelope and sealed, with no marks or other information that
237 would identify the person voting. The outer envelope shows or contains sufficient information to
238 identify the voter.

239 "Mail-in election" is an election in which mail-in ballots are provided before election day to qualified
240 voters. Voters return completed ballots to a receiving location or address authorized by the
241 conservation district board of supervisors.

242 "Malfeasance" means wrongful conduct that affects, interrupts, or interferes with the performance of a
243 supervisor's official duty. Such conduct includes, but is not limited to, the commission of some act
244 which is wrongful or unlawful, or the unjust performance of some act which the party had no right to do,
245 or the unjust performance of some act which the party had contracted not to do.

246 "Mid-term" and "mid-term vacancy" mean a vacancy in the office of conservation district supervisor,
247 when such vacancy occurs before the full term of office has been fulfilled.

248 "Municipal officer" means all elected and appointed officers of a conservation district, together with all
249 deputies and assistants of such an officer, and all persons exercising or undertaking to exercise any of
250 the powers or functions of a municipal officer.

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

261 "Nominated candidate" is an individual found to be a qualified district elector who is eligible and who
262 has submitted the candidate information required, including a qualified nominating petition, to the
263 conservation district by the filing deadline, and the conservation district has verified the eligibility of the
264 candidate.

265 "Nominating petition" is a list of signatures of nominators who desire a candidate's name be placed on
266 the official ballot for a conservation district election.

267 "Nominator" is a qualified district elector who signs a petition nominating an individual seeking the
268 office of elected supervisor.

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- 269 "Poll list" or "polling list" is a list of voters who voted in an election.
- 270 "Polling officer" means a person appointed by the election supervisor to verify voter eligibility, assure
271 compliance with this rule in and around the polling place, issue ballots, count ballots, and verify the
272 unofficial ballot count in writing to conservation district supervisors.
- 273 "Poll site" and "polling site" mean a location where votes are collected in a ballot box.
- 274 "Poll-site election" and "walk-in election" mean an election in which a voter signs in on a poll list,
275 receives a ballot from a polling officer, enters a vote for a candidate on the ballot, and places the ballot
276 in a ballot box at a polling place supervised or monitored by polling officers.
- 277 "Print media" means physical material on which information or instructions are printed. Print media
278 includes, but is not limited to, newspapers, magazines, newsletters, and handbills posted on bulletin
279 boards or otherwise made available to citizens. Print media may include one or more web pages on a
280 conservation district website, or on the Conservation Commission's website, if at least one notice is
281 published on physical media made widely available to potential voters. Print media does not include
282 web pages on other websites, electronic mail, social networking sites, and similar electronic information
283 sharing methods.
- 284 "Provisional ballot" or "contested ballot" means a paper ballot issued to a voter whose qualifications as
285 a qualified district elector cannot be determined at the time the paper ballot is issued. A provisional
286 ballot consists of two envelopes and a paper ballot.
- 287 "Qualified district elector" is a registered voter in the county where the district is located and who
288 resides within the conservation district boundary.
- 289 "Qualified nominating petition" is a nominating petition which contains at least 25 signatures of
290 nominators.
- 291 "Remote election" is an election in which ballots are returned by some means other than for a poll-site
292 election. A mail-in election is a type of remote election.
- 293 "Resignation" and "to resign" mean the act of providing a signed and dated written notice to the
294 Conservation Commission stating the individual's intent to terminate serving in an elective or appointive
295 office.
- 296 "Short term" or "short term of office" is a term of office less than three years in duration.
- 297 "Supervisor" means an elected or appointed board member of a local conservation district governing
298 board, in which the governing board is referred to as the board of supervisors.
- 299 "Supervisor-elect" means a supervisor who received more valid votes than any of the other candidates
300 running for the same position in a conservation district election, but the election has not yet been
301 certified by the Conservation Commission.



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- 302 "Tie" or "election tie" means an election where no candidate has received a simple majority of votes
- 303 cast by qualified district electors, and two or more candidates have received the same number of votes
- 304 cast by qualified district electors.
- 305 "Undeclared write-in candidate" is an individual who has not submitted required candidate information
- 306 to the conservation district and who has not submitted a qualified nominating petition by the filing
- 307 deadline.
- 308 "Voter" means a person who submits a ballot in a conservation district election.
- 309 "Voter list" is a list of registered voters obtained from the county auditor.
- 310 "Withdrawal of candidacy" and "to withdraw" means a written notice, signed and dated by the
- 311 candidate, and delivered to the conservation district, stating the person's desire to be removed from
- 312 consideration for the office of conservation district supervisor.

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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.

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2. Election resolution. The information in the election resolution must be provided to the Conservation Commission on or before the candidate filing deadline. This is accomplished by filing out form EF1 - CD Election Information, available on the Commission's elections web page at <http://scc.wa.gov/elections/>. 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). Conservation districts must provide the following information:

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- 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.

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- 346 g) Identification of an individual appointed by the conservation district to fulfill the duties of
347 election supervisor, including the mailing address, email address (if available), and phone
348 number of the election supervisor. WAC 135-110-210(2)f.
- 349 h) Dated signature of at least one conservation district supervisor attesting to this information.
350 WAC 135-110-210(2)g.
- 351 3. Candidate information. Specific information must be submitted by each candidate to the
352 conservation district. WAC 135-110-320. The form provided for this purpose by the Conservation
353 Commission is Form PF-A. Candidates must provide the following information:
- 354 a) The name of the conservation district. WAC 135-110-320(3)a.
- 355 b) The candidate's name, residential address, mailing address, and phone number. WAC 135-110-
356 320(3)b.
- 357 c) Whether the candidate is a registered voter in the county where the conservation district is
358 located. WAC 135-110-320(3)c.
- 359 d) Whether the candidate resides inside the conservation district boundary. WAC 135-110-320(3)d.
- 360 e) Two choices, only one of which may be selected by the candidate:
- 361 i) The candidate intends to run as a declared nominated candidate with his or her name on the
362 official ballot. This option will require a validated nominating petition from the candidate.
363 WAC 135-110-350(2).
- 364 ii) The candidate intends to run as a declared candidate. The candidate's name will not appear
365 on the official ballot, and no nominating petition is required. WAC 135-110-350(1).
- 366 f) Two choices, only one of which may be selected by the candidate (WAC 135-110-320(3)e):
- 367 i) The candidate is a landowner or operator of a farm, as defined in these procedures.
- 368 ii) The candidate is not a landowner or operator of a farm, as defined in these procedures.
- 369 g) Dated signature of the candidate attesting to the information provided. WAC 135-110-320(3)f.
- 370 4. Nominating petition. A nominating petition is required for candidates who wish to have their names
371 pre-printed on the official ballot. WAC 135-110-340. The form provided for this purpose by the
372 Conservation Commission is Form PF-B. Candidates must provide the following information:
- 373 a) The name of the conservation district. WAC 135-110-340(2)a.
- 374 b) The name of the candidate. WAC 135-110-340(2)b.
- 375 c) The name and address of each nominator. For verification purposes, this information should
376 match the information in the voter registration rolls held by the County Auditor. WAC 135-110-
377 340(2)c.

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- 380 d) Each nominator needs to sign the petition, and by their signature, state his or her wish for the
381 candidate named in the petition to be placed on the official ballot. WAC 135-110-340(2)d.
- 382 e) A notation by the conservation district next to each nominator, identifying the nominator as a
383 qualified district elector eligible to sign the petition, or found by the conservation district to be
384 ineligible. WAC 135-110-355(3).
- 385 5. Eligibility determination. The form provided for this purpose by the Conservation Commission is
386 Form EF2, WAC 135-110-355. Conservation districts must provide the following information for
387 each candidate (declared, declared nominated, or write-in):
- 388 a) The name of the conservation district.
- 389 b) The name of the candidate or incumbent. WAC 135-110-355(2)a.
- 390 c) Whether the candidate did, or did not, submit required candidate information by the filing
391 deadline. WAC 135-110-355(2)b.
- 392 d) Whether the candidate did, or did not, submit a completed nominating petition by the filing
393 deadline. WAC 135-110-355(2)c.
- 394 e) Whether the person named on the form is, or is not, a qualified district elector on the day of
395 filing. WAC 135-110-355(2)d.
- 396 f) Whether at least two of the three elected conservation district supervisors on the conservation
397 district Board of Supervisors will be landowners or operators of farms if the candidate is elected.
398 RCW 89.08.160 requires two of the three elected supervisors to be either a landowner or
399 operator of a farm. If the election of a candidate would cause a conservation district board of
400 supervisors to contain fewer than two elected supervisors who are landowners or farm
401 operators, the candidate is not eligible to be elected. WAC 135-110-310. "Landowner" and
402 "farm operator" are two separate categories and are defined in WAC 135-110-110.
- 403 g) The dated name and signature of the conservation district representative making these
404 determinations. WAC 135-110-355(2)e.
- 405 h) The total number of nominators who signed the nominating petition, and the total number of
406 nominators found to be qualified district electors eligible to sign the petition. WAC 135-110-
407 355(3).
- 408 i) A declaration that (WAC 135-110-355):
- 409 i) the candidate did submit candidate information by the filing deadline;
- 410 ii) the candidate's nominating petition was received by the filing deadline;
- 411 iii) the candidate or named individual is a qualified district elector on the day of filing;
- 412 iv) at least 25 qualified district electors did sign the nominating petition; and

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414 v) such declaration to be signed and dated by a conservation district supervisor or the
415 appointed election supervisor.

