Washington State Conservation Commission

~~Election Manual:~~

Election and Appointment Procedures

for

Conservation District Supervisors

Washington State Conservation Commission
Send Mail To: PO Box 47721, Olympia, WA 98504-7721
Physical Address Only: 300 Desmond Drive SE, Lacey, WA 98503
Phone: (360) 407-6200

FAX: (360) 407-6215

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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.

~~4.~~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.

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

D. Disruptions prohibited – WAC 135-110-180

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

E. General requirements

1. Each year, either during the last quarter of the calendar year preceding an election or immediately in January or February of the year in which the election will be held, each conservation district Board of Supervisors must adopt a resolution setting an election date within the first quarter of the year in which the election will be held. WAC 135-110-210. The date the Board of Supervisors chooses to hold the election will determine when the resolution must be adopted. WAC 135-110-220. Each conservation district Board of Supervisors must also appoint one election supervisor to organize, coordinate, and perform functions required of the conservation district in the election and appointment of conservation district supervisors. WAC 135-110-230. This information, plus a list of conservation district supervisor positions expiring in the year of the election, must be posted conspicuously in the conservation district office.

2. Due notice in print media, as defined in these procedures, must be provided for every full-term conservation district election and every full-term conservation district appointment process. WAC 135-110-220 and WAC 135-110-110. Notices for both processes may be combined if the conservation district so chooses. Conservation districts are strongly encouraged to exceed the minimum due notice requirements to reach the maximum number of potential candidates and voters.

3. For poll site elections, the conservation district Board of Supervisors must specify the location(s) for polling and the hours in which polling will occur. WAC 135-110-210(2)b. Every poll site must be open for at least four hours at a time convenient for voters. WAC 135-110-240(2). Every poll site must have at least two polling officers present during the hours the polls are open. WAC 135-110-240(2) and WAC 135-110-620. However, if the incumbent is automatically reelected, then no other

election activities at physical poll sites or through remote election processes may be performed. WAC 135-110-370. Polling places selected must have sufficient parking to accommodate the expected number of voters. Polling places must be accessible to voters. WAC 135-110-250 and WAC 135-110-580. If the election will be held only by mail, the date set by the conservation district is the end date for receiving ballots from voters, and the location will be where ballots are counted. It is a good practice, however, to specify in the election notice to voters when the last day, time, and location mailed ballots may be received.

4. Every candidate in a conservation district election must be a qualified district elector. WAC 135-110-300. A qualified district elector is a registered voter residing within the boundary of the conservation district where the candidate wishes to serve. In addition, some positions may be required to own land or operate a farm to be eligible. WAC 135-110-310.

5. The filing deadline for candidates is four weeks before election day, unless, by formal action, the conservation district supervisors choose a filing deadline greater than four weeks before election day. WAC 135-110-330. A conservation district may not make the filing deadline less than four weeks, but may make the deadline more than four weeks, by formal action of the conservation district board of supervisors. WAC 135-110-330.

6. There are three types of candidates: (1) declared, (2) declared nominated, and (3) undeclared write-in candidates. WAC 135-110-350. Both declared and declared nominated candidates require the filing of candidate information with the conservation district by the filing deadline. WAC 135-110-350. In addition, a candidate wishing to have his or her name placed on the official ballot must submit to the conservation district a nominating petition signed by at least 25 nominators by the filing deadline. WAC 135-110-340. A candidate who submits a nominating petition on time, but without at least 25 nominators, will be considered a declared candidate. WAC 135-110-350(1).

7. An individual who does not file candidate information with the conservation district by the filing deadline is not eligible to be elected. WAC 135-110-320 and WAC 135-110-355.

8. Every physical poll site must have at least two polling officers present during the hours polls are open. WAC 135-110-240. The election supervisor may serve as a polling officer at one poll site. WAC 135-110-470. The conservation district must provide at least two polling officers at each poll site, except the election supervisor may substitute for one polling officer at one poll site. WAC 135-110-620. A conservation district supervisor, employee or municipal officer may not serve as a polling officer in the conservation district election, unless the person is the election supervisor appointed by the conservation district supervisors. WAC 135-110-440. While there is no prohibition against a relative or spouse serving as a polling officer, it is important to keep in mind WAC 135-110-150 which

says that conservation districts, employees and supervisors must remain impartial during an election. Further, with WAC 135-110-150 in mind, there is no prohibition against a conservation district supervisor, employee or municipal officer from serving as a polling officer in another districts' election.

9. Every individual requesting a ballot for any conservation district election must be verified as a qualified district elector before a ballot is counted. WAC 135-110-610. This applies to poll-site elections and to mail-in elections.

10. At a poll-site election, a contested ballot must be issued if the voter's eligibility to vote cannot be determined during polling and the individual wishes to vote. WAC 135-110-610.

11. All ballots or computer voting records must be retained by the conservation district for ~~six~~ twelve months after the election has been certified, at which time they may be destroyed, unless the election has not been certified by the Conservation Commission or the election has been challenged. WAC 135-110-140.

12. All election forms and documents submitted to the Conservation Commission must be copies. WAC 135-110-130. Conservation Districts must retain the original version of all election forms until ballots may be discarded. WAC 135-110-130. The Conservation Commission may inspect original documents. WAC 135-110-130.

13. An employee or municipal officer of a conservation district holding an election may assist in election-related activities, but may not serve as a polling officer in the conservation district where they are employed, unless the employee or municipal officer is the election supervisor appointed by the conservation district board of supervisors. WAC 135-110-440.

14. An applicant or candidate must be eligible to serve at the time of application or filing for the office of conservation district supervisor. If, during the term of office, the individual no longer meets the eligibility requirements to hold that office, the office is deemed to be vacant. WAC 135-110-910 and WAC 135-110-930.

15. Elections are final when certified and the official results are announced by the Conservation Commission in May of each year or later as deemed necessary by the Commission. WAC 135-110-770. A supervisor-elect takes office and can begin official duties as a board supervisor when the election is final, which is after the May Commission meeting. RCW 89.08.190 says that "The commission shall establish procedures for elections, canvass the returns and announce the official results thereof. Election results may be announced by polling officials at the close of the election subject to official canvass of ballots by the commission. Supervisors elected shall take office at the

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

F. Definitions – WAC 135-110-110

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Poll list" or "polling list" is a list of voters who voted in an election.

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

"Poll site" and "polling site" mean a location where votes are collected in a ballot box.

"Poll-site election" and "walk-in election" mean an election in which a voter signs in on a poll list, receives a ballot from a polling officer, enters a vote for a candidate on the ballot, and places the ballot in a ballot box at a polling place supervised or monitored by polling officers.

"Print media" means physical material on which information or instructions are printed. Print media includes, but is not limited to, newspapers, magazines, newsletters, and handbills posted on bulletin boards or otherwise made available to citizens. Print media may include one or more web pages on a conservation district website, or on the Conservation Commission's website, if at least one notice is published on physical media made widely available to potential voters. Print media does not include web pages on other websites, electronic mail, social networking sites, and similar electronic information sharing methods.

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

"Qualified district elector" is a registered voter in the county where the district is located and who resides within the conservation district boundary.

"Qualified nominating petition" is a nominating petition which contains at least 25 signatures of nominators.

"Remote election" is an election in which ballots are returned by some means other than for a poll-site election. A mail-in election is a type of remote election.

"Resignation" and "to resign" mean the act of providing a signed and dated written notice to the Conservation Commission stating the individual's intent to terminate serving in an elective or appointive office.

"Short term" or "short term of office" is a term of office less than three years in duration.

"Supervisor" means an elected or appointed board member of a local conservation district governing board, in which the governing board is referred to as the board of supervisors.

"Supervisor-elect" means a supervisor who received more valid votes than any of the other candidates running for the same position in a conservation district election, but the election has not yet been certified by the Conservation Commission.

"Tie" or "election tie" means an election where no candidate has received a simple majority of votes cast by qualified district electors, and two or more candidates have received the same number of votes cast by qualified district electors.

"Undeclared write-in candidate" is an individual who has not submitted required candidate information to the conservation district and who has not submitted a qualified nominating petition by the filing deadline.

