



### *Conservation Districts and the Conservation Commission Created in Washington*

In 1939 the Washington State Legislature created Conservation districts (Districts) and the Washington State Conservation Commission (Commission) through the enactment of Revised Code of Washington (RCW) Chapter 89.08 for the purpose of conserving natural resources.

### *Powers and Duties of the Commission and Districts*

The Commission is a small state agency run by a board of ten commissioners. The 45 Districts are special divisions of local government run by an all-volunteer board of five supervisors – three who are elected locally and two who are appointed by the Commission. They serve without compensation. The term of office for each supervisor is three years. Neither the Commission nor Districts have the ability to levy taxes. This distinguishes them from other divisions of local government and makes them unique.

### *Conservation District Elections are Unique*

When created in 1939, the Commission was also given the responsibility for establishing District election procedures. *“The Commission shall establish procedures for elections, canvass the returns and announce the official results thereof.”* RCW Chapter 89.08.190. Because District election authority resides in RCW Chapter 89.08, this sets them apart from other divisions of government whose elections are governed by RCW Chapter 29A. District elections do not fall under the state statute for general elections (Title 29A RCW) unless specifically identified in the Conservation Commission statute. In fact, RCW 29A.04.330(1)(b) specifically exempts conservation districts from general and special elections requirements, relying instead of election procedures established by the Conservation Commission.

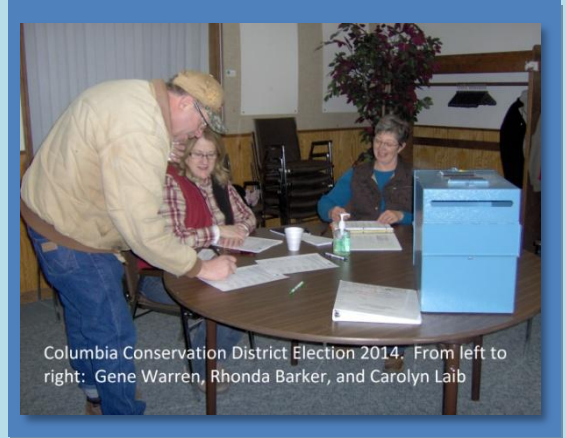
### *How Do District Elections Work?*

The Commission has adopted election rules in the Washington Administrative Code (WAC) Chapter 135-110, effective November 19, 2010. The Commission has also adopted an Election Manual which incorporates WAC Chapter 135-110 and other best practices and policies for districts, and standard election forms for District use.

Since 1939, District elections are to be conducted annually, during the months of January - March, and must comply with election rules and procedures.

The election 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 WAC Chapter 135-110.

In the event the rules, procedures, or both 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



Columbia Conservation District Election 2014. From left to right: Gene Warren, Rhonda Barker, and Carolyn Laib



privacy in voting. If a determination of significant noncompliance is made, the Conservation Commission may choose not to certify an election.

## *Unique District Elections Result in Innovation*

Districts, as divisions of local government, are given great latitude to create their own election procedures, so long as those procedures are compatible with the RCW, WAC, and Commission election procedures. As a result, there are some slight variations among districts related to the time, place and manner of their elections. For example, some Districts hold their elections in conjunction with their day-long annual meetings, while others hold elections for just four hours while their polls are open. Because RCW Chapter 29A does not govern District elections, Districts can make use of innovations such as electronic voting mechanisms unavailable to traditional government entities.

The Commission actively promotes the sovereignty of local government by allowing for procedural variations, whenever possible, among conservation districts related to how they conduct elections. Illustrations of this can be found in all aspects of elections procedures (choosing an election date, picking the type of election, and advertising methods are examples). Regardless of which variation they choose, all conservation districts place great value in the integrity of the election process. Because of this, in instances where RCW Chapter 89.08 is silent on a particular aspect of election procedure, the Commission will seek guidance from RCW Chapter 29A on how to proceed.

## *District Elections not Funded by the Counties*

While there are advantages to not being governed under typical election law, there are disadvantages as well. Chief among these is that the cost of conducting an election is borne by the Districts themselves. Districts must budget for election costs and any funds spent on elections are funds that cannot be spent to achieve their purpose to conserve natural resources.

## *Fairness and Voter Participation in District Elections*

Districts take their responsibility to conduct their elections very seriously. The Commission election rules require fairness and publication of all election-related information to the voting public. Districts routinely go above and beyond the requirements set by the Commission to promote fairness and fully-inform the public. The Commission reviews election procedures after each election cycle with an eye toward improving District elections and welcomes input from interested persons on parties on election improvements.

**For more information on Conservation District elections, how to vote in a District election, or how to become a candidate for supervisor of a Conservation District, please go to our web site or contact:**

**<http://scc.wa.gov/elections/>**

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