416 6. Verification of compliance with due notice requirements. The form provided for this purpose by the
417 Conservation Commission is Form EF4, WAC 135-110-220 and WAC 135-110-110. Conservation
418 districts must provide the following information:

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419 a) The name of the conservation district.

420 b) A complete list of each published notice, by date and name of publication, or in the case of
421 electronic publications, by first date of publication and the web address. Please note: There are
422 two types of election notices: (1) Notice of the Intent to Adopt an Election Resolution: the
423 purpose of this notice is to inform the public that the District intends to have a meeting at which
424 the date, time, place and manner of the election will be set. This Notice must be published
425 twice, at least six days between each publishing, before the meeting to adopt the Election
426 Resolution can be held; (2) Notice of the Adopted Election Resolution: the purpose of this Notice
427 is to inform the public, voters and potential candidates of the date, time, place and manner of
428 the election. This Notice must be published twice, at least six days between each publishing,
429 before the candidate filing deadline.

430 c) The dated name and signature of a conservation district supervisor or election supervisor
431 attesting to compliance with due notice requirements.

432 d) Copies of notices, advertisements, and publications are not required.

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of the opportunity to apply for appointed
supervisor positions

433 7. Poll list. The form provided for this purpose by the Conservation Commission is PF-C, WAC 135-110-
434 550. Conservation districts and voters must provide the following information:

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435 a) The name of the conservation district. WAC 135-110-550(2)a.

436 b) The location of the poll site. WAC 135-110-550(2)b.

437 c) Identification of this poll list as applying to a poll-site or mail-in election. WAC 135-110-550(2)b.

438 d) The date the polls were open. WAC 135-110-550(2)b.

439 e) Each voter must provide:

440 i) Name. WAC 135-110-550(3)a.

441 ii) Address that matches the voter registration list, including city. WAC 135-110-550(3)b.

442 iii) Signature of the voter. WAC 135-110-550(3)c.

443 f) For each voter, a polling officer must determine whether the voter is eligible to vote. If eligibility
444 is contested, each such determination must be initialed by the polling officer. WAC 135-110-460;
445 WAC 135-110-610.

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- 451 8. Ballot results report. The form provided for this purpose by the Conservation Commission is Form
452 EFS, WAC 135-110-750. Conservation districts and polling officers must provide the following
453 information:
- 454 a) The name of the conservation district. WAC 135-110-750(3)a.
 - 455 b) The location of the poll site. WAC 135-110-750(3)b.
 - 456 c) Identification of this report as applying to a particular poll site or to a mail-in election. WAC 135-
457 110-750(3)b.
 - 458 d) The date of the election. WAC 135-110-750(3)b.
 - 459 e) For each candidate:
 - 460 i) Identify the candidate by name. WAC 135-110-750(4)a.
 - 461 ii) Provide the number of eligible votes counted, the number of disqualified votes counted, and
462 the total number of votes received for each candidate. The total should be the eligible votes
463 plus the disqualified votes. WAC 135-110-750(4)b and (5).
 - 464 iii) Identify the unofficial winner and whether the unofficial winner is a nominated candidate
465 listed on the official ballot or is a declared write-in candidate or is an undeclared write-in
466 candidate. WAC 135-110-750(6).
 - 467 iv) Each ballot results reporting form must be electronically signed and dated by the polling
468 officers who counted the ballots so reported. WAC 135-110-750(7).

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469 **B. Information, Forms and Reports Required and Deadlines**

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- 470 1. Conservation districts must provide the information described in the previous section to the
471 Conservation Commission. Conservation districts must use electronic or paper forms provided by
472 the Conservation Commission.
- 473 2. All documents provided to the public and to the Conservation Commission should be on white or
474 light-colored paper.
- 475 3. Due dates for information, forms, and reports,
- 476 a) Documents provided by a candidate to the conservation district.
 - 477 i) For nominated candidates, candidate information and the nominating petition is due to the
478 conservation district by the filing deadline.
 - 479 ii) For declared write-in candidates, candidate information is due to the conservation district by
480 the filing deadline.
 - 481 b) Documents provided by the conservation district to the Conservation Commission,

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- i) Conservation Districts must submit EF1 no later than the candidate filing deadline.
- ii) Information sufficient for the Commission to certify and announce a conservation district election is due to the Commission within four weeks following the conservation district's last published election date. The conservation district must retain all original documents.

Deleted: A copy of the election resolution is due to the Conservation Commission by the candidate filing deadline. The conservation district must retain the original.

Deleted: Copies of candidate information, nominating petitions, candidate eligibility, due notice compliance, poll lists, and ballot results are due to the Conservation Commission within four weeks following the conservation district's last published election date. The conservation district must retain all original documents.¶
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TABLE 1: Information, Forms and Deadlines

| <u>Name of Election Form</u> | <u>Due to CD from candidate</u> | <u>Reported Electronically to Commission from CD</u> |
|--|--|--|
| <u>EF1 - CD Election Information</u> | N/A | <u>No later than the candidate filing deadline</u> |
| <u>PF-A - Candidate Information (one form per candidate)</u> | <u>No later than the candidate filing deadline</u> | <u>N/A (information included in EF2 below)</u> |
| <u>PF-B - 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)</u> | <u>No later than the candidate filing deadline</u> | <u>N/A (information included in EF2 below)</u> |
| <u>EF2 - Candidate Verification</u> | N/A | <u>No later than 28 days after election day</u> |
| <u>EF3 - Automatic Re-Election Checklist</u> | N/A | <u>No later than 28 days after the cancelled election day</u> |
| <u>EF4 - Due Notice Compliance</u> | N/A | <u>No later than 28 days after election day</u> |
| <u>PF-C - Poll list (all pages)</u> | N/A | <u>N/A (poll lists are to be kept by the CD and made available upon request of the Commission)</u> |
| <u>PF-D - Ballots: As many ballots as needed, to be printed by the CD</u> | N/A | <u>N/A (ballots to be kept by the CD and made available upon request of the Commission)</u> |
| <u>EF5 - Ballot results report</u> | N/A | <u>No later than 28 days after election day</u> |
| <u>Election Feedback Form</u> | N/A | N/A |

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520 C. Conservation Commission duties

521 1. General

522 a) The Conservation Commission may request copies of documents and inspect original documents
523 and records.

524 2. Before elections

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

527 b) The Conservation Commission must notify all conservation districts of supervisor terms of office
528 due to expire. Notice must be provided to conservation districts by September 1 in the year
529 preceding elections.

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

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

533 3. During a poll-site election

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

536 4. After the polls close

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

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

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

544 d) The Conservation Commission will act on elections for full-term positions annually at its regular
545 meeting on the third Thursday in May or as necessary thereafter.

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546 D. Conservation District duties

547 1. General

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

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

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- 553 2. Before an election
- 554 a) Each conservation district must publish a Notice of the Intent to Adopt an Election Resolution.
- 555 The purpose of this notice is to inform the public that the District intends to have a meeting at
- 556 which the date, time, place and manner of the election will be set. This Notice must be published
- 557 twice, at least six days between each publishing, before the meeting to adopt the Election
- 558 Resolution can be held. [Examples of this Notice can be found in Appendix B.](#)
- 559 b) Each conservation district must hold a meeting after the Notice of the Intent to Adopt an Election
- 560 Resolution has been properly published. The purpose of this meeting is to adopt an Election
- 561 Resolution.
- 562 c) Each conservation district must publish a Notice of the Adopted Election Resolution. The
- 563 purpose of this Notice is to inform the public, voters and potential candidates of the date, time,
- 564 place and manner of the election. This Notice must be published twice, at least six days between
- 565 each publishing, before the candidate filing deadline. The Notice must set election date(s),
- 566 location(s), and polling times by resolution and that information must be communicated to the
- 567 Conservation Commission by the candidate filing deadline. [Examples of this Notice can be found](#)
- 568 [in Appendix B.](#)
- 569 i) Each polling place must be open for at least four hours at a time convenient for voters in that
- 570 district. Two polling officers must be present.
- 571 ii) Polling places must have sufficient parking to accommodate the expected number of voters.
- 572 iii) Polling places must be accessible to those with disabilities.
- 573 iv) The election date must be in the first three calendar months of the election year.
- 574 v) If the election will be held by mail, the date set by the conservation district is the last date
- 575 ballots may be received from voters. The location will be where ballots are counted. If
- 576 necessary to accommodate voter(s) pursuant to WAC 135-110-250, a district conducting a
- 577 mail-in election may be required to provide at least one polling place where voters can
- 578 deliver their completed ballots or vote as in a poll-site election.
- 579 vi) The last date voters can request absentee ballots must be set in the Notice.
- 580 d) Each conservation district must appoint an election supervisor.
- 581 i) The election supervisor may be a conservation district supervisor, conservation district
- 582 employee, or any other person appointed by the conservation district board of supervisors.
- 583 ii) The election supervisor serves as the primary point of contact between the conservation
- 584 district and the Conservation Commission for all functions to be performed by the
- 585 conservation district in the election and appointment of conservation district supervisors.

