

Election Manual:

Election and Appointment Procedures for

Conservation District Supervisors

Washington State Conservation Commission
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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.

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

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

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

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

40 **E. General requirements**

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

- 65 accommodate the expected number of voters. Polling places must be accessible to voters. WAC 135-
66 110-250 and WAC 135-110-580.
- 67 4. Every candidate in a conservation district election must be a qualified district elector. WAC 135-110-
68 300. A qualified district elector is a registered voter residing within the boundary of the conservation
69 district where the candidate wishes to serve. In addition, some positions may be required to own
70 land or operate a farm to be eligible. WAC 135-110-310.
- 71 5. The filing deadline for candidates is four weeks before election day, unless, by formal action the
72 conservation district supervisors choose a filing deadline greater than four weeks before election
73 day. WAC 135-110-330. A conservation district may not make the filing deadline less than four
74 weeks, but may make the deadline more than four weeks, by formal action of the conservation
75 district board of supervisors. WAC 135-110-330.
- 76 6. There are three types of candidates: (1) declared, (2) declared nominated, and (3) undeclared write-
77 in candidates. WAC 135-110-350. Both declared and declared nominated candidates require the
78 filing of candidate information with the conservation district by the filing deadline. WAC 135-110-
79 350. In addition, a candidate wishing to have his or her name placed on the official ballot must
80 submit to the conservation district a nominating petition signed by at least 25 nominators by the
81 filing deadline. WAC 135-110-340. A candidate who submits a nominating petition on time, but
82 without at least 25 nominators, will be considered a declared candidate. WAC 135-110-350(1).
- 83 7. An individual who does not file candidate information with the conservation district by the filing
84 deadline is not eligible to be elected. WAC 135-110-320 and WAC 135-110-355.
- 85 8. Every physical poll site must have at least two polling officers present during the hours polls are
86 open. WAC 135-110-240. The election supervisor may serve as a polling officer at one poll site.
87 WAC 135-110-470. The conservation district must provide at least two polling officers at each poll
88 site, except the election supervisor may substitute for one polling officer at one poll site. WAC 135-
89 110-620.
- 90 9. Every individual requesting a ballot for any conservation district election must be verified as a
91 qualified district elector before a ballot is counted ~~issued~~. WAC 135-110-610. This applies to poll-site
92 elections and to mail-in elections.
- 93 10. At a poll-site election, a contested ballot must be issued if the voter's eligibility to vote cannot be
94 determined during polling and the individual wishes to vote. WAC 135-110-610.
- 95 11. All ballots or computer voting records must be retained by the conservation district for six months
96 after the election has been certified, at which time they may be destroyed, unless the election has

97 not been certified by the Conservation Commission or the election has been challenged. WAC 135-
98 110-140.

99 12. All election forms and documents submitted to the Conservation Commission must be copies. WAC
100 135-110-130. Conservation Districts must retain the original version of all election forms until ballots
101 may be discarded. WAC 135-110-130. The Conservation Commission may inspect original
102 documents. WAC 135-110-130.

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

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

111 15. Elections are final when certified and the official results are announced by the Conservation
112 Commission in May of each year or later as deemed necessary by the Commission. WAC 135-110-
113 770.

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

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

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

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

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

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

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

- 129 "Candidate" means a person seeking the office of elected conservation district supervisor who has
130 provided the required candidate information to the conservation district by the filing deadline and
131 whose eligibility to run and to serve has been verified by the conservation district.
- 132 "Canvass" and "canvassing" mean to examine carefully or scrutinize the election returns for authenticity
133 and proper count.
- 134 "Certify" and "certification" mean the canvassing of returns and the verification of substantial
135 compliance with these procedures, as performed by the Conservation Commission.
- 136 "Commission" and "Conservation Commission" mean the Washington State Conservation Commission
137 governing board and all deputies and representatives authorized to act on its behalf.
- 138 "Commission board," "Commission governing board," "Conservation Commission board," and
139 "Conservation Commission governing board" mean the governing board of the Washington State
140 Conservation Commission.
- 141 "Conservation district" and "district" mean a governmental subdivision of the State of Washington
142 organized under the provisions of RCW 89.08 Conservation Districts Law.
- 143 "Conservation district board of supervisors," "conservation district supervisors," "district supervisors,"
144 and "supervisors" mean the governing board of a conservation district, composed of elected and
145 appointed supervisors.
- 146 "Conservation district supervisor," "district supervisor," and "supervisor" mean an elected or appointed
147 board member of a local conservation district governing board, in which the governing board is referred
148 to as the board of supervisors.
- 149 "Contested ballot" or "provisional ballot" means a paper ballot issued to a voter whose qualifications as
150 a qualified district elector cannot be determined at the time the paper ballot is issued. A provisional
151 ballot consists of two envelopes and a paper ballot.
- 152 "Declared nominated candidate" and "nominated candidate" means an individual found to be a qualified
153 district elector who is eligible and who has submitted the candidate information required, including a
154 qualified nominating petition, to the conservation district by the filing deadline, and the conservation
155 district has verified the eligibility of the candidate.
- 156 "Declared vacancy" and "declared vacant" mean a declaration by the Conservation Commission that a
157 conservation district supervisor position is vacant.
- 158 "Declared write-in candidate" means a person seeking the office of elected supervisor who has provided
159 the required candidate information to the conservation district by the filing deadline, and the
160 conservation district has found the person eligible.
- 161 "Double envelope balloting" means a paper balloting system consisting of an inner and an outer
162 envelope, where a ballot is placed in an inner envelope with no personally identifying marks on it, and