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

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

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

Section 2: Elections

A. Information standards

1. Notice of the Intent to Adopt an Election Resolution. A notice of the intent to adopt an election resolution must be published twice, at least six days between each publishing, before the meeting to adopt the Election Resolution can be held. The purpose of this Notice is to inform the public that the District intends to have a meeting at which the date, time, place and manner of the election will be set. WAC 135-110-220. Districts may publish their adopted election resolution, and all subsequent election notices, on a Districts' web site. Districts who choose this option are required to publish the *Notice of the Intent to Adopt an Election Resolution* as usual (twice, at least a week apart, in a newspaper) accompanied by a clear statement in that notice that future election information will be posted ONLY on the districts' web site. Once that is accomplished, districts may then publish any further election notices or materials on their web site.

2. Election resolution. The information in the ~~An~~ 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). ~~The form provided for this purpose by the Conservation Commission is Form 1.~~ Conservation districts must provide the following information:

   a) The name of the conservation district. WAC 135-110-210(2)a.

   b) The date, physical location (address), and times polls will open and close for each polling place. WAC 135-110-210(2)b.

   c) The election method(s) selected for the election. WAC 135-110-210(2)c.

   d) The final date by which voters must request absentee ballots from the district. WAC 135-110-410.

   e) A list showing the name of each elected and appointed conservation district supervisor with a term expiring in the election and appointment cycle covered by the resolution. WAC 135-110-210(2)d.

   f) The filing deadline for candidates. WAC 135-110-210(2)e.

g) Identification of an individual appointed by the conservation district to fulfill the duties of election supervisor, including the mailing address, email address (if available), and phone number of the election supervisor. WAC 135-110-210(2)f.

h) Dated signature of at least one conservation district supervisor attesting to this information. WAC 135-110-210(2)g.

3. Candidate information. Specific information must be submitted by each candidate to the conservation district. WAC 135-110-320. The form provided for this purpose by the Conservation Commission is Form PF-A~~2~~. Candidates must provide the following information:

a) The name of the conservation district. WAC 135-110-320(3)a.

b) The candidate's name, residential address, mailing address, and phone number. WAC 135-110-320(3)b.

c) Whether the candidate is a registered voter in the county where the conservation district is located. WAC 135-110-320(3)c.

d) Whether the candidate resides inside the conservation district boundary. WAC 135-110-320(3)d.

e) Two choices, only one of which may be selected by the candidate:

i) The candidate intends to run as a declared nominated candidate with his or her name on the official ballot. This option will require a validated nominating petition from the candidate. WAC 135-110-350(2).

ii) The candidate intends to run as a declared candidate. The candidate's name will not appear on the official ballot, and no nominating petition is required. WAC 135-110-350(1).

f) Two choices, only one of which may be selected by the candidate (WAC 135-110-320(3)e):

i) The candidate is a landowner or operator of a farm, as defined in these procedures.

ii) The candidate is not a landowner or operator of a farm, as defined in these procedures.

g) Dated signature of the candidate attesting to the information provided. WAC 135-110-320(3)f.

4. Nominating petition. A nominating petition is required for candidates who wish to have their names pre-printed on the official ballot. WAC 135-110-340. The form provided for this purpose by the Conservation Commission is Form PF-B~~3~~. Candidates must provide the following information:

a) The name of the conservation district. WAC 135-110-340(2)a.

b) The name of the candidate. WAC 135-110-340(2)b.

c) The name and address of each nominator. For verification purposes, this information should match the information in the voter registration rolls held by the County Auditor. WAC 135-110-340(2)c.

d) Each nominator needs to sign the petition, and by their signature, state his or her wish for the candidate named in the petition to be placed on the official ballot. WAC 135-110-340(2)d.

e) A notation by the conservation district next to each nominator, identifying the nominator as a qualified district elector eligible to sign the petition, or found by the conservation district to be ineligible. WAC 135-110-355(3).

5. Eligibility determination. The form provided for this purpose by the Conservation Commission is Form EF2~~4~~. WAC 135-110-355. Conservation districts must provide the following information for each candidate (declared, declared nominated, or write-in):

a) The name of the conservation district.

b) The name of the candidate or incumbent. WAC 135-110-355(2)a.

c) Whether the candidate did, or did not, submit required candidate information by the filing deadline. WAC 135-110-355(2)b.

d) Whether the candidate did, or did not, submit a completed nominating petition by the filing deadline. WAC 135-110-355(2)c.

e) Whether the person named on the form is, or is not, a qualified district elector on the day of filing. WAC 135-110-355(2)d.

f) Whether at least two of the three elected conservation district supervisors on the conservation district Board of Supervisors will be landowners or operators of farms if the candidate is elected. RCW 89.08.160 requires two of the three elected supervisors to be either a landowner or operator of a farm. If the election of a candidate would cause a conservation district board of supervisors to contain fewer than two elected supervisors who are landowners or farm operators, the candidate is not eligible to be elected. WAC 135-110-310. "Landowner" and "farm operator" are two separate categories and are defined in WAC 135-110-110.

g) The dated name and signature of the conservation district representative making these determinations. WAC 135-110-355(2)e.

h) The total number of nominators who signed the nominating petition, and the total number of nominators found to be qualified district electors eligible to sign the petition. WAC 135-110-355(3).

i) A declaration that (WAC 135-110-355):

i) the candidate did submit candidate information by the filing deadline;

ii) the candidate's nominating petition was received by the filing deadline;

iii) the candidate or named individual is a qualified district elector on the day of filing;

iv) at least 25 qualified district electors did sign the nominating petition; and

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

6. Verification of compliance with due notice requirements. The form provided for this purpose by the Conservation Commission is Form EF4~~5~~. WAC 135-110-220 and WAC 135-110-110. Conservation districts must provide the following information:

   a) The name of the conservation district.

   b) A complete list of each published notice, by date and name of publication, or in the case of electronic publications, by first date of publication and the web address. Please note: There are two types of election notices: (1) Notice of the Intent to Adopt an Election Resolution: 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. This Notice must be published twice, at least six days between each publishing, before the meeting to adopt the Election Resolution can be held; (2) Notice of the Adopted Election Resolution: 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.

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

   d) Copies of notices, advertisements, and publications are not required~~, unless also used to notify the public of the opportunity to apply for appointed supervisor positions~~.

7. Poll list. The form provided for this purpose by the Conservation Commission is PF-C~~Form 6~~. WAC 135-110-550. Conservation districts and voters must provide the following information:

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

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

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

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

   e) Each voter must provide:

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

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

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

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

8. Ballot results report. The form provided for this purpose by the Conservation Commission is Form EF5~~7~~. WAC 135-110-750. Conservation districts and polling officers must provide the following information:
    a) The name of the conservation district. WAC 135-110-750(3)a.
    b) The location of the poll site. WAC 135-110-750(3)b.
    c) Identification of this report as applying to a particular poll site or to a mail-in election. WAC 135-110-750(3)b.
    d) The date of the election. WAC 135-110-750(3)b.
    e) For each candidate:
        i) Identify the candidate by name. WAC 135-110-750(4)a.
        ii) Provide the number of eligible votes counted, the number of disqualified votes counted, and the total number of votes received for each candidate. The total should be the eligible votes plus the disqualified votes. WAC 135-110-750(4)b and (5).
        iii) Identify the unofficial winner and whether the unofficial winner is a nominated candidate listed on the official ballot or is a declared write-in candidate or is an undeclared write-in candidate. WAC 135-110-750(6).
        iv) Each ballot results reporting form must be electronically ~~signed~~ submitted and dated by the polling officers who counted the ballots so reported. WAC 135-110-750(7).

B. Information, Forms and ~~reports~~ Reports ~~required~~ Required and Deadlines

~~1.~~ Conservation districts must provide the information described in the previous section to the Conservation Commission.

~~2.~~1. Conservation districts must use electronic or paper forms provided by the Conservation Commission.

~~3.~~2. All documents provided to the public and to the Conservation Commission should be on white or light-colored paper.