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- 588 iii) The election supervisor organizes, coordinates, and facilitates election-related activities of
589 the conservation district related to the election and appointment of conservation district
590 supervisors. The election supervisor assures that required documentation is properly
591 completed and transmitted on time to the Conservation Commission. The election supervisor
592 may also serve as a polling officer.
- 593 iv) Conservation district supervisors remain responsible for conducting the election and for
594 complying with these published requirements and procedures.
- 595 e) For each candidate, the election supervisor must verify that specific eligibility requirements have
596 been met and, for declared nominated candidates, direct whether or not to place the name of
597 the candidate on the ballot.
- 598 i) For each declared nominated candidate, a conservation district must:
- 599 (1) Verify that candidate information was received by the filing deadline.
- 600 (2) Verify that the nominating petition was received by the filing deadline.
- 601 (3) Verify that at least 25 qualified district electors signed the nominating petition.
- 602 (4) Determine whether the candidate is a qualified district elector.
- 603 (5) Determine whether the composition of the conservation district board will meet
604 statutory requirements if the candidate is elected.
- 605 (6) If requirements one through five above are met, the conservation district must direct that
606 the name of the candidate be placed on the ballot.
- 607 ii) For each declared candidate, a conservation district must:
- 608 (1) Verify that candidate information was received by the filing deadline.
- 609 (2) Determine whether the candidate is a qualified district elector.
- 610 (3) Determine whether the composition of the conservation district board will meet
611 statutory requirements if the candidate is elected.
- 612 iii) For each undeclared write-in candidate, a conservation district must:
- 613 (1) Verify that candidate information is received within four weeks (twenty-eight calendar
614 days) following the first date of election.
- 615 (2) Determine whether the candidate is a qualified district elector.
- 616 (3) Determine whether the composition of the conservation district board will meet
617 statutory requirements if the candidate is elected.
- 618 iv) Such determinations must be made separately for each candidate.

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- 621 v) A county auditor or the Conservation Commission may assist a conservation district in
622 determining the eligibility of a candidate, upon request of the conservation district.
- 623 f) The conservation district must verify the eligibility of individuals wishing to serve, or continue to
624 serve, as an elected conservation district supervisor.
- 625 g) The conservation district must provide due notice of the election to potential voters.
- 626 i) The conservation district must publish at least two notices as defined in “due notice” and
627 “print media.” Conservation districts are strongly encouraged to exceed the minimum
628 requirements for due notice. Due notice is defined in WAC 135-110-110 and explained in
629 WAC 135-110-220. Examples of this Notice can be found in Appendix B.
- 630 ii) There are two types of election notices:
- 631 (1) Notice of the Intent to Adopt an Election Resolution: the purpose of this notice is to
632 inform the public that the District intends to have a meeting at which the date, time,
633 place and manner of the election will be set. This Notice must be published twice, at least
634 six days between each publishing, before the meeting to adopt the Election Resolution
635 can be held.
- 636 (2) Notice of the Adopted Election Resolution: the purpose of this Notice is to inform the
637 public, voters and potential candidates of the date, time, place and manner of the
638 election.
- 639 iii) The Adopted Election Resolution Notice must contain, at minimum, the following
640 information:
- 641 (1) The name of the conservation district.
- 642 (2) The election method[s] selected for the election.
- 643 (3) The date(s), location(s), and times polls open and close.
- 644 (4) That candidates must be registered voters who reside in the conservation district.
- 645 (5) That candidates may be required to be landowners or operators of a farm, depending on
646 the current composition of the conservation district board of supervisors.
- 647 (6) The filing deadline for candidates.
- 648 (7) The last day on which voters can request absentee ballots from the district.
- 649 (8) That eligible voters are registered voters who reside in the conservation district.
- 650 (9) That a conservation district supervisor is a public official who serves without
651 compensation and who sets policy and direction for the conservation district.
- 652 (10) That published election procedures can be viewed at the conservation district office and
653 are available from the Washington State Conservation Commission.

Deleted: This Notice must be published twice, at least six days between each publishing, before the candidate filing deadline.

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- 658 iv) If the election is also to be held by mail, the Election notice must describe how to obtain a
659 ballot and the deadline for returning ballots.
- 660 v) For appointed position notices, refer to Section 3.D.2 of these procedures. [Notice examples](#)
661 [can be found in Appendix B.](#)
- 662 vi) The Election notice and notice of appointed positions may be combined.
- 663 vii) Conservation districts are strongly encouraged to exceed the minimum due notice
664 requirements so that interested parties may be informed of the opportunity to serve as a
665 conservation district supervisor.
- 666 h) The conservation district must determine the number of polling officers.
- 667 i) The conservation district must provide at least two polling officers at each poll site, except
668 the election supervisor may substitute for one polling officer at one poll site.
- 669 ii) If due notice of the election resolution and the election have been duly published by the
670 conservation district, and the only person filing by the filing deadline is the incumbent, and
671 the conservation district verifies the continued eligibility of the incumbent to serve another
672 term of office, and the incumbent has not resigned on or before the last date of election,
673 then the incumbent is automatically reelected. When an incumbent is automatically
674 reelected, no other election activities at physical poll sites or through remote election
675 processes may be performed, provided that, before election day, the conservation district
676 has informed the voting public that the incumbent has been reelected by reason of being the
677 only person filing for the position, and that no poll site, mail, or absentee balloting will be
678 performed, and on election day, signs containing this information must have been posted at
679 poll sites. Within four weeks of the first date of election as scheduled in the election
680 resolution, the conservation district must inform the Conservation Commission of the
681 automatic reelection of the incumbent. Refer to Section 2.J “Non-standard Election
682 Outcomes” in these procedures for additional information.
- 683 i) If a candidate is found by the conservation district to be ineligible, the conservation district must
684 inform the candidate of the reasons. The conservation district may not print that candidate’s
685 name on the official ballot. If the reason is the lack of sufficient nominators on the nominating
686 petition, the candidate must be considered a declared write-in candidate and the candidate must
687 be so informed by the conservation district.
- 688 j) To assist voters in the selection of a candidate during voting, a conservation district may publish
689 information provided by nominated and declared candidates. [Conservation districts should](#)
690 [adopt a policy to set the parameters for publishing such information.](#)
- 691 i) If a conservation district chooses to publish information about candidates, it must provide
692 equal opportunity for publication and equivalent space to each nominated and declared
693 write-in candidate.

- 694 ii) A conservation district must not take an official position on any candidate that promotes, or
695 is prejudicial to, a candidate, nor may supervisors or employees of the conservation district
696 do so in their official capacity.
- 697 iii) On election day, information provided by candidates may not be provided to voters within
698 300 feet of the poll site.
- 699 k) A conservation district must create a ballot and provide a ballot to each person who wishes to
700 vote in the conservation district election. [See form PF-D.](#)
- 701 i) The ballot must list the names of all candidates ordered to be placed on the ballot. Names on
702 the ballot must be listed in alphabetical order by last name, from top to bottom. Example:
703 Jane Adams would be listed above John Doe.
- 704 ii) The ballot must contain at least one blank line where a voter can enter the name of a
705 undeclared write-in candidate.
- 706 iii) One empty checkbox or blank space should be provided next to each candidate's name
707 printed on the ballot.
- 708 iv) During a poll-site election, the conservation district must provide a contested ballot to any
709 individual wishing to vote who cannot be verified as eligible to vote prior to the issuance of a
710 ballot. A double-envelope system consisting of two envelopes and a ballot must be used for
711 all contested ballots.
- 712 v) For electronic voting, the functional equivalent of a paper ballot must be utilized.
- 713 vi) A conservation district may send or provide ballots to all individuals who, in the three years
714 preceding the election, have voted in a conservation district election or have participated in
715 conservation district services or programs. WAC 135-110-515(4). However, if a conservation
716 district provides unrequested ballots to a population that is less than all the eligible voters
717 within the conservation district boundary, the conservation district must not use lists
718 obtained from an individual conservation district supervisor or employee, nor from any
719 candidate, nor from any trade, company, church, union, fraternal or other organization. WAC
720 135-110-420. So long as a list generated by a conservation district pursuant to WAC 135-110-
721 515(4) includes all such individuals, such a list is exempt from WAC 135-110-420.
- 722 vii) Absentee ballots must be provided to eligible voters upon request, and voters need not
723 provide proof of any special condition to obtain an absentee ballot. WAC 135-110-520. Also,
724 the conservation district must provide a ballot to any person who requests a ballot. WAC
725 135-110-515. An eligible voter should declare their eligibility to the district before a request
726 for an absentee ballot can be fulfilled by the district. The declaration by the voter can be
727 done in writing, electronically, or orally. A request for an absentee ballot can be made in
728 person, in writing, by telephone, or electronically, by the voter, a family member, or a
729 registered domestic partner. Only one absentee ballot request per voter can be made.