163 then the inner envelope with ballot is placed in the outer envelope upon which the voter has provided
164 sufficient information to allow polling officers to verify the eligibility of the voter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 233 plans and programs, and (j) providing for the submission of the conservation district’s proposed long-
234 range program and annual work plan to the Conservation Commission.
- 235 “Nominated candidate” is an individual found to be a qualified district elector who is eligible and who
236 has submitted the candidate information required, including a qualified nominating petition, to the
237 conservation district by the filing deadline, and the conservation district has verified the eligibility of the
238 candidate.
- 239 “Nominating petition” is a list of signatures of nominators who desire a candidate’s name be placed on
240 the official ballot for a conservation district election.
- 241 “Nominator” is a qualified district elector who signs a petition nominating an individual seeking the
242 office of elected supervisor.
- 243 “Poll list” or “polling list” is a list of voters who voted in an election.
- 244 “Polling officer” means a person appointed by the election supervisor to verify voter eligibility, assure
245 compliance with this rule in and around the polling place, issue ballots, count ballots, and verify the
246 unofficial ballot count in writing to conservation district supervisors.
- 247 “Poll site” and “polling site” mean a location where votes are collected in a ballot box.
- 248 “Poll-site election” and “walk-in election” mean an election in which a voter signs in on a poll list,
249 receives a ballot from a polling officer, enters a vote for a candidate on the ballot, and places the ballot
250 in a ballot box at a polling place supervised or monitored by polling officers.
- 251 “Print media” means physical material on which information or instructions are printed. Print media
252 includes, but is not limited to, newspapers, magazines, newsletters, and handbills posted on bulletin
253 boards or otherwise made available to citizens. Print media may include one or more web pages on a
254 conservation district website, or on the Conservation Commission’s website, if at least one notice is
255 published on physical media made widely available to potential voters. Print media does not include
256 web pages on other websites, electronic mail, social networking sites, and similar electronic information
257 sharing methods.
- 258 “Provisional ballot” or “contested ballot” means a paper ballot issued to a voter whose qualifications as
259 a qualified district elector cannot be determined at the time the paper ballot is issued. A provisional
260 ballot consists of two envelopes and a paper ballot.
- 261 “Qualified district elector” is a registered voter in the county where the district is located and who
262 resides within the conservation district boundary.
- 263 “Qualified nominating petition” is a nominating petition which contains at least 25 signatures of
264 nominators.
- 265 “Remote election” is an election in which ballots are returned by some means other than for a poll-site
266 election. A mail-in election is a type of remote election.

- 267 “Resignation” and “to resign” mean the act of providing a signed and dated written notice to the
268 Conservation Commission stating the individual’s intent to terminate serving in an elective or appointive
269 office.
- 270 “Short term” or “short term of office” is a term of office less than three years in duration.
- 271 “Supervisor” means an elected or appointed board member of a local conservation district governing
272 board, in which the governing board is referred to as the board of supervisors.
- 273 “Supervisor-elect” means a supervisor who received more valid votes than any of the other candidates
274 running for the same position in a conservation district election, but the election has not yet been
275 certified by the Conservation Commission.
- 276 “Tie” or “election tie” means an election where no candidate has received a simple majority of votes
277 cast by qualified district electors, and two or more candidates have received the same number of votes
278 cast by qualified district electors.
- 279 “Undeclared write-in candidate” is an individual who has not submitted required candidate information
280 to the conservation district and who has not submitted a qualified nominating petition by the filing
281 deadline.
- 282 “Voter” means a person who submits a ballot in a conservation district election.
- 283 “Voter list” is a list of registered voters obtained from the county auditor.
- 284 “Withdrawal of candidacy” and “to withdraw” means a written notice, signed and dated by the
285 candidate, and delivered to the conservation district, stating the person's desire to be removed from
286 consideration for the office of conservation district supervisor.