~~4.~~3. Due dates for information, forms, and ~~documents, lists,~~ reports~~, and applications~~.
    a) Documents provided by a candidate to the conservation district.
        i) For nominated candidates, candidate information and the nominating petition is due to the conservation district by the filing deadline.

ii) For declared write-in candidates, candidate information is due to the conservation district by the filing deadline.

b) Documents provided by the conservation district to the Conservation Commission ~~in Lacey, Washington~~.

i) Conservation Districts must submit EF1 no later than the candidate filing deadline. ~~A copy of the election resolution is due to the Conservation Commission by the candidate filing deadline. The conservation district must retain the original.~~

~~i)~~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.

~~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.~~

TABLE 1: Information, Forms and Deadlines~~when forms are due~~		
Name of Election Form	**Due to CD from candidate ~~to conservation district~~**	**Reported Electronically ~~Due~~ to Commission from CD ~~conservation district to Conservation Commission~~**
EF~~Form~~ 1 ~~-:~~ CD Election Information~~Conservation district election resolution and appointment of election supervisor (one form per election)~~	N/A	No later than the ~~Copy to be provided by the~~ candidate filing deadline
PF-A - Candidate Information (one form per candidate)	No later than the candidate filing deadline	N/A (information included in EF2 below)
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)	No later than the candidate filing deadline	N/A (information included in EF2 below)
EF2 - Candidate Verification	N/A	No later than 28 days after election day
EF3 - Automatic Re-Election Checklist	N/A	No later than 28 days after the cancelled election day
EF4 - Due Notice Compliance	N/A	No later than 28 days after election day
PF-C - Poll list (all pages)	N/A	N/A (poll lists are to be kept by the CD and made available upon request of the Commission)
~~Automatic Re-Election Checklist~~	~~N/A~~	
PF-D - Ballots: As many ballots as needed, to be printed by the CD	N/A	N/A (ballots to be kept by the CD and made available upon request of the Commission)
EF5 - Ballot results report	N/A	No later than 28 days after election day
~~Ballots: As many ballots as needed, to be printed by the conservation district~~	~~N/A~~	~~Ballots to be kept by the conservation district and made~~

		~~available upon request of the Conservation Commission~~
Election Feedback Form	N/A	N/A

C. Conservation Commission duties

1. General
   a) The Conservation Commission may request copies of documents and inspect original documents and records.
2. Before elections
   a) The Conservation Commission must make these procedures available for stakeholder review and comment.
   b) The Conservation Commission must notify all conservation districts of supervisor terms of office due to expire. Notice must be provided to conservation districts by ~~November~~ September 1~~30~~ in the year preceding elections.
   c) These procedures become effective on the date they were last revised.
   d) The Conservation Commission may amend these procedures at any time to assure the fair, proper, and orderly election and appointment of conservation district supervisors.
3. During a poll-site election
   a) Conservation Commission board members and/or employees may monitor conservation district elections without notice.
4. After the polls close
   a) The Conservation Commission will canvass the returns of conservation district elections to verify election results and to determine if the election was properly conducted according to the requirements in these procedures.
   b) The Conservation Commission board will certify all conservation district elections found to substantially comply with the requirements in these procedures.
   c) The Conservation Commission will announce the official election results, or decline to announce official results, for each conservation district election after the elections have been certified.
   d) The Conservation Commission will act on elections for full-term positions annually at its regular meeting on the third Thursday in May or as necessary thereafter.~~.~~

D. Conservation District duties

1. General
   a) A conservation district must hold an election each year.
   b) A copy of these procedures must be made available for public inspection at each poll site.
2. Before an election
   a) Each conservation district must publish a Notice of the Intent to Adopt an Election Resolution. 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. This Notice must be published twice, at least six days between each publishing, before the meeting to adopt the Election Resolution can be held. Examples of this Notice can be found in Appendix B.
   b) Each conservation district must hold a meeting after the Notice of the Intent to Adopt an Election Resolution has been properly published. The purpose of this meeting is to adopt an Election Resolution.
   c) Each conservation district must publish a Notice of the Adopted Election Resolution. 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. The Notice must set election date(s), location(s), and polling times by resolution and that information must be communicated to the Conservation Commission by the candidate filing deadline. Examples of this Notice can be found in Appendix B.
      i) Each polling place must be open for at least four hours at a time convenient for voters in that district. Two polling officers must be present.
      ii) Polling places must have sufficient parking to accommodate the expected number of voters.
      iii) Polling places must be accessible to those with disabilities.
      iv) The election date must be in the first three calendar months of the election year. ~~Form 1 is recommended for the resolution.~~
      v) If the election will be held by mail, the date set by the conservation district is the last date ballots may be received from voters. The location will be where ballots are counted. If necessary to accommodate voter(s) pursuant to WAC 135-110-250, a district conducting a mail-in election may be required to provide at least one polling place where voters can deliver their completed ballots or vote as in a poll-site election.
      vi) The last date voters can request absentee ballots must be set in the Notice.

d) Each conservation district must appoint an election supervisor.

i) The election supervisor may be a conservation district supervisor, conservation district employee, or any other person appointed by the conservation district board of supervisors.

ii) The election supervisor serves as the primary point of contact between the conservation district and the Conservation Commission for all functions to be performed by the conservation district in the election and appointment of conservation district supervisors.

iii) The election supervisor organizes, coordinates, and facilitates election-related activities of the conservation district related to the election and appointment of conservation district supervisors. The election supervisor assures that required documentation is properly completed and transmitted on time to the Conservation Commission. The election supervisor may also serve as a polling officer.

iv) Conservation district supervisors remain responsible for conducting the election and for complying with these published requirements and procedures.

e) For each candidate, ~~a conservation district supervisor or~~ the ~~appointed~~ election supervisor must verify that specific eligibility requirements have been met and, for declared nominated candidates, direct whether or not to place the name of the candidate on the ballot.

i) For each declared nominated candidate, a conservation district must:

(1) Verify that candidate information was received by the filing deadline.

(2) Verify that the nominating petition was received by the filing deadline.

(3) Verify that at least 25 qualified district electors signed the nominating petition.

(4) Determine whether the candidate is a qualified district elector.

(5) Determine whether the composition of the conservation district board will meet statutory requirements if the candidate is elected.

(6) If requirements one through five above are met, the conservation district must direct that the name of the candidate be placed on the ballot.

ii) For each declared candidate, a conservation district must:

(1) Verify that candidate information was received by the filing deadline.

(2) Determine whether the candidate is a qualified district elector.

(3) Determine whether the composition of the conservation district board will meet statutory requirements if the candidate is elected.

iii) For each undeclared write-in candidate, a conservation district must:

(1) Verify that candidate information is received within four weeks (twenty-eight calendar days) following the first date of election.

(2) Determine whether the candidate is a qualified district elector.

(3) Determine whether the composition of the conservation district board will meet statutory requirements if the candidate is elected.

iv) Such determinations must be made separately for each candidate.

v) A county auditor or the Conservation Commission may assist a conservation district in determining the eligibility of a candidate, upon request of the conservation district.

f) The conservation district must verify the eligibility of individuals wishing to serve, or continue to serve, as an elected conservation district supervisor.

g) The conservation district must provide due notice of the election to potential voters.

i) The conservation district must publish at least two notices as defined in "due notice" and "print media." Conservation districts are strongly encouraged to exceed the minimum requirements for due notice. Due notice is defined in WAC 135-110-110 and explained in WAC 135-110-220. Examples of this Notice can be found in Appendix B.

ii) There are two types of election notices:

(1) Notice of the Intent to Adopt an Election Resolution: 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. This Notice must be published twice, at least six days between each publishing, before the meeting to adopt the Election Resolution can be held.

(2) Notice of the Adopted Election Resolution: 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.~~

iii) The Adopted Election Resolution Notice must contain, at minimum, the following information:

(1) The name of the conservation district.

(2) The election method[s] selected for the election.

(3) The date(s), location(s), and times polls open and close.

(4) That candidates must be registered voters who reside in the conservation district.

(5) That candidates may be required to be landowners or operators of a farm, depending on the current composition of the conservation district board of supervisors.

(6) The filing deadline for candidates.