- 730 Multiple absentee ballots can be sent to the same address, provided that each absentee
731 ballot can be matched to a request by a voter at that address. Sample absentee ballot
732 instructions and a request form are provided in Appendix A.
- 733 l) The conservation district must obtain a current list of registered voters from the County Auditor
734 or [Secretary of State](#) for all territory within the conservation district boundary.
- 735 m) The conservation district must be able to show or describe the legal boundary of the
736 conservation district to any voter or to any representative of the Conservation Commission, upon
737 demand.
- 738 3. Before a mail-in (or remote) election
- 739 a) A conservation district holding a mail-in election must appoint an election supervisor and have
740 declared at least one poll site.
- 741 b) Double-envelope voting (or the secure electronic equivalent) is required for mail-in/remote
742 elections.
- 743 i) A double-envelope system meeting the requirements for contested balloting must be used by
744 the conservation district in the mail-in election.
- 745 ii) Provision must be made for the outer envelope to show or contain sufficient information to
746 identify the voter. The voter should print his or her name and address as registered with the
747 County Auditor.
- 748 c) Due notice to voters must provide sufficient time for voters to obtain and return ballots to the
749 conservation district. Allowing at least one week after the second required notice has been
750 published is recommended.
- 751 d) Ballots must be offered to potential voters within the conservation district boundary. To receive
752 a ballot, the voter must request a ballot prior to the current election, unless a district is utilizing
753 WAC 135-110-515(4) (see Section 2(D)2(k)vi above). The election supervisor must verify the voter
754 is a qualified district elector before the ballot is counted.
- 755 4. During a poll-site election
- 756 a) Conservation district supervisors or staff may assist polling officers, but may not directly issue
757 ballots or count ballots, unless such person is also the election supervisor appointed by the
758 conservation district board of supervisors.
- 759 b) Each poll site must have a ballot box, signage, and be accessible to voters.
- 760 i) Each poll site must have at least one ballot box.
- 761 ii) Each poll site must be conspicuously identified to voters as the place to vote.
- 762 iii) Poll sites must not create undue hardship for disabled voters.

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- 763 iv) Polling places must be open for a minimum of four hours at a time convenient for voters in
764 that district.
- 765 c) The conservation district must provide polling officers at each poll site.
- 766 i) Polling officers must be independent third parties who are not supervisors, employees, or
767 municipal officers of the conservation district holding the election. Further, with WAC 135-
768 110-150 in mind, there is no prohibition against a conservation district supervisor, employee
769 or municipal officer from serving as a polling officer in another districts' election. A
770 conservation district supervisor, employee or municipal officer may not serve as a polling
771 officer in the conservation district election, unless the person is the election supervisor
772 appointed by the conservation district supervisors. WAC 135-110-440. While there is no
773 prohibition against a relative or spouse serving as a polling officer, it is important to keep in
774 mind WAC 135-110-150 which says that conservation districts, employees and supervisors
775 must remain impartial during an election. Therefore, it is recommended that polling officers
776 not be immediate family members or live in the same household of such supervisors,
777 employees, or municipal officers.
- 778 ii) The election supervisor appointed by the conservation district may serve as a polling officer
779 at one poll site, even if he or she is a supervisor, employee, or municipal officer of the
780 conservation district holding the election. An election supervisor who also serves as a polling
781 officer has all of the responsibilities and duties listed in Section 2.F.
- 782 iii) The conservation district must provide at least two polling officers at each poll site, except
783 the election supervisor may substitute for one polling officer at one poll site.
- 784 iv) Individuals hired temporarily to serve as polling officers are not considered employees for the
785 purposes of this section.
- 786 v) Before the polls open, the conservation district must review with polling officers the
787 procedures for verifying voters, issuing ballots, issuing contested ballots, and tallying and
788 reporting election results.
- 789 d) Conservation districts must assure privacy in voting.
- 790 i) The ballot choice made by a voter must not be seen by any other person during the act of
791 voting or the placing of the ballot in the ballot box.
- 792 ii) Paper ballots must be placed into ballot boxes. Electronic ballots must assure at least the
793 same level of security and privacy as provided by paper balloting.
- 794 e) The conservation district must not post the names of nominated and declared write-in
795 candidates at the polls. It is the responsibility of candidates to inform the voting public of their
796 candidacy for the office of conservation district supervisor.

Deleted: <#>If due notice of the election resolution and the election have been duly published by the conservation district, and the only person filing by the filing deadline is the incumbent, and the conservation district verifies the continued eligibility of the incumbent to serve another term of office, and the incumbent has not resigned on or before the last date of election, then the incumbent is automatically reelected. When an incumbent is automatically reelected, no other election activities at physical poll sites or through remote election processes may be performed, provided that, before election day, the conservation district has informed the voting public that the incumbent has been reelected by reason of being the only person filing for the position, and that no poll site, mail, or absentee balloting will be performed, and on election day, signs containing this information must have been posted at poll sites. Within four weeks of the first date of election as scheduled in the election resolution, the conservation district must inform the Conservation Commission of the automatic reelection of the incumbent. Refer to Section 2.J "Non-standard Election Outcomes" in these procedures for additional information.¶

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- 825 f) The name of a nominated candidate or declared write-in candidate who has submitted a
826 withdrawal of candidacy in writing to the conservation district may not be posted at the polling
827 place. It is the responsibility of candidates to inform the voting public of their status in seeking
828 the office of conservation district supervisor.
- 829 5. After the polls close
- 830 a) One or more conservation district supervisors, or the election supervisor, must receive from
831 polling officers the following:
- 832 i) All poll list pages;
- 833 ii) All ballots;
- 834 iii) A completed ballot results report for each polling site, absentee ballots and for each type of
835 election held (poll-site or mail-in); and
- 836 iv) All working papers and notes made by polling officers.
- 837 b) When polling officers have transferred all properly completed forms and documents, and all
838 ballots, to a conservation district supervisor or the election supervisor, the polling officers may
839 be excused from their official duty.
- 840 c) The conservation district must transmit to the Conservation Commission information sufficient
841 for the Commission to certify and announce the election result within four weeks of election day.
- 842 d) The conservation district must retain all original forms, documents, and ballots for 12 months
843 after the election has been certified, at which time they may be destroyed unless the election
844 has not been certified or the election is contested. Conservation districts must abide by Local
845 Government Common Records Retention Schedule (CORE).

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(candidate information, nominating petition,
verification of eligibility, verification of due notice
compliance, poll list, and ballot results reports)

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office in Lacey, Washington.

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E. Election Supervisor duties

- 847 1. Before an election
- 848 a) Confirm that the election resolution has been provided to the Conservation Commission by the
849 candidate filing deadline.
- 850 b) Confirm due notice requirements have been satisfied.
- 851 c) Confirm two polling officers will be present at each poll site. One polling officer and the election
852 supervisor may substitute for the two polling officer requirement at one poll site.
- 853 d) Prepare polling officers to perform the tasks required of them by reviewing these procedures,
854 the poll list form, the ballot results form, and contested balloting, and confirm all required
855 resources are available at each polling place.

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- 864 e) Provide absentee ballots upon request; provide absentee ballot information (instructions,
865 deadlines, etc) to voters (see Appendix A); and abide by the double-envelope system for
866 absentee ballots.
- 867 2. During a poll-site election
- 868 a) A conservation district supervisor or the election supervisor appointed by the conservation
869 district board of supervisors may extend the time polls are open, if needed to accommodate
870 voters or if needed to obtain additional ballots.
- 871 b) The election supervisor may assist polling officers but may not issue ballots in a poll-site election,
872 unless the election supervisor is serving as a polling officer as described in Section D.2.b. Ballots
873 remain in the custody of polling officers at all times during a poll-site election.
- 874 c) An election supervisor who also serves as a polling officer has all of the responsibilities and duties
875 listed in Section 2.F.
- 876 3. After the polls close
- 877 a) The election supervisor may assist polling officers, but may not count ballots, unless the election
878 supervisor is serving as a polling officer as described in Section D.2.b.
- 879 b) One or more conservation district supervisors, conservation district employees, Conservation
880 Commission representatives, or members of the public may observe the handling of ballots and
881 the counting of votes, but may not interfere or disrupt the proceedings in any way.
- 882 4. During a mail-in election and / or for absentee ballots
- 883 a) The election supervisor receives and safeguards mail-in or absentee ballots returned by voters.
- 884 i) The election supervisor performs all the tasks as for a poll-site election, and determines if
885 mail-in ballots and / or for absentee ballots are cast by qualified district electors.
- 886 ii) The election supervisor does not count ballots. Polling officers count the ballots.
- 887 b) Double-envelope voting is required for mail-in and / or for absentee ballots elections.
- 888 i) A double-envelope system identical to contested balloting must be used by the conservation
889 district in a mail-in election and for absentee ballots.
- 890 ii) Ballots are to be inserted in an inner envelope and sealed, with no marks or other
891 information that would identify the person voting. The outer envelope should show or
892 contain sufficient information to identify the voter. The name and address of the voter, as
893 shown on the list of registered voters obtained from the County Auditor, is recommended.
- 894 iii) Mail-in and absentee ballots are to be delivered to the election supervisor.
- 895 c) The election supervisor determines if mail-in and absentee ballots votes are submitted by
896 qualified district electors.