287 Section 2: Elections

288 A. Information standards

- 289 1. Notice of the Intent to Adopt an Election Resolution. A notice of the intent to adopt an election
290 resolution must be published twice, at least six days between each publishing, before the meeting to
291 adopt the Election Resolution can be held. The purpose of this Notice is to inform the public that the
292 District intends to have a meeting at which the date, time, place and manner of the election will be
293 set. WAC 135-110-220.
- 294 2. Election resolution. An election resolution must be provided to the Conservation Commission on or
295 before the candidate filing deadline. WAC 135-110-210(3). The purpose of this Notice is to inform
296 the public, voters and potential candidates of the date, time, place and manner of the election. This
297 Notice must be published twice, at least six days between each publishing, before the candidate
298 filing deadline. The form provided for this purpose by the Conservation Commission is Form 1.
299 Conservation districts must provide the following information:
- 300 a) The name of the conservation district. WAC 135-110-210(2)a.
- 301 b) The date, physical location (address), and times polls will open and close for each polling place.
302 WAC 135-110-210(2)b.
- 303 c) The election method(s) selected for the election. WAC 135-110-210(2)c.
- 304 d) The final date by which voters must request absentee ballots from the district. WAC 135-110-
305 410.
- 306 e) A list showing the name of each elected and appointed conservation district supervisor with a
307 term expiring in the election and appointment cycle covered by the resolution. WAC 135-110-
308 210(2)d.
- 309 f) The filing deadline for candidates. WAC 135-110-210(2)e.
- 310 g) Identification of an individual appointed by the conservation district to fulfill the duties of
311 election supervisor, including the mailing address, email address (if available), and phone
312 number of the election supervisor. WAC 135-110-210(2)f.
- 313 h) Dated signature of at least one conservation district supervisor attesting to this information.
314 WAC 135-110-210(2)g.

- 315 3. Candidate information. Specific information must be submitted by each candidate to the
316 conservation district. WAC 135-110-320. The form provided for this purpose by the Conservation
317 Commission is Form 2. Candidates must provide the following information:
- 318 a) The name of the conservation district. WAC 135-110-320(3)a.
- 319 b) The candidate's name, residential address, mailing address, and phone number. WAC 135-110-
320 320(3)b.
- 321 c) Whether the candidate is a registered voter in the county where the conservation district is
322 located. WAC 135-110-320(3)c.
- 323 d) Whether the candidate resides inside the conservation district boundary. WAC 135-110-320(3)d.
- 324 e) Two choices, only one of which may be selected by the candidate:
- 325 i) The candidate intends to run as a declared nominated candidate with his or her name on the
326 official ballot. This option will require a validated nominating petition from the candidate.
327 WAC 135-110-350(2).
- 328 ii) The candidate intends to run as a declared candidate. The candidate's name will not appear
329 on the official ballot, and no nominating petition is required. WAC 135-110-350(1).
- 330 f) Two choices, only one of which may be selected by the candidate (WAC 135-110-320(3)e):
- 331 i) The candidate is a landowner or operator of a farm, as defined in these procedures.
- 332 ii) The candidate is not a landowner or operator of a farm, as defined in these procedures.
- 333 g) Dated signature of the candidate attesting to the information provided. WAC 135-110-320(3)f.
- 334 4. Nominating petition. A nominating petition is required for candidates who wish to have their names
335 pre-printed on the official ballot. WAC 135-110-340. The form provided for this purpose by the
336 Conservation Commission is Form 3. Candidates must provide the following information:
- 337 a) The name of the conservation district. WAC 135-110-340(2)a.
- 338 b) The name of the candidate. WAC 135-110-340(2)b.
- 339 c) The name and address of each nominator. For verification purposes, this information should
340 match the information in the voter registration rolls held by the County Auditor. WAC 135-110-
341 340(2)c.
- 342 d) Each nominator needs to sign the petition, and by their signature, state his or her wish for the
343 candidate named in the petition to be placed on the official ballot. WAC 135-110-340(2)d.
- 344 e) A notation by the conservation district next to each nominator, identifying the nominator as a
345 qualified district elector eligible to sign the petition, or found by the conservation district to be
346 ineligible. WAC 135-110-355(3).