(7) The last day on which voters can request absentee ballots from the district.

(8) That eligible voters are registered voters who reside in the conservation district.

(9) That a conservation district supervisor is a public official who serves without compensation and who sets policy and direction for the conservation district.

(10) That published election procedures can be viewed at the conservation district office and are available from the Washington State Conservation Commission.

iv) If the election is also to be held by mail, the Election notice must describe how to obtain a ballot and the deadline for returning ballots.

v) For appointed position notices, refer to Section 3.D.2 of these procedures. Notice examples can be found in Appendix B.

vi) The Election notice and notice of appointed positions may be combined.

vii) Conservation districts are strongly encouraged to exceed the minimum due notice requirements so that interested parties may be informed of the opportunity to serve as a conservation district supervisor.

h) The conservation district must determine the number of polling officers.

i) The conservation district must provide at least two polling officers at each poll site, except the election supervisor may substitute for one polling officer at one poll site.

ii) 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.

i) If a candidate is found by the conservation district to be ineligible, the conservation district must inform the candidate of the reasons. The conservation district may not print that candidate's name on the official ballot. If the reason is the lack of sufficient nominators on the nominating

petition, the candidate must be considered a declared write-in candidate and the candidate must be so informed by the conservation district.

j) To assist voters in the selection of a candidate during voting, a conservation district may publish information provided by nominated and declared candidates. Conservation districts should adopt a policy to set the parameters for publishing such information. A sample template is in Appendix C.

   i) If a conservation district chooses to publish information about candidates, it must provide equal opportunity for publication and equivalent space to each nominated and declared write-in candidate.

   ii) A conservation district must not take an official position on any candidate that promotes, or is prejudicial to, a candidate, nor may supervisors or employees of the conservation district do so in their official capacity.

   iii) On election day, information provided by candidates may not be provided to voters within 300 feet of the poll site.

k) A conservation district must create a ballot and provide a ballot to each person who wishes to vote in the conservation district election. See form PF-D.

   i) The ballot must list the names of all candidates ordered to be placed on the ballot. Names on the ballot must be listed in alphabetical order by last name, from top to bottom. Example: Jane Adams would be listed above John Doe.

   ii) The ballot must contain at least one blank line where a voter can enter the name of a undeclared write-in candidate.

   iii) One empty checkbox or blank space should be provided next to each candidate's name printed on the ballot.

   iv) During a poll-site election, the conservation district must provide a contested ballot to any individual wishing to vote who cannot be verified as eligible to vote prior to the issuance of a ballot. A double-envelope system consisting of two envelopes and a ballot must be used for all contested ballots.

   v) For electronic voting, the functional equivalent of a paper ballot must be utilized.

   vi) A conservation district may send or provide ballots to all individuals who, in the three years preceding the election, have voted in a conservation district election or have participated in conservation district services or programs. WAC 135-110-515(4). However, if a conservation district provides unrequested ballots to a population that is less than all the eligible voters within the conservation district boundary, the conservation district must not use lists obtained from an individual conservation district supervisor or employee, nor from any candidate, nor from any trade, company, church, union, fraternal or other organization. WAC

135-110-420. So long as a list generated by a conservation district pursuant to WAC 135-110-515(4) includes all such individuals, such a list is exempt from WAC 135-110-420.

vii) Absentee ballots must be provided to eligible voters upon request, and voters need not provide proof of any special condition to obtain an absentee ballot. WAC 135-110-520. Also, the conservation district must provide a ballot to any person who requests a ballot. WAC 135-110-515. An eligible voter should declare their eligibility to the district before a request for an absentee ballot can be fulfilled by the district. The declaration by the voter can be done in writing, electronically, or orally. A request for an absentee ballot can be made in person, in writing, by telephone, or electronically, by the voter, a family member, or a registered domestic partner. Only one absentee ballot request per voter can be made. Multiple absentee ballots can be sent to the same address, provided that each absentee ballot can be matched to a request by a voter at that address. Sample absentee ballot instructions and a request form are provided in Appendix A.

l) The conservation district must obtain a current list of registered voters from the County Auditor or Secretary of State for all territory within the conservation district boundary.

m) The conservation district must be able to show or describe the legal boundary of the conservation district to any voter or to any representative of the Conservation Commission, upon demand.

3. Before a mail-in (or remote) election

a) A conservation district holding a mail-in election must appoint an election supervisor and have declared at least one poll site.

b) Double-envelope voting (or the secure electronic equivalent) is required for mail-in/remote elections.

i) A double-envelope system meeting the requirements for contested balloting must be used by the conservation district in the mail-in election.

ii) Provision must be made for the outer envelope to show or contain sufficient information to identify the voter. The voter should print his or her name and address as registered with the County Auditor.

c) Due notice to voters must provide sufficient time for voters to obtain and return ballots to the conservation district. Allowing at least one week after the second required notice has been published is recommended.

d) Ballots must be offered to potential voters within the conservation district boundary. To receive a ballot, the voter must request a ballot prior to the current election, unless a district is utilizing WAC 135-110-515(4) (see Section 2(D)2(k)vi above). The election supervisor must verify the voter is a qualified district elector before the ballot is counted.

4. During a poll-site election
   a) Conservation district supervisors or staff may assist polling officers, but may not directly issue ballots or count ballots, unless such person is also the election supervisor appointed by the conservation district board of supervisors.
   b) Each poll site must have a ballot box, signage, and be accessible to voters.
      i) Each poll site must have at least one ballot box.
      ii) Each poll site must be conspicuously identified to voters as the place to vote.
      iii) Poll sites must not create undue hardship for disabled voters.
      iv) Polling places must be open for a minimum of four hours at a time convenient for voters in that district.
   c) The conservation district must provide polling officers at each poll site.
      i) Polling officers must be independent third parties who are not supervisors, employees, or municipal officers of the conservation district holding the election. Further, with WAC 135-110-150 in mind, there is no prohibition against a conservation district supervisor, employee or municipal officer from serving as a polling officer in another districts' election. A conservation district supervisor, employee or municipal officer may not serve as a polling officer in the conservation district election, unless the person is the election supervisor appointed by the conservation district supervisors. WAC 135-110-440. While there is no prohibition against a relative or spouse serving as a polling officer, it is important to keep in mind WAC 135-110-150 which says that conservation districts, employees and supervisors must remain impartial during an election. Therefore, it is recommended that polling officers not be immediate family members or live in the same household of such supervisors, employees, or municipal officers.
      ii) The election supervisor appointed by the conservation district may serve as a polling officer at one poll site, even if he or she is a supervisor, employee, or municipal officer of the conservation district holding the election. An election supervisor who also serves as a polling officer has all of the responsibilities and duties listed in Section 2.F.
      iii) The conservation district must provide at least two polling officers at each poll site, except the election supervisor may substitute for one polling officer at one poll site.
      ~~iv) 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.~~

~~v)~~iv) Individuals hired temporarily to serve as polling officers are not considered employees for the purposes of this section.

~~vi)~~v) Before the polls open, the conservation district must review with polling officers the procedures for verifying voters, issuing ballots, issuing contested ballots, and tallying and reporting election results.

d) Conservation districts must assure privacy in voting.

i) The ballot choice made by a voter must not be seen by any other person during the act of voting or the placing of the ballot in the ballot box.

ii) Paper ballots must be placed into ballot boxes. Electronic ballots must assure at least the same level of security and privacy as provided by paper balloting.

e) The conservation district must not post the names of nominated and declared write-in candidates at the polls. It is the responsibility of candidates to inform the voting public of their candidacy for the office of conservation district supervisor.

f) The name of a nominated candidate or declared write-in candidate who has submitted a withdrawal of candidacy in writing to the conservation district may not be posted at the polling place. It is the responsibility of candidates to inform the voting public of their status in seeking the office of conservation district supervisor.