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- 898 i) As ballots are received from voters, the election supervisor may verify each mail-in and
899 absentee ballot as eligible or disqualified based on the information provided on or in the
900 outer envelope of the mail-in or absentee ballot. Alternatively, the election supervisor may
901 wait until all ballots are received, at which time the eligibility of each voter must be verified
902 before outer envelopes are opened.
- 903 ii) When a voter cannot be verified as eligible to vote in this election from information provided
904 on the outer envelope, the outer envelope should be opened. If, after opening the outer
905 envelope, a voter still cannot be verified as eligible to vote in this election, the ballot must be
906 counted as a disqualified ballot.
- 907 iii) The election supervisor may enlist the help of polling officers in verifying mail-in and
908 absentee ballots as eligible or disqualified.
- 909 iv) The election supervisor must not open the inner envelope containing the actual ballot.
910 Polling officers must open and count each ballot that has been verified as having been cast by
911 a qualified district elector.
- 912 v) The inner envelope for each mail-in or absentee ballot found to be cast by a person who is
913 not a qualified district elector must not be opened. However, if it cannot otherwise be
914 determined from an examination of the outer envelope or its contents whether the voter is a
915 qualified district elector, the polling officers may open the inner envelope. If, after opening
916 the inner envelope, a voter still cannot be verified as eligible to vote in the election, the ballot
917 must be counted as a disqualified ballot.

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F. Polling Officer duties

- 918
- 919 1. Before an election
- 920 a) Review contested ballots: what they are, when they are issued, and how they are counted.
- 921 b) Review the poll list form and the ballot results reporting form, and how to complete them.
- 922 c) Confirm these resources are available at each poll site:
- 923 i) Sufficient ballots for the expected number of voters;
- 924 ii) A reasonable supply of contested ballots (double-envelope system);
- 925 iii) A ballot box;
- 926 iv) Voting booth or other means of assuring votes can be cast privately;
- 927 v) A list of registered voters (voter list);
- 928 vi) A map or description of the conservation district legal boundary;
- 929 vii) A copy of these procedures; and

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- 933 viii) Poll list forms and ballot results reporting forms.
- 934 2. During a poll-site election
- 935 a) Polling officers must monitor the voting place for compliance with these procedures, and also
- 936 serve as guardians of all issued and unissued ballots.
- 937 b) Polling officers verify voters and issue ballots.
- 938 i) A polling officer must verify a voter is a qualified district elector before issuing a ballot to the
- 939 voter and record that determination on the poll list.
- 940 ii) At least one polling officer must be present and in control of the ballot box(es) at all times
- 941 while the polls are open.
- 942 iii) At a poll-site election, a contested ballot must be issued if the voter's eligibility to vote
- 943 cannot be determined during polling. A voter whose eligibility cannot be determined may
- 944 only vote on a contested ballot. Contested balloting should be explained to the voter.
- 945 Following is an example dialog:
- 946 *At this time, I cannot verify you are a qualified district elector eligible to vote in this*
- 947 *election. For your vote to be counted, you must be a registered voter living inside the*
- 948 *boundary of the conservation district.*
- 949 *Every vote is important, so if you wish to vote, I will issue you a contested ballot so that*
- 950 *you can vote. Election officials will determine your eligibility to vote after the polls are*
- 951 *closed and count all ballots.*
- 952 *The contested ballot is a package consisting of a ballot and two envelopes. After you mark*
- 953 *the ballot, place it inside one envelope and seal that envelope. Do not make any*
- 954 *identifying marks on that envelope. Place the sealed envelope inside the second envelope.*
- 955 *On the outside of the second envelope, print your name and address as used by the*
- 956 *County Auditor for your voter registration record, then place the completed contested*
- 957 *ballot package in the ballot box.*
- 958 iv) Polling officers use the poll list to track the identity and number of voters, to identify
- 959 determinations made by polling officers as to voter eligibility, and to identify voters issued
- 960 contested ballots.
- 961 v) For absentee ballots received during a poll-site election, polling officer should follow the
- 962 procedure, as directed by the Election Supervisor, set out in Section E(4) Election Supervisor
- 963 Duties above.
- 964 c) Polling officers are to close the polls at the published time, unless the polls are extended by a
- 965 conservation district supervisor or the election supervisor.

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- 966 i) Those who are waiting in line when the polls are scheduled to be closed must be allowed to
967 check in and vote.
- 968 ii) Poll times may not be less than advertised.
- 969 iii) A conservation district supervisor or the election supervisor appointed by the board may
970 extend the time polls are open, if needed to accommodate voters.
- 971 3. After the polls close
- 972 a) Polling officers open the ballot box or boxes and count the votes cast for each candidate.
- 973 i) If the election had more than one polling place, polling officers may transport uncounted
974 ballots in the ballot boxes to a central location for counting.
- 975 ii) Ballots must remain in the custody of polling officers until counted. Polling officers count all
976 votes cast. Absentee ballots should be tallied separately from poll-site ballots.
- 977 iii) All votes must be counted, including eligible votes and disqualified votes.
- 978 iv) A vote on a contested ballot where the voter is found to be ineligible to vote is to be counted
979 as a disqualified vote.
- 980 v) Written marks made on a ballot for a write-in candidate shall be governed by the same
981 standards as set out in WAC 434-261-086.
- 982 vi) When verifying a voter who cast a contested ballot, compare the name and address provided
983 by the voter with the voter list obtained from the County Auditor or Secretary of State.
- 984 vii) The ballot count results are reported on the ballot results report, which is to be provided by a
985 polling officer to the election supervisor.
- 986 b) Provide a completed ballot results report for each type and location of election held (poll-site
987 and mail-in), and for absentee ballots (if any were received) to a conservation district supervisor
988 or the election supervisor.
- 989 c) Surrender all poll list documents, all ballots, all working notes and papers, and all ballot results
990 reports to the election supervisor.
- 991 d) Polling officers may announce the unofficial results of the election, subject to certification by the
992 Conservation Commission.
- 993 4. During a mail-in election
- 994 a) Polling officers receive each ballot from the election supervisor.

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- 998 i) Each ballot should be sealed inside an envelope.
- 999 ii) Only one ballot may be in an envelope. If more than one ballot is found inside a single
1000 envelope, all such ballots must be disqualified.
- 1001 iii) A ballot in an in unsealed inner envelope may be disqualified.
- 1002 b) Polling officers count votes and verify the ballot count in writing.
- 1003 i) All votes must be counted: eligible, and disqualified. There are no contested ballots in a mail-
1004 in election.
- 1005 ii) Written marks made on a ballot for a write-in candidate shall be governed by the same
1006 standards as set out in WAC 434-261-086.
- 1007 iii) Ballot counts are reported on the ballot results report form (EFS), which is to be provided by
1008 a polling officer to a supervisor of the conservation district holding the election.
- 1009 c) If the conservation district holds a poll-site election and a mail-in election, polling officers must
1010 count and report ballots separately for each type of election and for absentee ballots (if any were
1011 received) and for each poll location. This means a separate ballot results report must be
1012 completed for each type of election, absentee ballots, and location of election.

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G. Candidate duties

1. Before an election

- 1014 a) Any person wishing to be a candidate must file candidate information (PF-A) with the
1015 conservation district by the candidate filing deadline.
- 1016 b) A candidate wishing to have his or her name pre-printed on the official ballot must provide a
1017 qualified nominating petition (PF-B) signed by at least 25 qualified district electors to the
1018 conservation district by the candidate filing deadline. The election supervisor will verify
1019 nominators on the nominating petition.
- 1020 c) If the incumbent on the conservation district board who currently holds the elected office subject
1021 to the current years' election provides candidate information (PF-A) by the candidate filing
1022 deadline, the incumbent will be eligible to be re-elected. However, under WAC 135-110-340,
1023 unless the incumbent obtains the 25 qualified nominating signatures (PF-B), the incumbent's
1024 name will not appear on the ballot. In order for the incumbent's name to appear on the election
1025 ballot, the incumbent must file both PF-A and PF-B by the candidate filing deadline, and PF-B
1026 must have at least 25 qualified nominating signatures. Only after an incumbent correctly files
1027 both forms with the District will the District place the incumbent's name on the official ballot.
1028 Furthermore, a District wherein an incumbent files only candidate information (PF-A) and not the
1029 25 qualified nominating signatures (PF-B) cannot use WAC 135-110-370 to automatically re-elect
1030 the incumbent.
1031

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- 1046 d) Should a candidate wish to withdraw his or her candidacy, written notice to that effect must be
1047 provided to the conservation district before Election Day. Notice by any other means will be
1048 considered invalid. If the candidate is running as a nominated candidate and ballots have already
1049 been printed, the conservation district is not obligated to reprint ballots to remove the
1050 withdrawn candidate's name.
- 1051 e) It is the responsibility of a candidate to inform voters of the candidate's desire and qualifications
1052 to be elected to the office of conservation district supervisor. A conservation district may provide
1053 equal opportunity and equivalent space to candidates for this purpose but are not required to do
1054 so. Such information must not be provided within 300 feet of polls on Election Day.
- 1055 f) Every candidate must be eligible to be elected to, and hold the office of, conservation district
1056 supervisor on the day of the filing of candidate information with the conservation district.
- 1057 2. During a poll-site election
- 1058 a) Candidates may not seek to influence voters to vote for or against a specific candidate within 300
1059 feet of ballot box(es).
- 1060 b) Candidates may observe an election while the polls are open but may not interfere with voters or
1061 polling officers.
- 1062 c) Candidates may observe the counting of ballots but may not interfere with polling officers or the
1063 election supervisor.
- 1064 3. After the polls close
- 1065 a) Candidates may not disrupt or interfere with polling officers.
- 1066 b) Candidates may observe the counting of votes.
- 1067 c) The supervisor-elect becomes a municipal officer upon certification of the election by the
1068 Conservation Commission.