- 347 5. Eligibility determination. The form provided for this purpose by the Conservation Commission is
348 Form 4. WAC 135-110-355. Conservation districts must provide the following information:
- 349 a) The name of the conservation district.
- 350 b) The name of the candidate or incumbent. WAC 135-110-355(2)a.
- 351 c) Whether the candidate did, or did not, submit required candidate information by the filing
352 deadline. WAC 135-110-355(2)b.
- 353 d) Whether the candidate did, or did not, submit a completed nominating petition by the filing
354 deadline. WAC 135-110-355(2)c.
- 355 e) Whether the person named on the form is, or is not, a qualified district elector on the day of
356 filing. WAC 135-110-355(2)d.
- 357 f) Whether at least two of the three elected conservation district supervisors on the conservation
358 district Board of Supervisors will be landowners or operators of farms if the candidate is elected
359 and the dated name and signature of the conservation district representative making these
360 determinations. WAC 135-110-355(2)e.
- 361 g) The total number of nominators who signed the nominating petition, and the total number of
362 nominators found to be qualified district electors eligible to sign the petition. WAC 135-110-
363 355(3).
- 364 h) A declaration that (WAC 135-110-355):
- 365 i) the candidate did submit candidate information by the filing deadline;
- 366 ii) the candidate's nominating petition was received by the filing deadline;
- 367 iii) the candidate or named individual is a qualified district elector on the day of filing;
- 368 iv) at least 25 qualified district electors did sign the nominating petition; and
- 369 v) such declaration to be signed and dated by a conservation district supervisor or the
370 appointed election supervisor.
- 371 6. Verification of compliance with due notice requirements. The form provided for this purpose by the
372 Conservation Commission is Form 5. WAC 135-110-220 and WAC 135-110-110. Conservation
373 districts must provide the following information:
- 374 a) The name of the conservation district.
- 375 b) A complete list of each published notice, by date and name of publication, or in the case of
376 electronic publications, by first date of publication and the web address. Please note: There are
377 two types of election notices: (1) Notice of the Intent to Adopt an Election Resolution: the
378 purpose of this notice is to inform the public that the District intends to have a meeting at which

- 379 the date, time, place and manner of the election will be set. This Notice must be published
380 twice, at least six days between each publishing, before the meeting to adopt the Election
381 Resolution can be held; (2) Notice of the Adopted Election Resolution: the purpose of this Notice
382 is to inform the public, voters and potential candidates of the date, time, place and manner of
383 the election. This Notice must be published twice, at least six days between each publishing,
384 before the candidate filing deadline.
- 385 c) The dated name and signature of a conservation district supervisor or election supervisor
386 attesting to compliance with due notice requirements.
- 387 d) Copies of notices, advertisements, and publications are not required, unless also used to notify
388 the public of the opportunity to apply for appointed supervisor positions.
- 389 7. Poll list. The form provided for this purpose by the Conservation Commission is Form 6. WAC 135-
390 110-550. Conservation districts and voters must provide the following information:
- 391 a) The name of the conservation district. WAC 135-110-550(2)a.
- 392 b) The location of the poll site. WAC 135-110-550(2)b.
- 393 c) Identification of this poll list as applying to a poll-site or mail-in election. WAC 135-110-550(2)b.
- 394 d) The date the polls were open. WAC 135-110-550(2)b.
- 395 e) Each voter must provide:
- 396 i) Name. WAC 135-110-550(3)a.
- 397 ii) Address that matches the voter registration list, including city. WAC 135-110-550(3)b.
- 398 iii) Signature of the voter. WAC 135-110-550(3)c.
- 399 f) For each voter, a polling officer must determine whether the voter is eligible to vote. If eligibility
400 is contested, each such determination must be initialed by the polling officer. WAC 135-110-460;
401 WAC 135-110-610.
- 402 8. Ballot results report. The form provided for this purpose by the Conservation Commission is Form 7.
403 WAC 135-110-750. Conservation districts and polling officers must provide the following
404 information:
- 405 a) The name of the conservation district. WAC 135-110-750(3)a.
- 406 b) The location of the poll site. WAC 135-110-750(3)b.
- 407 c) Identification of this report as applying to a particular poll site or to a mail-in election. WAC 135-
408 110-750(3)b.
- 409 d) The date of the election. WAC 135-110-750(3)b.

- 410 e) For each candidate:
- 411 i) Identify the candidate by name. WAC 135-110-750(4)a.
- 412 ii) Provide the number of eligible votes counted, the number of disqualified votes counted, and
413 the total number of votes received for each candidate. The total should be the eligible votes
414 plus the disqualified votes. WAC 135-110-750(4)b and (5).
- 415 iii) Identify the unofficial winner and whether the unofficial winner is a nominated candidate
416 listed on the official ballot or is a declared write-in candidate or is an undeclared write-in
417 candidate. WAC 135-110-750(6).
- 418 iv) Each ballot results reporting form must be signed and dated by the polling officers who
419 counted the ballots so reported. WAC 135-110-750(7).