5. After the polls close

a) One or more conservation district supervisors, or the election supervisor, must receive from polling officers the following:

i) All poll list pages;

ii) All ballots;

iii) A completed ballot results report for each polling site, absentee ballots and for each type of election held (poll-site or mail-in); and

iv) All working papers and notes made by polling officers.

b) When polling officers have transferred all properly completed forms and documents, and all ballots, to a conservation district supervisor or the election supervisor, the polling officers may be excused from their official duty.

c) The conservation district must ~~deliver~~ transmit to the Conservation Commission information sufficient for the Commission to certify and announce the election result ~~copies of all properly completed forms (candidate information, nominating petition, verification of eligibility, verification of due notice compliance, poll list, and ballot results reports)~~ within four weeks of election day. ~~to the Conservation Commission office in Lacey, Washington.~~

d) The conservation district must retain all original forms, documents, and ballots for ~~six~~ 12 months after the election has been certified, at which time they may be destroyed unless the election has not been certified or the election has been ~~is~~ contested to the Commission. Conservation districts must abide by ***Local Government Common Records Retention Schedule (CORE)***.

E. Election Supervisor duties

1. Before an election

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

b) Confirm due notice requirements have been satisfied.

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

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

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

2. During a poll-site election

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

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

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

3. After the polls close
   a) The election supervisor may assist polling officers, but may not count ballots, unless the election supervisor is serving as a polling officer as described in Section D.2.b.
   b) One or more conservation district supervisors, conservation district employees, Conservation Commission representatives, or members of the public may observe the handling of ballots and the counting of votes, but may not interfere or disrupt the proceedings in any way.
4. During a mail-in election and / or for absentee ballots
   a) The election supervisor receives and safeguards mail-in or absentee ballots returned by voters.
      i) The election supervisor performs all the tasks as for a poll-site election, and determines if mail-in ballots and / or for absentee ballots are cast by qualified district electors.
      ii) The election supervisor does not count ballots. Polling officers count the ballots.
   b) Double-envelope voting is required for mail-in and / or for absentee ballots elections.
      i) A double-envelope system identical to contested balloting must be used by the conservation district in a mail-in election and for absentee ballots.
      ii) Ballots are to be inserted in an inner envelope and sealed, with no marks or other information that would identify the person voting. The outer envelope ~~must~~ should show or contain sufficient information to identify the voter. The name and address of the voter, as shown on the list of registered voters obtained from the County Auditor, is recommended.
      iii) Mail-in and absentee ballots are to be delivered to the election supervisor.
   c) The election supervisor determines if mail-in and absentee ballots votes are submitted by qualified district electors.
      i) As ballots are received from voters, the election supervisor may verify each mail-in and absentee ballot as eligible or disqualified based on the information provided on or in the outer envelope of the mail-in or absentee ballot. Alternatively, the election supervisor may wait until all ballots are received, at which time the eligibility of each voter must be verified before outer envelopes are opened.
      ii) When a voter cannot be verified as eligible to vote in this election from information provided on the outer envelope, the outer envelope ~~must~~ should ~~not~~ be opened. If, after opening the outer envelope, a voter still cannot be verified as eligible to vote in this election, ~~and~~ the ballot must be counted as a disqualified ballot.
      iii) The election supervisor may enlist the help of polling officers in verifying mail-in and absentee ballots as eligible or disqualified.

iv) The election supervisor must not open the inner envelope containing the actual ballot. Polling officers must open and count each ballot that has been verified as having been cast by a qualified district elector.

v) The inner envelope for each mail-in or absentee ballot found to be cast by a person who is not a qualified district elector must not be opened. However, if it cannot otherwise be determined from an examination of the outer envelope or its contents whether the voter is a qualified district elector, the polling officers may open the inner envelope. If, after opening the inner envelope, a voter still cannot be verified as eligible to vote in the election, the ballot must be counted as a disqualified ballot.

F. Polling Officer duties

1. Before an election
   a) Review contested ballots: what they are, when they are issued, and how they are counted.
   b) Review the poll list form and the ballot results reporting form, and how to complete them.
   c) Confirm these resources are available at each poll site:
      i) Sufficient ballots for the expected number of voters;
      ii) A reasonable supply of contested ballots (double-envelope system);
      iii) A ballot box;
      iv) Voting booth or other means of assuring votes can be cast privately;
      v) A list of registered voters (voter list);
      vi) A map or description of the conservation district legal boundary;
      vii) A copy of these procedures; and
      viii) Poll list forms and ballot results reporting forms.
2. During a poll-site election
   a) Polling officers must monitor the voting place for compliance with these procedures, and also serve as guardians of all issued and unissued ballots.
   b) Polling officers verify voters and issue ballots.
      i) A polling officer must verify a voter is a qualified district elector before issuing a ballot to the voter and record that determination on the poll list.
      ii) At least one polling officer must be present and in control of the ballot box(es) at all times while the polls are open.

iii) At a poll-site election, a contested ballot must be issued if the voter's eligibility to vote cannot be determined during polling. A voter whose eligibility cannot be determined may only vote on a contested ballot. Contested balloting should be explained to the voter. Following is an example dialog:

At this time, I cannot verify you are a qualified district elector eligible to vote in this election. For your vote to be counted, you must be a registered voter living inside the boundary of the conservation district.

Every vote is important, so if you wish to vote, I will issue you a contested ballot so that you can vote. Election officials will determine your eligibility to vote after the polls are closed and count all ballots.

The contested ballot is a package consisting of a ballot and two envelopes. After you mark the ballot, place it inside one envelope and seal that envelope. Do not make any identifying marks on that envelope. Place the sealed envelope inside the second envelope.

On the outside of the second envelope, print your name and address as used by the County Auditor for your voter registration record, then place the completed contested ballot package in the ballot box.

iv) Polling officers use the poll list to track the identity and number of voters, to identify determinations made by polling officers as to voter eligibility, and to identify voters issued contested ballots.

v) For absentee ballots received during a poll-site election, polling officer should follow the procedure, as directed by the Election Supervisor, set out in Section E(4) Election Supervisor Duties above.

c) Polling officers are to close the polls at the published time, unless the polls are extended by a conservation district supervisor or the election supervisor.

i) Those who are waiting in line when the polls are scheduled to be closed must be allowed to check in and vote.

ii) Poll times may not be less than advertised.

iii) A conservation district supervisor or the election supervisor appointed by the board may extend the time polls are open, if needed to accommodate voters.

3. After the polls close

a) Polling officers open the ballot box or boxes and count the votes cast for each candidate.

i) If the election had more than one polling place, polling officers may transport uncounted ballots in the ballot boxes to a central location for counting.

ii) Ballots must remain in the custody of polling officers until counted. Polling officers count all votes cast. Absentee ballots should be tallied separately from poll-site ballots.

iii) All votes must be counted, including eligible votes and disqualified votes.

iv) A vote on a contested ballot where the voter is found to be ineligible to vote is to be counted as a disqualified vote.

~~iv)~~v) Written marks made on a ballot for a write-in candidate shall be governed by the same standards as set out in WAC 434-261-086.

~~v)~~vi) When verifying a voter who cast a contested ballot, compare the name and address provided by the voter with the voter list obtained from the County Auditor or Secretary of State.

~~vi)~~vii) The ballot count results are reported on the ballot results report, which is to be provided by a polling officer to the election supervisor ~~or a supervisor of the conservation district holding the election~~.

b) Provide a completed ballot results report for each type and location of election held (poll-site and mail-in), and for absentee ballots (if any were received) to a conservation district supervisor or the election supervisor.

c) Surrender all poll list documents, all ballots, all working notes and papers, and all ballot results reports to ~~a conservation district supervisor or~~ the election supervisor.

d) Polling officers may announce the unofficial results of the election, subject to certification by the Conservation Commission.

4. During a mail-in election

a) Polling officers receive each ballot from the election supervisor.

i) Each ballot ~~must~~ should be sealed inside an envelope.

ii) Only one ballot may be in an envelope. If more than one ballot is found inside a single envelope, all such ballots must be disqualified.

iii) A ballot in an ~~in~~ unsealed inner envelope ~~must~~ may be disqualified.

b) Polling officers count votes and verify the ballot count in writing.

i) All votes must be counted: eligible, and disqualified. There are no contested ballots in a mail-in election.

~~i)~~ii) Written marks made on a ballot for a write-in candidate shall be governed by the same standards as set out in WAC 434-261-086.