1069 H. Nominator duties

- 1070 1. Before an election
- 1071 a) Persons signing a nominating petition (PF-B) must be registered voters residing within the
1072 boundary of the conservation district holding the election.
- 1073 b) Information provided on the nominating petition must be legible or it cannot be counted.
- 1074 c) Nominators may sign a nominating petition for more than one candidate.
- 1075 d) Nominators may only sign a candidate's nominating petition once.
- 1076 e) A nominator's signature is not a vote for the candidate. Signing the nominating petition is a
1077 request that the candidate's name be pre-printed on the official ballot.

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I. Voter duties

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

J. Non-standard election outcomes

1. Incumbent automatically reelected if no other person files. WAC 135-110-370.
 - a) The incumbent is automatically reelected to another three-year term if:
 - i) Due notice of the election resolution and the election have been duly published by the conservation district;
 - (1) The information in the election resolution been published, at least twice, a week apart, the first time being at least one week before the candidate filing deadline and the second at least one day before the candidate filing deadline;
 - (2) The date, time, place and manner of the election been published, at least twice, a week apart, the first time being at least one week before the candidate filing deadline and the second at least one day before the candidate filing deadline;
 - ii) The only person filing by the candidate filing deadline is the incumbent;
 - (1) At the time of filing, the incumbent was a qualified district elector (at the time of filing, the incumbent was a registered voter in the county where the district is located and a resident within the conservation district boundary);

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1117 (2) At the time of filing, and on or before the candidate filing deadline, the incumbent
1118 submitted to the conservation district [PF-A](#), information including:

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1119 (a) The name of the conservation district;

1120 (b) The incumbent's name, residential address, mailing address (if different), and phone
1121 number;

1122 (c) Whether the person is a registered voter in the county where the conservation district
1123 is located;

1124 (d) Whether the person resides inside the conservation district boundary;

1125 (e) Whether the person is a landowner or an operator of a farm; and

1126 (f) The dated signature of the incumbent attesting to the accuracy of the information so
1127 provided.

1128 (3) At least 25 qualified nominating signatures ([PF-B](#)) by the candidate filing deadline. If 25
1129 qualified nominating signatures are not submitted to the District by the incumbent by the
1130 candidate filing deadline, the District cannot use WAC 135-110-370 to automatically re-
1131 elect the incumbent.

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1132 iii) The conservation district verifies the continued eligibility of the incumbent to serve another
1133 term of office ([EF2](#));

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1134 (1) The election supervisor has determined that

1135 (a) The name of the incumbent (who filed the candidate information) is the correct legal
1136 name of the individual;

1137 (b) That the incumbent submitted candidate information by the filing deadline;

1138 (c) That the incumbent submitted a valid nominating petition by the filing deadline;

1139 (d) That the incumbent was a qualified district elector on the day of filing; and

1140 (e) That at least two of the three elected conservation district supervisors on the
1141 conservation district board of supervisors will be landowners or operators of farms if
1142 the incumbent is elected;

1143 iv) The incumbent has not resigned on or before the last date of election; and

1144 v) Before election day, the conservation district must have informed the voting public that the
1145 incumbent has been reelected by reason of being the only person filing for the position, and
1146 that no poll site, mail, or absentee balloting will be performed, and on election day, signs
1147 containing this information were posted at poll sites. [See EF3 and EF4](#).

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- 1153 b) Within four weeks of the first date of election as scheduled in the election resolution, the
1154 conservation district must inform the Conservation Commission of the automatic reelection of
1155 the incumbent.
- 1156 c) Election supervisors must use EF3 in order to ensure compliance with WAC 135-110-370.
- 1157 d) Upon completion of EF3 (when all provisions of WAC 135-110-370 are met), a district is required
1158 cancel the election. This can be done with or without formal board action.
- 1159 i) Without formal board action: Under WAC 135-110-230, a District Board of Supervisors must
1160 appoint an Election Supervisor. That Election Supervisor is empowered by the Board,
1161 through WAC 135-110-230, to conduct all operations of the election, including the
1162 determination and operation of automatically re-electing the incumbent (provided the terms
1163 of WAC 135-110-370 are met). Therefore, the appointed Election Supervisor can proceed to
1164 cancel an election provided all the conditions of WAC 135-110-370 are met and EF3
1165 completed. Ultimately, as WAC 135-110-230(3) notes, the Board is responsible for the
1166 actions of the Election Supervisor.
- 1167 ii) With formal board action: the board of supervisors may choose to proceed with cancelling
1168 an election (provided that all provisions of WAC 135-110-370 are met and EF3 complete), by
1169 passing a resolution so stating and in compliance with WAC 135-110-370.
- 1170 2. Undeclared write-in candidate may be elected if no person files. WAC 135-110-360.
- 1171 a) If no person has filed by the filing deadline, or if the election supervisor finds ineligible all persons
1172 who filed, then only undeclared write-in candidates may be elected.
- 1173 i) The undeclared write-in candidate, deemed the unofficial winner, must submit required
1174 candidate information to the conservation district, and
- 1175 ii) Within four weeks (twenty-eight calendar days) following the first date of election, the
1176 election supervisor must verify the eligibility of the unofficial winner to be elected and to
1177 serve.
- 1178 iii) If the conservation district is unable to verify eligibility of the unofficial winner within four
1179 weeks of the election, the unofficial winner is disqualified. The person receiving the next
1180 highest vote count must then submit required candidate information and the conservation
1181 district must verify his or her eligibility as described above.
- 1182 iv) If the undeclared write-in candidate who is the unofficial winner is found ineligible and no
1183 other persons received votes, the Conservation Commission will officially announce another
1184 full term of office for the incumbent on the third Thursday in May, but only upon verification
1185 by the conservation district of the eligibility of the incumbent to serve in the office of elected
1186 conservation district supervisor.

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- 1195 b) Written marks made on a ballot for a write-in candidate shall be governed by the same standards
1196 as set out in WAC 434-261-086.
- 1197 3. Election results in a tie. WAC 135-110-730.
- 1198 a) In the case of two or more eligible candidates receiving the most votes, and each receives an
1199 equal number of votes, the conservation district must recount the ballots.
- 1200 b) Conservation district supervisors may perform the recount at a regular or special meeting of the
1201 conservation district board of supervisors, or may charge polling officers with this duty.
- 1202 c) If a tie is verified by the recount, the winner of the election must be determined by drawing of
1203 names as provided under RCW 29A.60.221 to ensure the drawing is equitable to all affected
1204 candidates.
- 1205 i) If no more than two candidates are tied, a coin toss may be used in lieu of drawing names to
1206 determine the unofficial winner.
- 1207 ii) If more than two candidates are tied, only a drawing of names may be used to determine the
1208 unofficial winner.
- 1209 iii) A representative of the Conservation Commission must be present for any drawing of names
1210 or coin toss.
- 1211 d) The candidate whose name is drawn (or who wins the coin toss) becomes the supervisor-elect.
- 1212 4. No eligible candidate elected. WAC 135-110-740.
- 1213 a) When no eligible candidate is elected, the Conservation Commission will officially announce
1214 another full term of office for the incumbent on the third Thursday in May, but only upon
1215 verification by the conservation district of the eligibility of the incumbent to serve in the office of
1216 elected conservation district supervisor.
- 1217 b) If the conservation district determines the incumbent conservation district supervisor is no
1218 longer eligible to serve in the office of elected conservation district supervisor, or if the
1219 incumbent has resigned, the position is deemed vacant and the conservation district may
1220 appoint an eligible successor following the official announcement by the Conservation
1221 Commission.

1222 K. Emergencies

- 1223 1. Emergency relocation or rescheduling of election
- 1224 a) A conservation district may not change the date(s) or location(s) of poll sites unless an
1225 emergency exists.

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- 1226 b) A conservation district supervisor or the election supervisor may declare an emergency when
1227 adverse conditions may negatively affect the health or safety of voters or the timely return of
1228 absentee ballots. Such conditions may include, but are not limited to:
 - 1229 i) Hazardous weather conditions;
 - 1230 i) Damage to roads, buildings, or other infrastructure;
 - 1231 ii) Chemical spills;
 - 1232 iii) Fire and smoke; or
 - 1233 iv) Volcanic eruption, earthquake, landslides, mudflows, and floods.
- 1234 c) When an emergency is so declared, the conservation district should attempt to inform all
1235 conservation district supervisors and candidates listed on the ballot.
- 1236 d) When a polling site is changed in response to an emergency, and the election date is not
1237 changed, signage sufficient to notify potential voters must be provided to redirect voters to the
1238 new polling site(s). Poll times should be extended to allow for additional travel time to the
1239 relocated polls.
- 1240 e) When the election date is changed in response to an emergency, the conservation district should
1241 first seek to provide due notice to inform the public of the change. If due notice is not possible,
1242 the conservation district should take reasonable measures to inform the public of the change.
1243 Reasonable measures may include, but are not limited to: announcements on local radio or
1244 television; posting on web pages; announcements in newspapers; and posting of handbills or
1245 flyers.
- 1246 f) When one or more polling sites are changed and the date is changed in response to an
1247 emergency, the conservation district should perform the actions described above in subparts (d)
1248 and (e).
- 1249 g) The Conservation Commission must be informed of all emergency changes to poll locations or
1250 dates before voting begins.