420 **B. Forms and reports required**

- 421 1. Conservation districts must provide the information described in the previous section to the
422 Conservation Commission.
- 423 2. Conservation districts must use forms provided by the Conservation Commission.
- 424 3. All documents provided to the public and to the Conservation Commission should be on white or
425 light-colored paper.
- 426 4. Due dates for forms, documents, lists, reports, and applications.
- 427 a) Documents provided by a candidate to the conservation district.
- 428 i) For nominated candidates, candidate information and the nominating petition is due to the
429 conservation district by the filing deadline.
- 430 ii) For declared write-in candidates, candidate information is due to the conservation district by
431 the filing deadline.
- 432 b) Documents provided by the conservation district to the Conservation Commission in Lacey,
433 Washington.
- 434 i) A copy of the election resolution is due to the Conservation Commission by the candidate
435 filing deadline. The conservation district must retain the original.
- 436 Copies of candidate information, nominating petitions, candidate eligibility, due notice
437 compliance, poll lists, and ballot results are due to the Conservation Commission within four
438 weeks following the conservation district's last published election date. The conservation
439 district must retain all original documents.

440

TABLE 1: Forms and when forms are due

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

442 **C. Conservation Commission duties**

443 1. General

444 a) The Conservation Commission may request copies of documents and inspect original documents
445 and records.

446 2. Before elections

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

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

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

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

455 3. During a poll-site election

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

458 4. After the polls close

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

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

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

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

468 **D. Conservation District duties**

469 1. General

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

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

- 472 2. Before an election
- 473 a) Each conservation district must publish a Notice of the Intent to Adopt an Election Resolution.
474 The purpose of this notice is to inform the public that the District intends to have a meeting at
475 which the date, time, place and manner of the election will be set. This Notice must be published
476 twice, at least six days between each publishing, before the meeting to adopt the Election
477 Resolution can be held.
- 478 b) Each conservation district must hold a meeting after the Notice of the Intent to Adopt an Election
479 Resolution has been properly published. The purpose of this meeting is to adopt and Election
480 Resolution.
- 481 c) Each conservation district must publish a Notice of the Adopted Election Resolution. The
482 purpose of this Notice is to inform the public, voters and potential candidates of the date, time,
483 place and manner of the election. This Notice must be published twice, at least six days between
484 each publishing, before the candidate filing deadline. The Notice must set election date(s),
485 location(s), and polling times by resolution and that information must be communicated to the
486 Conservation Commission by the candidate filing deadline.
- 487 i) Each polling place must be open for at least four hours at a time convenient for voters in that
488 district. Two polling officers must be present.
- 489 ii) Polling places must have sufficient parking to accommodate the expected number of voters.
- 490 iii) Polling places must be accessible to those with disabilities.
- 491 iv) The election date must be in the first three calendar months of the election year. Form 1 is
492 recommended for the resolution.
- 493 v) If the election will be held by mail, the date set by the conservation district is the last date
494 ballots may be received from voters. The location will be where ballots are counted. All mail-
495 in elections must also include at least one polling place where voters can deliver their
496 completed ballots or vote as in a poll-site election.
- 497 vi) The last date voters can request absentee ballots must be set in the Notice.
- 498 d) Each conservation district must appoint an election supervisor.
- 499 i) The election supervisor may be a conservation district supervisor, conservation district
500 employee, or any other person appointed by the conservation district board of supervisors.
- 501 ii) The election supervisor serves as the primary point of contact between the conservation
502 district and the Conservation Commission for all functions to be performed by the
503 conservation district in the election and appointment of conservation district supervisors.

- 504 iii) The election supervisor organizes, coordinates, and facilitates election-related activities of
505 the conservation district related to the election and appointment of conservation district
506 supervisors. The election supervisor assures that required documentation is properly
507 completed and transmitted on time to the Conservation Commission. The election supervisor
508 may also serve as a polling officer.
- 509 iv) Conservation district supervisors remain responsible for conducting the election and for
510 complying with these published requirements and procedures.
- 511 e) For each candidate, a conservation district supervisor or the appointed election supervisor must
512 verify that specific eligibility requirements have been met and, for declared nominated
513 candidates, direct whether or not to place the name of the candidate on the ballot.
- 514 i) For each declared nominated candidate, a conservation district must:
- 515 (1) Verify that candidate information was received by the filing deadline.
- 516 (2) Verify that the nominating petition was received by the filing deadline.
- 517 (3) Verify that at least 25 qualified district electors signed the nominating petition.
- 518 (4) Determine whether the candidate is a qualified district elector.
- 519 (5) Determine whether the composition of the conservation district board will meet
520 statutory requirements if the candidate is elected.
- 521 (6) If requirements one through five above are met, the conservation district must direct that
522 the name of the candidate be placed on the ballot.
- 523 ii) For each declared candidate, a conservation district must:
- 524 (1) Verify that candidate information was received by the filing deadline.
- 525 (2) Determine whether the candidate is a qualified district elector.
- 526 (3) Determine whether the composition of the conservation district board will meet
527 statutory requirements if the candidate is elected.
- 528 iii) For each undeclared write-in candidate, a conservation district must:
- 529 (1) Verify that candidate information is received within four weeks (twenty-eight calendar
530 days) following the first date of election.
- 531 (2) Determine whether the candidate is a qualified district elector.
- 532 (3) Determine whether the composition of the conservation district board will meet
533 statutory requirements if the candidate is elected.
- 534 iv) Such determinations must be made separately for each candidate.