~~ii)~~iii) Ballot counts are reported on the ballot results report form (EF5), which is to be provided by a polling officer to a supervisor of the conservation district holding the election.

c) If the conservation district holds a poll-site election and a mail-in election, polling officers must count and report ballots separately for each type of election and for absentee ballots (if any were received) and for each poll location. This means a separate ballot results report must be completed for each type of election, absentee ballots, and location of election.

G. Candidate duties

1. Before an election

a) Any person wishing to be a candidate must file candidate information (PF-A~~Election Form 2~~) with the conservation district by the candidate filing deadline.

b) A candidate wishing to have his or her name pre-printed on the official ballot must provide a qualified nominating petition (PF-B~~Election Form 3~~) signed by at least 25 qualified district electors to the conservation district by the candidate filing deadline. The election supervisor will verify nominators on the nominating petition.

c) If the incumbent on the conservation district board who currently holds the elected office subject to the current years' election provides candidate information (~~Election Form 2~~PF-A) by the candidate filing deadline, the incumbent will be eligible to be re-elected. However, under WAC 135-110-340, unless the incumbent obtains the 25 qualified nominating signatures (~~Election Form 3~~PF-B), the incumbent's name will not appear on the ballot. In order for the incumbent's name to appear on the election ballot, the incumbent must file both PF-A~~Form 2~~ and ~~Form 3~~PF-B by the candidate filing deadline, and PF-B~~Form 3~~ must have at least 25 qualified nominating signatures. Only after an incumbent correctly files both forms~~Form 2 and Form 3~~ with the District will the District place the incumbent's name on the official ballot. Furthermore, a District wherein an incumbent files only candidate information (PF-A~~Form 2~~) and not the 25 qualified nominating signatures (~~Form 3~~PF-B) cannot use WAC 135-110-370 to automatically re-elect the incumbent~~ (if all other provisions of WAC 135-110-370 are also met)~~.

d) Should a candidate wish to withdraw his or her candidacy, written notice to that effect must be provided to the conservation district before Election Day. Notice by any other means will be considered invalid. If the candidate is running as a nominated candidate and ballots have already been printed, the conservation district is not obligated to reprint ballots to remove the withdrawn candidate's name.

e) It is the responsibility of a candidate to inform voters of the candidate's desire and qualifications to be elected to the office of conservation district supervisor. A conservation district may provide equal opportunity and equivalent space to candidates for this purpose but are not required to do so. Such information must not be provided within 300 feet of polls on Election Day.

f) Every candidate must be eligible to be elected to, and hold the office of, conservation district supervisor on the day of the filing of candidate information with the conservation district.

2. During a poll-site election

a) Candidates may not seek to influence voters to vote for or against a specific candidate within 300 feet of ballot box(es).

b) Candidates may observe an election while the polls are open but may not interfere with voters or polling officers.

c) Candidates may observe the counting of ballots but may not interfere with polling officers or the election supervisor.

3. After the polls close

a) Candidates may not disrupt or interfere with polling officers.

b) Candidates may observe the counting of votes.

c) The supervisor-elect becomes a municipal officer upon certification of the election by the Conservation Commission.

H. Nominator duties

1. Before an election

a) Persons signing a nominating petition (PF-B) must be registered voters residing within the boundary of the conservation district holding the election.

b) Information provided on the n~~N~~ominating p~~P~~etition must be legible or it cannot be counted.

c) Nominators may sign a ~~Nominating~~ nominating ~~Petition~~ petition for more than one candidate.

d) Nominators may only sign a candidate's ~~Nominating~~ nominating ~~Petition~~ petition once.

e) A nominator's signature is not a vote for the candidate. Signing the ~~Nominating~~ nominating ~~Petition~~ petition is a request that the candidate's name be pre-printed on the official ballot.

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 ~~(Election Form 5)~~;

(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);

(2) At the time of filing, and on or before the candidate filing deadline, the incumbent submitted to the conservation district PF-A~~Election Form 2~~, information including:

(a) The name of the conservation district;

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

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

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

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

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

(3) At least 25 qualified nominating signatures (PF-B~~Election Form 3~~) are provided by the candidate filing deadline. If 25 qualified nominating signatures are not submitted to the District by the incumbent by the candidate filing deadline, the District cannot use WAC 135-110-370 to automatically re-elect the incumbent.

iii) The conservation district verifies the continued eligibility of the incumbent to serve another term of office (EF2~~Election Form 4~~);

(1) The election supervisor has determined that

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

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

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

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

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

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

v) Before election day, the conservation district must have 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 were posted at poll sites. See EF~~Election Form~~ 3 and EF4~~5~~.

b) 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.

c) Election supervisors must use EF3~~the Automatic Re-Election of the Incumbent Checklist~~ in order to ensure compliance with WAC 135-110-370.

d) Upon completion of ~~So long as~~ EF3~~the Automatic Re-Election Checklist~~ (~~is complete and~~when all provisions of WAC 135-110-370 are met), a district is required~~free to proceed with~~ to cancel~~ling an~~ the election. This can be done with or without formal board action.

i) Without formal board action: Under WAC 135-110-230, a District Board of Supervisors must appoint an Election Supervisor. That Election Supervisor is empowered by the Board, through WAC 135-110-230, to conduct all operations of the election, including the determination and operation of automatically re-electing the incumbent (provided the terms of WAC 135-110-370 are met). Therefore, the appointed Election Supervisor can proceed to cancel an election provided all the conditions of WAC 135-110-370 are met and EF3 completed. Ultimately, as WAC 135-110-230(3) notes, the Board is responsible for the actions of the Election Supervisor.

ii) With formal board action: the board of supervisors may choose to proceed with cancelling an election (provided that all provisions of WAC 135-110-370 are met and EF3 complete), by passing a resolution so stating and in compliance with WAC 135-110-370.

2. Undeclared write-in candidate may be elected if no person files. WAC 135-110-360.

a) If no person has filed by the filing deadline, or if the election supervisor finds ineligible all persons who filed, then only undeclared write-in candidates may be elected.

i) The undeclared write-in candidate, deemed the unofficial winner, must submit required candidate information to the conservation district, and

ii) Within four weeks (twenty-eight calendar days) following the first date of election, the election supervisor must verify the eligibility of the unofficial winner to be elected and to serve.

iii) If the conservation district is unable to verify eligibility of the unofficial winner within four weeks of the election, the unofficial winner is disqualified. The person receiving the next highest vote count must then submit required candidate information and the conservation district must verify his or her eligibility as described above.

iv) If the undeclared write-in candidate who is the unofficial winner is found ineligible and no other persons received votes, the Conservation Commission will officially announce another full term of office for the incumbent on the third Thursday in May, but only upon verification by the conservation district of the eligibility of the incumbent to serve in the office of elected conservation district supervisor.

b) Written marks made on a ballot for a write-in candidate shall be governed by the same standards as set out in WAC 434-261-086.

3. Election results in a tie. WAC 135-110-730.

a) In the case of two or more eligible candidates receiving the most votes, and each receives an equal number of votes, the conservation district must recount the ballots.

b) Conservation district supervisors may perform the recount at a regular or special meeting of the conservation district board of supervisors, or may charge polling officers with this duty.

c) If a tie is verified by the recount, the winner of the election must be determined by drawing of names as provided under RCW 29A.60.221 to ensure the drawing is equitable to all affected candidates.

   i) If no more than two candidates are tied, a coin toss may be used in lieu of drawing names to determine the unofficial winner.

   ii) If more than two candidates are tied, only a drawing of names may be used to determine the unofficial winner.

   iii) A representative of the Conservation Commission must be present for any drawing of names or coin toss.

d) The candidate whose name is drawn (or who wins the coin toss) becomes the supervisor-elect.

4. No eligible candidate elected. WAC 135-110-740.

a) When no eligible candidate is elected, the Conservation Commission will officially announce another full term of office for the incumbent on the third Thursday in May, but only upon verification by the conservation district of the eligibility of the incumbent to serve in the office of elected conservation district supervisor.

b) If the conservation district determines the incumbent conservation district supervisor is no longer eligible to serve in the office of elected conservation district supervisor, or if the incumbent has resigned, the position is deemed vacant and the conservation district may appoint an eligible successor following the official announcement by the Conservation Commission.