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SECTION 3: APPOINTMENTS

A. Information required

1. Only an application form, provided by the Conservation Commission on its web site may be used to apply for the position of appointed supervisor. The application for appointed supervisor can be found at <http://scc.wa.gov/elections/>.
2. The appointed supervisor application must be filled out in its entirety in order for the applicant to be considered for appointment.

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<#>The name of the conservation district.¶
<#>The name, residential address, mailing address, phone number, and email address (if available) for the applicant.¶

<#>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.¶

<#>The applicant's current occupation.¶

<#>A description of the applicant's experience with boards and organizations.¶

<#>A description of special training, skills and experience that may help the applicant perform the duties expected of a conservation district supervisor.¶

<#>The name and phone number of at least one person the Conservation Commission may contact regarding the applicant's qualifications.¶

<#>Information about why the applicant is interested in serving as a conservation district supervisor.¶

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B. Forms and reports required

1. Conservation districts must provide proof to the Conservation Commission that it has complied with the requirement to notify the community of the opportunity to apply for an appointed conservation district supervisor position. Proof must be documented on EF4. Copies of advertisements are no longer required to be sent to the Commission, but should be retained by the district.
Applicants for appointment must submit the appointment application using form AF1. The AF1 form can be obtained from the Commission's web site at <http://scc.wa.gov/elections/>. Letters of recommendation, resumes, and other items do not need to be included with the application. Late applications and associated documents cannot be considered. The Conservation Commission will not consider applications submitted by someone other than the applicant.

a) For appointment to a full term of office

- i) Applications and supporting materials must be received by the Commission no later than March 31.
- ii) If an incumbent holding the office of appointed conservation district supervisor wishes to be reappointed, the incumbent must reapply for appointment. This clearly identifies to the Conservation Commission the wishes of the incumbent, and allows the Conservation Commission to verify the eligibility of the incumbent to continue his or her service.

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

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

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C. Conservation Commission duties

1. The Conservation Commission must notify affected parties.
 - a) The Conservation Commission must notify each conservation district of upcoming vacancies in the position of appointed conservation district supervisor by September 1 of the year prior to the terms expiration.
 - b) The Conservation Commission must notify each appointed supervisor whose term is expiring by January 15 of the year in which the term expires.
2. The Conservation Commission must make these procedures and the application form available on its web site.
3. The Conservation Commission must provide a list of prospective applicants to the conservation district prior to the Conservation Commission making an appointment.
4. The Conservation Commission may supplement at its cost any conservation district notice or advertising for applicants for appointed supervisor.
5. The Conservation Commission will vet each applicant with the Department of Ecology and Department of Agriculture. Applicants with prior or pending enforcement action against them may be ineligible to serve.
6. In the event no applications are submitted from qualified applicants for a conservation district, the Conservation Commission may seek qualified applicants from the community served by the conservation district. The Commission may contact each district which received no applications and offer an option to re-advertise the open appointed position for a four week period. If the district declines this option, the Commission will seek qualified applicants itself. Applications received as a result of the second round of advertising will be processed as soon as possible by the Commission.
7. Conservation Commission procedures for full-term appointments.
 - a) Full-term appointments will be made annually at the regular Conservation Commission meeting to be held the third Thursday in May of each year.
 - b) The term of office will be three years. The term of office for a full-term appointment will expire on the third Thursday of May three years following the appointment.
 - c) Prior to the May meeting of the Conservation Commission Board, the Conservation Commission will evaluate all applications received by March 31 in the year the position is open for appointment.
 - d) The Conservation Commission will evaluate the suitability and capability of all applicants for the position of appointed supervisor.

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Deleted: <#>In the event an incomplete application is received, the Conservation Commission will attempt to contact the applicant so the application can be corrected. However, the Conservation Commission is not bound to perform any additional investigation or due diligence if an applicant does not respond or if the application remains incomplete.¶

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- 1445 e) A Conservation Commission representative will contact a conservation district supervisor from
- 1446 the affected conservation district prior to the Conservation Commission making the
- 1447 appointment.
- 1448 f) The Conservation Commission will notify all applicants, including those not appointed, of the
- 1449 appointments made at its May meeting.
- 1450 g) The Conservation Commission must notify each conservation district of the appointments made
- 1451 following the May meeting.
- 1452 8. Conservation Commission procedures for mid-term appointments.
- 1453 a) The term of office will be until the end of the original full-term.
- 1454 b) To assure continuity of district operations and effectiveness in administering the authorized
- 1455 conservation program of the conservation district, the Conservation Commission may act on an
- 1456 application for mid-term appointment at any time, as determined solely by the Conservation
- 1457 Commission.
- 1458 c) The Conservation Commission will evaluate the suitability and capability of all applicants for the
- 1459 position of appointed supervisor.
- 1460 d) A Conservation Commission representative will contact a conservation district supervisor from
- 1461 the affected conservation district prior to the Conservation Commission making the
- 1462 appointment.
- 1463 e) The Conservation Commission will notify all applicants, including those not appointed, of the
- 1464 mid-term appointments made.
- 1465 f) The Conservation Commission will notify each conservation district of the mid-term
- 1466 appointments made.

D. Conservation District duties

- 1468 1. Conservation districts must provide due notice to citizens of the opportunity to apply for
- 1469 appointment to a full term of office as a conservation district supervisor.
- 1470 a) Notices should be published at least several weeks before the application deadline.
- 1471 b) Copies of published notices **shall be retained at the district for at least one year, and may be**
- 1472 **inspected at any time during that year by the Commission.**
- 1473 c) Notices for elections and appointments may be combined.
- 1474 2. Notices to the public must include at least the following information:
- 1475 a) There is an upcoming vacant or unexpired appointed supervisor position.
- 1476 b) An applicant must be a registered voter in the state of Washington.

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



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- 1479 c) Applicants may be required to be landowners or operators of a farm, depending on the current
- 1480 composition of the conservation district board of supervisors.
- 1481 d) A conservation district supervisor sets policy and direction for the conservation district.
- 1482 e) A conservation district supervisor is a public official who serves without compensation.
- 1483 f) Application forms may be obtained from the Conservation Commission website.
- 1484 3. Deadlines for applications vary
- 1485 a) For full-term appointments, the deadline for applications and associated materials to be received
- 1486 by the Conservation Commission in Lacey, Washington, is March 31.
- 1487 b) For partial or mid-term appointments, the conservation district must consult with the
- 1488 Conservation Commission to determine an appropriate due date, and then publish that date.
- 1489 4. Conservation district procedures for a full-term appointment.
- 1490 a) The application period is January 1 through March 31 in the year the appointment is to occur.
- 1491 b) The conservation district must notify the newly appointed supervisor of the date and time of the
- 1492 next meeting of its board of supervisors.
- 1493 5. Conservation district procedures for mid-term appointments
- 1494 a) The conservation district must consult with the Conservation Commission in determining an
- 1495 appropriate application period and deadline for applications.
- 1496 b) The application period must be at least four weeks (28 calendar days) in duration.
- 1497 c) The conservation district must select a reasonable deadline for applications to be received by the
- 1498 Conservation Commission, preferably at least four weeks before the regular Conservation
- 1499 Commission meeting at which the conservation district wishes the appointment to be made.
- 1500 d) A conservation district is not required to provide due notice, but should strive to do so unless an
- 1501 emergency exists that calls for immediate filling of the vacant office.
- 1502 e) A conservation district may extend the deadline for applications upon consultation with, and
- 1503 agreement by, the Conservation Commission. Due notice of the extended deadline must be
- 1504 provided by the conservation district.
- 1505 f) The conservation district must notify a newly appointed supervisor of the date and time of the
- 1506 next meeting of its board of supervisors.

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Deleted: <#>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.¶
<#>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.¶
<#>If an applicant does not confirm his or her intent to apply, the application will be rejected by the Conservation Commission.¶

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E. Applicant duties

1. Applicants for the position of appointed supervisor of a conservation district must be registered voters in Washington State.

2. Applicants may obtain the an application form (AF1) from the Washington State Conservation Commission's website at <http://www.scc.wa.gov/elections/>.

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Deleted: , PO Box 47721, Olympia, Washington 98504-7721 or on the Conservation Commission

3. Applicant procedures for full-term appointments.

a) Applications and supporting materials must be received by the Commission no later than March 31.

b) An applicant becomes a municipal officer of the conservation district upon formal appointment by the Conservation Commission.