- 535 v) A county auditor or the Conservation Commission may assist a conservation district in
536 determining the eligibility of a candidate, upon request of the conservation district.
- 537 f) The conservation district must verify the eligibility of individuals wishing to serve, or continue to
538 serve, as an elected conservation district supervisor.
- 539 g) The conservation district must provide due notice of the election to potential voters.
- 540 i) The conservation district must publish at least two notices as defined in “due notice” and
541 “print media.” Conservation districts are strongly encouraged to exceed the minimum
542 requirements for due notice. Due notice is defined in WAC 135-110-110 and explained in
543 WAC 135-110-220.
- 544 ii) There are two types of election notices:
- 545 (1) Notice of the Intent to Adopt an Election Resolution: the purpose of this notice is to
546 inform the public that the District intends to have a meeting at which the date, time,
547 place and manner of the election will be set. This Notice must be published twice, at least
548 six days between each publishing, before the meeting to adopt the Election Resolution
549 can be held.
- 550 (2) Notice of the Adopted Election Resolution: the purpose of this Notice is to inform the
551 public, voters and potential candidates of the date, time, place and manner of the
552 election. This Notice must be published twice, at least six days between each publishing,
553 before the candidate filing deadline.
- 554 iii) The Adopted Election Resolution Notice must contain, at minimum, the following
555 information:
- 556 (1) The name of the conservation district.
- 557 (2) The date(s), location(s), and times polls open and close.
- 558 (3) That candidates must be registered voters who reside in the conservation district.
- 559 (4) That candidates may be required to be landowners or operators of a farm, depending on
560 the current composition of the conservation district board of supervisors.
- 561 (5) The last day on which voters can request absentee ballots from the district.
- 562 (6) That eligible voters are registered voters who reside in the conservation district.
- 563 (7) That a conservation district supervisor is a public official who serves without
564 compensation and who sets policy and direction for the conservation district.
- 565 (8) That published election procedures can be viewed at the conservation district office and
566 are available from the Washington State Conservation Commission.

- 567 iv) If the election is also to be held by mail, the Election notice must describe how to obtain a
568 ballot and the deadline for returning ballots.
- 569 v) For appointed position notices, refer to Section 3.D.2 of these procedures.
- 570 vi) The Election notice and notice of appointed positions may be combined.
- 571 vii) Conservation districts are strongly encouraged to exceed the minimum due notice
572 requirements so that interested parties may be informed of the opportunity to serve as a
573 conservation district supervisor.
- 574 h) The conservation district must determine the number of polling officers.
- 575 i) The conservation district must provide at least two polling officers at each poll site, except
576 the election supervisor may substitute for one polling officer at one poll site.
- 577 ii) If due notice of the election resolution and the election have been duly published by the
578 conservation district, and the only person filing by the filing deadline is the incumbent, and
579 the conservation district verifies the continued eligibility of the incumbent to serve another
580 term of office, and the incumbent has not resigned on or before the last date of election,
581 then the incumbent is automatically reelected. When an incumbent is automatically
582 reelected, no other election activities at physical poll sites or through remote election
583 processes may be performed, provided that, before election day, the conservation district
584 has informed the voting public that the incumbent has been reelected by reason of being the
585 only person filing for the position, and that no poll site, mail, or absentee balloting will be
586 performed, and on election day, signs containing this information must have been posted at
587 poll sites. Within four weeks of the first date of election as scheduled in the election
588 resolution, the conservation district must inform the Conservation Commission of the
589 automatic reelection of the incumbent. Refer to Section 2.J “Non-standard Election
590 Outcomes” in these procedures for additional information.
- 591 i) If a candidate is found by the conservation district to be ineligible, the conservation district must
592 inform the candidate of the reasons. The conservation district may not print that candidate’s
593 name on the official ballot. If the reason is the lack of sufficient nominators on the nominating
594 petition, the candidate must be considered a declared write-in candidate and the candidate must
595 be so informed by the conservation district.
- 596 j) To assist voters in the selection of a candidate during voting, a conservation district may publish
597 information provided by nominated and declared candidates.
- 598 i) If a conservation district chooses to publish information about candidates, it must provide
599 equal opportunity for publication and equivalent space to each nominated and declared
600 write-in candidate.