K. Emergencies

1. Emergency relocation or rescheduling of election

a) A conservation district may not change the date(s) or location(s) of poll sites unless an emergency exists.

b) A conservation district supervisor or the election supervisor may declare an emergency when adverse conditions may negatively affect the health or safety of voters or the timely return of absentee ballots. Such conditions may include, but are not limited to:

   i) Hazardous weather conditions;

   i) Damage to roads, buildings, or other infrastructure;

ii) Chemical spills;

iii) Fire and smoke; or

iv) Volcanic eruption, earthquake, landslides, mudflows, and floods.

c) When an emergency is so declared, the conservation district should attempt to inform all conservation district supervisors and candidates listed on the ballot.

d) When a polling site is changed in response to an emergency, and the election date is not changed, signage sufficient to notify potential voters must be provided to redirect voters to the new polling site(s). Poll times should be extended to allow for additional travel time to the relocated polls.

e) When the election date is changed in response to an emergency, the conservation district should first seek to provide due notice to inform the public of the change. If due notice is not possible, the conservation district should take reasonable measures to inform the public of the change. Reasonable measures may include, but are not limited to: announcements on local radio or television; posting on web pages; announcements in newspapers; and posting of handbills or flyers.

f) When one or more polling sites are changed and the date is changed in response to an emergency, the conservation district should perform the actions described above is subparts (d) and (e).

g) The Conservation Commission must be informed of all emergency changes to poll locations or dates before voting begins.

SECTION 3: APPOINTMENTS

A. Information required

1. Only an application form~~s~~ provided by the Conservation Commission on its web site may be used to apply for the position of appointed supervisor. ~~The Conservation Commission will make these application forms available to conservation districts and interested citizens~~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. ~~information the Conservation Commission will require on the application form includes:~~

~~a) The name of the conservation district.~~

~~b) The name, residential address, mailing address, phone number, and email address (if available) for the applicant.~~

~~c) Yes/No questions about the applicant being a registered voter, whether the applicant is a landowner or operator of a farm, whether the applicant resides inside the district, and whether the applicant owns land inside the district. An applicant must be a registered voter in the state of Washington.~~

~~d) The applicant's current occupation.~~

~~e) A description of the applicant's experience with boards and organizations.~~

~~f) A description of special training, skills and experience that may help the applicant perform the duties expected of a conservation district supervisor.~~

~~g) The name and phone number of at least one person the Conservation Commission may contact regarding the applicant's qualifications.~~

~~h) Information about why the applicant is interested in serving as a conservation district supervisor.~~

~~i) Information about whether the applicant has ever attended a meeting of the conservation district board of supervisors.~~

~~j) Information about whether the applicant has ever served as a conservation district supervisor.~~

~~k) Information about whether the applicant has reviewed the mission statement, annual plan, and long-range plan of the conservation district.~~

~~l) Information about whether the applicant has a farm plan, and if so, what the applicant's thoughts are on the process to develop the plan, and the plan itself.~~

~~m) Information about what the applicant thinks the appropriate role is for district supervisors to engage with other entities active in the district area, such as the county or state agencies.~~

~~n) Information about what the applicant thinks the appropriate role is for the district supervisors to address natural resource concerns in the district area.~~

~~o) Information about whether the applicant has any prior experience reviewing contracts or other legal instruments.~~

~~p) Information about whether the applicant has any previous experience as a participant in a collaborative process.~~

~~q) Information about whether the applicant has any previous experience with installing practices on a farm.~~

~~r)~~2. ~~The dated signature of the applicant.~~

B. Forms and reports required

1. Conservation districts must provide proof to the Conservation Commission that it has complied with the requirement to ~~copies of advertisements and publications used to~~ notify the community of the opportunity~~ability~~ 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.

~~2.~~ 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/. ~~Documents provided by applicants for the office of appointed supervisor to the Conservation Commission in Lacey, Washington.~~

~~a) General~~

~~i) Applications must be originals, not copies.~~

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

~~iii) An applicant should keep a copy of the application and associated documents until the Conservation Commission confirms receipt of submitted materials.~~

~~iv)~~ Letters of recommendation, resumes, and other items do not need to be included with the application.

~~v)~~ Late applications and associated documents cannot be considered.

~~vi)~~ The Conservation Commission will not consider applications submitted by someone other than the applicant.

~~b)~~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.

~~c)~~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.

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

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 ~~January~~ September 1~~15~~ of the year prior to the ~~in which~~ terms expiration~~e~~.

   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 ~~appropriate~~ the application form~~s~~ available on its web site~~to any interested person~~.

3. The Conservation Commission must provide a list of prospective applicants ~~copies of applications~~ to the ~~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.

~~4.~~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.

~~5. 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.~~

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.
   e) A Conservation Commission representative will contact the conservation district board chair, vice-chair, and district manager ~~a conservation district supervisor~~ from the affected conservation district prior to the Conservation Commission making the appointment.
   f) The Conservation Commission will notify all applicants, including those not appointed, of the appointments made at its May meeting.
   g) The Conservation Commission must notify each conservation district of the appointments made following the May meeting.
8. Conservation Commission procedures for mid-term appointments.
   a) The term of office will be until the end of the original full-term.
   b) To assure continuity of district operations and effectiveness in administering the authorized conservation program of the conservation district, the Conservation Commission may act on an application for mid-term appointment at any time, as determined solely by the Conservation Commission.
   c) The Conservation Commission will evaluate the suitability and capability of all applicants for the position of appointed supervisor.

d) A Conservation Commission representative will contact a conservation district supervisor from the affected conservation district prior to the Conservation Commission making the appointment.

e) The Conservation Commission will notify all applicants, including those not appointed, of the mid-term appointments made.

f) The Conservation Commission will notify each conservation district of the mid-term appointments made.

D. Conservation District duties

1. Conservation districts must provide due notice to citizens of the opportunity to apply for appointment to a full term of office as a conservation district supervisor.

   a) Notices should be published at least several weeks before the application deadline.

   b) Copies of published notices shall be retained at the district for at least one year, and may be inspected at any time during that year by ~~must be provided to~~ the ~~Conservation~~ Commission.

   c) Notices for elections and appointments may be combined.

2. Notices to the public must include at least the following information:

   a) There is an upcoming vacant or unexpired appointed supervisor position.

   b) An applicant must be a registered voter in the state of Washington.

   c) Applicants may be required to be landowners or operators of a farm, depending on the current composition of the conservation district board of supervisors.

   d) A conservation district supervisor sets policy and direction for the conservation district.

   e) A conservation district supervisor is a public official who serves without compensation.

   f) Application forms may be obtained from ~~the conservation district or~~ the Conservation Commission website.

3. Deadlines for applications vary

   a) For full-term appointments, the deadline for applications and associated materials to be received by the Conservation Commission in Lacey, Washington, is March 31.

   b) For partial or mid-term appointments, the conservation district must consult with the Conservation Commission to determine an appropriate due date, and then publish that date.

~~4. If a conservation district receives an original application or associated documents from an applicant, the conservation district must forward to the Conservation Commission all such materials.~~

~~a) The Conservation Commission will not accept applications submitted by parties other than the applicant, but if a conservation district forwards originals, the Conservation Commission will confirm the application with the applicant.~~

~~b) If an applicant does not confirm his or her intent to apply, the application will be rejected by the Conservation Commission.~~

~~5.~~4. Conservation district procedures for a full-term appointment.

a) The application period is January 1 through March 31 in the year the appointment is to occur.

b) The conservation district must notify the newly appointed supervisor of the date and time of the next meeting of its board of supervisors.