Deleted: <#>An applicant submitting an incomplete application or inaccurate application will not be considered for appointment until the application is corrected by the applicant.¶

c) Newly appointed supervisors may begin performing the duties required of conservation district supervisors at the next regular or special meeting of the conservation district board of supervisors following appointment by the Conservation Commission.

4. Applicant procedures for mid-term appointments.

a) An applicant becomes a municipal officer of the conservation district upon appointment to office by the Conservation Commission.

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b) Newly appointed supervisors may begin performing the duties required of conservation district supervisors at the next regular or special meeting of the conservation district board of supervisors following appointment by the Conservation Commission.

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1553 **SECTION 4: VACANCY, REMOVAL, AND REPLACEMENT**

1554 **A. Only vacant offices may be filled – WAC 135-110-900**

- 1555 1. The office of conservation district supervisor may not be filled by election or appointment unless the
1556 term of office has expired, or the position has been immediately vacated as described in this section,
1557 or the Conservation Commission has declared the position vacant.

1558 **B. Supervisors must be eligible to serve – WAC 135-110-910**

- 1559 1. A conservation district supervisor must be eligible to serve in the office of conservation district
1560 supervisor throughout the term of office.
1561 2. If an incumbent no longer meets the minimum eligibility requirements to serve as a conservation
1562 district supervisor, the office is deemed vacant.

1563 **C. Resignation from office – WAC 135-110-920**

- 1564 1. A conservation district supervisor may resign from public office at any time, and for any reason.
1565 2. Resignations must be made in writing to the Conservation Commission or to the conservation
1566 district.
1567 3. Resignations are effective on the date received, unless the incumbent has specified a future date for
1568 the resignation to become effective.

1569 **D. Ceasing to be a registered voter – WAC 135-110-930**

- 1570 1. The office held by an elected conservation district supervisor is immediately vacant upon that
1571 supervisor no longer meeting the definition of a qualified district elector.
1572 2. The office held by an appointed conservation district supervisor is immediately vacant upon that
1573 supervisor no longer being a registered voter in the state of Washington.

1574 **E. Death of the supervisor – WAC 135-110-940**

- 1575 1. The office held by a conservation district supervisor is immediately vacant upon the death of the
1576 supervisor.

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

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

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

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

H. Replacement – WAC 135-110-970

1. A vacancy in the office of elected conservation district supervisor is filled by the conservation district board of supervisors for the remainder of the unexpired term, subject to the verification of supervisor qualifications by the conservation commission. While due notice to the affected community is strongly recommended, it is not required. Notice must be given of the appointment as soon as practicable by the District to the Commission. Please remember that any appointee to a vacant elected supervisor position must still be eligible to serve under WAC 135-110-910. Therefore, depending on the current make-up of the board of supervisors, an appointee to a vacant elected supervisor position may be required to be a landowner or farm operator at the time of appointment. Districts should make this determination before appointing someone to fill the vacant elected supervisor position by using form AF2. At least two of the three elected conservation district supervisors on the conservation district board must be landowners or operators of farms. The definition of landowner and farm operator is set out in WAC 135-110-110.

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- 1608 2. A vacancy in the office of appointed conservation district supervisor is filled by the Conservation
1609 Commission for the remainder of the unexpired term. The conservation district may publish due
1610 notice of the vacancy.
- 1611 a) Conservation Commission requirements are identified in Section 3.C.8 of these procedures.
- 1612 b) Conservation district requirements are identified in Section 3.D.6 of these procedures.
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Appendix A

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

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Dear registered voter:

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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].

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TYPES OF CANDIDATES:

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

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(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.

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(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.

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(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.

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CANDIDATES IN THIS ELECTION:

[INSERT DESCRIPTION OF CANDIDATES IN THIS ELECTION].

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BALLOT SYSTEM:

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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.

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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.

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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.

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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.

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Sincerely,

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[INSERT NAME]

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Election Supervisor

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[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 larger white envelope.
7. Bring or mail the larger white envelope to the [INSERT DISTRICT NAME] Conservation District office at [INSERT ADDRESS]. It must be received no later than [INSERT TIME] on [INSERT DATE].

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



Washington State
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[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 may 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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**Election and Appointment Procedures
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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] to be fulfilled.

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].

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Appendix B

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Due Notice Compliance Notice Examples

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Please refer to Section 2.D.2.e and Section 3.D.2 for specific requirements about minimum content in notices published for elections and appointments.

We recommend providing notices to the pool of potential candidates long before the election, announcing vacancies and seeking candidates.

Sample announcement of a vacancy:

The Ledgerwood Conservation District is pleased to announce an opportunity to contribute to conservation and your community by serving on the Board of Supervisors. Supervisors are public officials who direct the activities of the conservation district. Although they serve without compensation, they are eligible to be reimbursed for appropriate expenses. For more information, please contact the Ledgerwood Conservation District or visit the Washington State Conservation Commission website at <http://www.scc.wa.gov/>

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Sample notice of intent to adopt an election resolution that meets the traditional minimum requirements:

The Ledgerwood Conservation District Board of Supervisors will hold a meeting at [time] on [month] [day], [year] at [address] location to adopt a resolution setting the date, time, and location of an election to fill a Conservation District Supervisor's expiring term.

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Sample notice of intent to adopt an election resolution that meets the NEW web site requirements:

*The Ledgerwood Conservation District Board of Supervisors will hold a meeting at [time] on [month] [day], [year] at [address] location to adopt a resolution setting the date, time, and location of an election to fill a Conservation District Supervisor's expiring term. **Please note: future election information will be posted ONLY on the Ledgerwood Conservation District web site (INSERT WEB SITE URL).***

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Sample adopted election resolution notice that meets minimum requirements:

A [insert type: mail, poll-site, electronic] election for a board seat on the Ledgerwood Conservation District will be held on [month] [day], [year] at [address] location. Polls will open at [time] and close at [time]. Registered voters who reside within the Conservation District boundary are eligible to vote. Candidates must be registered voters residing in the conservation district, and may be required to own land or operate a farm. The candidate filing deadline is [date] at [time]. Elections procedures are

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



Washington State
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available at the district office. Absentee ballots are available upon request for eligible voters, but must be requested on or before [time] on [month] [day], [year]. Please contact the District office at [phone] or at the District office at [address] for absentee ballots or if you have any questions.

1804

1805 Sample appointment announcement that meets minimum requirements for a full-term appointment:

A board seat on the Ledgerwood Conservation District is available for appointment by the Washington State Conservation Commission. Conservation district board supervisors are public officials who serve without compensation and set policy and direction for the conservation district. An applicant must be a registered voter in Washington State, and may be required to own land or operate a farm. Applicants for appointed positions do not have to live within the district to apply. For more information, or to obtain an application form, please contact the Ledgerwood Conservation District or visit the Conservation Commission website at <http://www.scc.wa.gov/>. Applications and supporting materials must be received by the Commission no later than March 31, [year].

1806

1807 Sample Board-Authorized Automatic Re-Election of the Incumbent notice. Note: use this notice only if your Board of
1808 Supervisors, at a regular or special meeting, passed a resolution cancelling the election due to the automatic re-election of the
1809 incumbent, in compliance with WAC 135-110-370:

The Ledgerwood Conservation District Board of Supervisors resolved on [day], [year] to proceed with informing the voting public that the incumbent has been re-elected to the currently open seat by reason of being the only person filing for the position by the filing deadline. Therefore, no poll site, absentee balloting or mail balloting will be performed pursuant to WAC 135-110-370. For further information, please contact the District at [phone].

1810

1811 Sample Automatic Re-Election of the Incumbent notice. Note: use this notice if your Election Supervisor has chosen to cancel
1812 the election due to the automatic re-election of the incumbent without a formal resolution from your Board of Supervisors, in
1813 compliance with WAC 135-110-370:

The Ledgerwood Conservation District Board of Supervisors hereby informs the voting public that the incumbent has been re-elected to the currently open seat by reason of being the only person filing for the position by the filing deadline. Therefore, no poll site, absentee balloting or mail balloting will be performed pursuant to WAC 135-110-370. For further information, please contact the District at [phone].

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1818 Below are two different examples of signs to post on election day, in order for a district to comply with WAC 135-110-370:

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1820 Example #1 (use this sign if your Board of Supervisors, at a regular or special meeting, issued a resolution regarding the
1821 automatic re-election of the incumbent):

1822 "Pursuant to WAC 135-110-370, no poll site, absentee balloting or mail balloting will be performed. The XYZ Conservation
1823 District Board of Supervisors resolved on [day], [year] to proceed with informing the voting public that the incumbent has been
1824 re-elected to the currently open seat by reason of being the only person filing for the position by the filing deadline. For further
1825 information, please contact the District at [phone]."

1826

1827 Example #2 (use this sign if your Election Supervisor has chosen to proceed without a formal resolution from your Board of
1828 Supervisors regarding the automatic re-election of the incumbent):

1829 "Pursuant to WAC 135-110-370, no poll site, absentee balloting or mail balloting will be performed. The XYZ Conservation
1830 District Board of Supervisors hereby informs the voting public that the incumbent has been re-elected to the currently open seat
1831 by reason of being the only person filing for the position by the filing deadline. For further information, please contact the District
1832 at [phone]."

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Conservation District Supervisors

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