- 601 ii) A conservation district must not take an official position on any candidate that promotes, or
602 is prejudicial to, a candidate, nor may supervisors or employees of the conservation district
603 do so in their official capacity.
- 604 iii) On election day, information provided by candidates may not be provided to voters within
605 300 feet of the poll site.
- 606 k) A conservation district must create a ballot and provide a ballot to each person who wishes to
607 vote in the conservation district election.
- 608 i) The ballot must list the names of all candidates ordered to be placed on the ballot. Names on
609 the ballot must be listed in alphabetical order by last name, from top to bottom. Example:
610 Jane Adams would be listed above John Doe.
- 611 ii) The ballot must contain at least one blank line where a voter can enter the name of a
612 undeclared write-in candidate.
- 613 iii) One empty checkbox or blank space should be provided next to each candidate's name
614 printed on the ballot.
- 615 iv) The conservation district must provide a contested ballot to any individual wishing to vote
616 who cannot be verified as eligible to vote prior to the issuance of a ballot. A double-envelope
617 system consisting of two envelopes and a ballot must be used for all contested ballots.
- 618 v) For electronic voting, the functional equivalent of a paper ballot must be utilized.
- 619 l) The conservation district must obtain a current list of registered voters from the County Auditor
620 for all territory within the conservation district boundary.
- 621 m) The conservation district must be able to show or describe the legal boundary of the
622 conservation district to any voter or to any representative of the Conservation Commission, upon
623 demand.
- 624 3. Before a mail-in (or remote) election
- 625 a) A conservation district holding a mail-in election must appoint an election supervisor and have
626 declared at least one poll site.
- 627 b) Double-envelope voting (or the secure electronic equivalent) is required for mail-in/remote
628 elections.
- 629 i) A double-envelope system meeting the requirements for contested balloting must be used by
630 the conservation district in the mail-in election.
- 631 ii) Provision must be made for the outer envelope to show or contain sufficient information to
632 identify the voter. The voter should print his or her name and address as registered with the
633 County Auditor.

- 634 c) Due notice to voters must provide sufficient time for voters to obtain and return ballots to the
635 conservation district. Allowing at least one week after the second required notice has been
636 published is recommended.
- 637 d) Ballots must be offered to potential voters within the conservation district boundary. To receive
638 a ballot, the voter must request a ballot in the year the election is held. The election supervisor
639 must verify the voter is a qualified district elector before the ballot is counted.
- 640 4. During a poll-site election
- 641 a) Conservation district supervisors or staff may assist polling officers, but may not directly issue
642 ballots or count ballots, unless such person is also the election supervisor appointed by the
643 conservation district board of supervisors.
- 644 b) Each poll site must have a ballot box, signage, and be accessible to voters.
- 645 i) Each poll site must have at least one ballot box.
- 646 ii) Each poll site must be conspicuously identified to voters as the place to vote.
- 647 iii) Poll sites must not create undue hardship for disabled voters.
- 648 iv) Polling places must be open for a minimum of four hours at a time convenient for voters in
649 that district.
- 650 c) The conservation district must provide polling officers at each poll site.
- 651 i) Polling officers must be independent third parties who are not supervisors, employees, or
652 municipal officers of the conservation district holding the election. They must not be
653 immediate family members or live in the same household of such supervisors, employees, or
654 municipal officers.
- 655 ii) The election supervisor appointed by the conservation district may serve as a polling officer
656 at one poll site, even if he or she is a supervisor, employee, or municipal officer of the
657 conservation district holding the election. An election supervisor who also serves as a polling
658 officer has all of the responsibilities and duties listed in Section 2.F.
- 659 iii) The conservation district must provide at least two polling officers at each poll site, except
660 the election supervisor may substitute for one polling officer at one poll site.
- 661 iv) If due notice of the election resolution and the election have been duly published by the
662 conservation district, and the only person filing by the filing deadline is the incumbent, and
663 the conservation district verifies the continued eligibility of the incumbent to serve another
664 term of office, and the incumbent has not resigned on or before the last date of election,
665 then the incumbent is automatically reelected. When an incumbent is automatically
666 reelected, no other election activities at physical poll sites or through remote election
667 processes may be performed, provided that, before election day, the conservation district