~~6.~~5. Conservation district procedures for mid-term appointments

a) The conservation district must consult with the Conservation Commission in determining an appropriate application period and deadline for applications.

b) The application period must be at least four weeks (28 calendar days) in duration.

c) The conservation district must select a reasonable deadline for applications to be received by the Conservation Commission, preferably at least four weeks before the regular Conservation Commission meeting at which the conservation district wishes the appointment to be made.

d) A conservation district is not required to provide due notice, but should strive to do so unless an emergency exists that calls for immediate filling of the vacant office.

e) A conservation district may extend the deadline for applications upon consultation with, and agreement by, the Conservation Commission. Due notice of the extended deadline must be provided by the conservation district.

f) The conservation district must notify a newly appointed supervisor of the date and time of the next meeting of its board of supervisors.

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)~~s~~ from ~~any conservation district or from~~ the Washington State Conservation Commission's ~~, PO Box 47721, Olympia, Washington 98504-7721 or on the Conservation Commission~~ website at http://www.scc.wa.gov/elections/.
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 submitting an incomplete application or inaccurate application will not be considered for appointment until the application is corrected by the applicant.~~
   ~~c)~~b) An applicant becomes a municipal officer of the conservation district upon formal appointment by the Conservation Commission.
   ~~d)~~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 incomplete or inaccurate application will not be considered for appointment until and unless it is corrected by the applicant.~~
   ~~b)~~a) An applicant becomes a municipal officer of the conservation district upon appointment to office by the Conservation Commission.
   ~~c)~~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.

SECTION 4: VACANCY, REMOVAL, AND REPLACEMENT

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

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

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

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

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

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

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

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

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

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

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.

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

Appendix A

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

PLEASE READ THESE IMPORTANT VOTING INSTRUCTIONS

Dear registered voter:

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

TYPES OF CANDIDATES:
Per WAC 134-110-350, there are three types of candidates:
(1) A declared candidate is a qualified district elector who has submitted a candidate information form to the conservation district by the filing deadline, but has not submitted a qualified nomination petition signed by 25 registered voters. The name of this type of candidate will not appear on the ballot.
(2) A declared nominated candidate is a qualified district elector who has submitted a candidate information form and a qualified nominating petition signed by 25 registered voters to the conservation district by the filing deadline. The name of this type of candidate will appear on the ballot.
(3) An undeclared write-in candidate is a qualified district elector who has not submitted a candidate information form nor a qualified nomination petition signed by 25 registered voters to the conservation district by the filing deadline. Per WAC 135-110-360 an undeclared write-in candidate may only win if no candidates have filed by the candidate filing deadline or all the candidates who have filed have been found ineligible.

CANDIDATES IN THIS ELECTION:
[INSERT DESCRIPTION OF CANDIDATES IN THIS ELECTION].

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

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

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

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

Sincerely,
[INSERT NAME]
Election Supervisor

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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~~ballot~~ 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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[INSERT DISTRICT NAME] Conservation District

Attest Statement and Voter Eligibility Information

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

_____
Signature

Voter Eligibility Information:

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

_____
First Name Middle Initial Last Name

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

Physical home address:

_____
House number Street Unit #

_____
City

Mailing address (if different from physical home address):

_____
PO Box Number or House Number Street Unit #

_____ _____
City Phone Number

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

We ~~will~~ 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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[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 completed.

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].

Appendix B

Due Notice Compliance Notice Examples

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/*

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.*

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).***

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 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*

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.

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].

Sample Board-Authorized Automatic Re-Election of the Incumbent notice. Note: use this notice only if your Board of Supervisors, at a regular or special meeting, passed a resolution cancelling the election due to the automatic re-election of the 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].

Sample Automatic Re-Election of the Incumbent notice. Note: use this notice if your Election Supervisor has chosen to cancel the election due to the automatic re-election of the incumbent without a formal resolution from your Board of Supervisors, in 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].

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

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

"Pursuant to WAC 135-110-370, no poll site, absentee balloting or mail balloting will be performed. The XYZ 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. For further information, please contact the District at [phone]."

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

"Pursuant to WAC 135-110-370, no poll site, absentee balloting or mail balloting will be performed. The XYZ 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. For further information, please contact the District at [phone]."

Appendix C
Sample Candidate Information Template

Background:

WAC 135-110-430 allows a district to publish candidate-provided information (a candidate statement). To assist voters in the selection of a candidate during voting, a conservation district may publish information provide by a nominator or declared write-in candidate. See also this manual, pg 21. Further, if the district chooses to publish information about candidates, it must provide equal opportunity for publication and equivalent space to each candidate. WAC 135-110-430. The full text of WAC 135-110-430 is below:

WAC 135-110-430

Conservation district may publish candidate-provided information.

(1) To assist voters in the selection of a candidate during voting, a conservation district may publish information provided by nominated and declared write-in candidates.
(2) If a conservation district chooses to publish information about candidates, it must provide equal opportunity for publication and equivalent space to each nominated and declared write-in candidate.
(3) Candidate information provided by candidates and published by the conservation district may be mailed or delivered to voters before election day, but may not be provided to voters at poll sites on election day.
Districts who wish to allow candidates to publish candidate statements should consider a number of questions, including:

- How will the statement be published (web site only, posted at the district's office, other forums)?
- How long will the statement be?
- What information is required in the statement (if any)?
- What information is prohibited in the statement (if any)?
- What happens if there are inaccurate, erroneous, or offensive statements or language in the statement?
- When must the statement be provided by the candidate to the district?
- Will the statement be provided with absentee ballot requests and/or mailed to prospective voters?
- If a candidate wishes to rescind a submitted statement, will the district allow that?
- Who decides if the statement meets the parameters set by the district (i.e. it was submitted on time, it meets the length requirements, etc)?
- Will the statement be edited by the District in any way?
- What procedure would the district use to approve the publication of a candidates' statement?

Ultimately, it is the responsibility of the candidate to inform voters of the candidate's desire and qualifications to be elected to the office of conservation district supervisor. Candidates are free to run campaigns as they see fit and can provide voters with any information they choose, so long as they are lawful and otherwise comply with the Revised Code of Washington, Washington Administrative Code, and Commission elections policies and procedures.

It is up to the District to modify the template below so that it meets the District's current policy:

Sample Candidate Information Template:

Thank you for your interest in running for the office of elected supervisor of the [DISTRICT] Conservation District!

Prior to Election Day, we encourage you to take the opportunity to tell voters about who you are and how you are connected to the District and county. Please keep in mind though, that such information must not be provided within 300 feet of polls on Election Day.

There's another chance to tell voters about yourself – that is when you turn in your candidate information. The candidate information is similar to your biography – it allows you to inform voters of your desire and qualification to be elected to the office of conservation district supervisor.

If all candidates participate by the filing deadline, the District will produce a voter pamphlet with candidate information. The voter pamphlet will be posted as soon as practicable on the Districts' web page.

Your statement should be no more than 200 words. Statements must be typed. You may submit a photograph of yourself with your statement. Photos must be digital (JPEG or TIFF format), current (within 5 years), head and shoulders only portrait, light colored on plain background. Photos with scenery, flags, or other background settings will not be accepted. Color photos are preferred, black and white is acceptable. Judicial robes, law enforcement or military type uniforms are prohibited. No photo may reveal clothing or insignia suggesting that you hold a public office. Submitted photos become the property of the District.

The statement must be limited to information only about you. The District retains the right to eliminate information for space availability or content appropriateness, at the sole discretion of the District. Once submitted, the District has sole discretion to publish that information as it sees fit, provided that each candidate's statement is treated equally. Inaccurate, erroneous, or offensive statements or language in the candidate information, as determined by the District's delegated Election Supervisor, will result in the non-publication of the candidate statement.

Things to think about when you write your candidate statement:

- Describe your current occupation/employer (suggested).
- Describe your position interest (suggested).
- Describe your education (suggested).
- Information about your family (optional).
- Include a photo of yourself (suggested).

Candidate statements must be returned in the proper format, as outlined above, no later than the candidate filing deadline of [DATE], to the District at [ADDRESS]. As determined by the District, the failure to properly submit the statement will result in the non-publication of the statement. Any issue a candidate has surrounding a candidate's submitted statement must be made in writing [electronic or paper] to the District's Election Supervisor. As the delegated agent of the District, the District's Election Supervisor will resolve the issue as soon as practicable and inform the candidate of the decision in writing [electronic or paper].

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