- 668 has informed the voting public that the incumbent has been reelected by reason of being the
669 only person filing for the position, and that no poll site, mail, or absentee balloting will be
670 performed, and on election day, signs containing this information must have been posted at
671 poll sites. Within four weeks of the first date of election as scheduled in the election
672 resolution, the conservation district must inform the Conservation Commission of the
673 automatic reelection of the incumbent. Refer to Section 2.J “Non-standard Election
674 Outcomes” in these procedures for additional information.
- 675 v) Individuals hired temporarily to serve as polling officers are not considered employees for the
676 purposes of this section.
- 677 vi) Before the polls open, the conservation district must review with polling officers the
678 procedures for verifying voters, issuing ballots, issuing contested ballots, and tallying and
679 reporting election results.
- 680 d) Conservation districts must assure privacy in voting.
- 681 i) The ballot choice made by a voter must not be seen by any other person during the act of
682 voting or the placing of the ballot in the ballot box.
- 683 ii) Paper ballots must be placed into ballot boxes. Electronic ballots must assure at least the
684 same level of security and privacy as provided by paper balloting.
- 685 e) The conservation district must not post the names of nominated and declared write-in
686 candidates at the polls. It is the responsibility of candidates to inform the voting public of their
687 candidacy for the office of conservation district supervisor.
- 688 f) The name of a nominated candidate or declared write-in candidate who has submitted a
689 withdrawal of candidacy in writing to the conservation district may not be posted at the polling
690 place. It is the responsibility of candidates to inform the voting public of their status in seeking
691 the office of conservation district supervisor.
- 692 5. After the polls close
- 693 a) One or more conservation district supervisors, or the election supervisor, must receive from
694 polling officers the following:
- 695 i) All poll list pages;
- 696 ii) All ballots;
- 697 iii) A completed ballot results report for each polling site and for each type of election held (poll-
698 site or mail-in); and
- 699 iv) All working papers and notes made by polling officers.

- 700 b) When polling officers have transferred all properly completed forms and documents, and all
701 ballots, to a conservation district supervisor or the election supervisor, the polling officers may
702 be excused from their official duty.
- 703 c) The conservation district must deliver to the Conservation Commission copies of all properly
704 completed forms (candidate information, nominating petition, verification of eligibility,
705 verification of due notice compliance, poll list, and ballot results reports) within four weeks to
706 the Conservation Commission office in Lacey, Washington.
- 707 d) The conservation district must retain all original forms, documents, and ballots for six months
708 after the election has been certified, at which time they may be destroyed unless the election
709 has not been certified or the election is contested.

710 **E. Election Supervisor duties**

- 711 1. Before an election
- 712 a) Confirm that the election resolution has been provided to the Conservation Commission by the
713 candidate filing deadline.
- 714 b) Confirm due notice requirements have been satisfied.
- 715 c) Confirm two polling officers will be present at each poll site. One polling officer and the election
716 supervisor may substitute for the two polling officer requirement at one poll site.
- 717 d) Prepare polling officers to perform the tasks required of them by reviewing these procedures,
718 the poll list form, the ballot results form, and contested balloting, and confirm all required
719 resources are available at each polling place.
- 720 2. During a poll-site election
- 721 a) A conservation district supervisor or the election supervisor appointed by the conservation
722 district board of supervisors may extend the time polls are open, if needed to accommodate
723 voters or if needed to obtain additional ballots.
- 724 b) The election supervisor may assist polling officers but may not issue ballots in a poll-site election,
725 unless the election supervisor is serving as a polling officer as described in Section D.2.b. Ballots
726 remain in the custody of polling officers at all times during a poll-site election.
- 727 c) An election supervisor who also serves as a polling officer has all of the responsibilities and duties
728 listed in Section 2.F.
- 729 3. After the polls close
- 730 a) The election supervisor may assist polling officers, but may not count ballots, unless the election
731 supervisor is serving as a polling officer as described in Section D.2.b.

- 732 b) One or more conservation district supervisors, conservation district employees, Conservation
733 Commission representatives, or members of the public may observe the handling of ballots and
734 the counting of votes, but may not interfere or disrupt the proceedings in any way.
- 735 4. During a mail-in election
- 736 a) The election supervisor receives and safeguards mail-in or absentee ballots returned by voters.
- 737 i) The election supervisor performs all the tasks as for a poll-site election, and determines if
738 mail-in ballots are cast by qualified district electors.
- 739 ii) The election supervisor does not count ballots. Polling officers count the ballots.
- 740 b) Double-envelope voting is required for mail-in elections.
- 741 i) A double-envelope system identical to contested balloting must be used by the conservation
742 district in a mail-in election.
- 743 ii) Ballots are to be inserted in an inner envelope and sealed, with no marks or other
744 information that would identify the person voting. The outer envelope must show or contain
745 sufficient information to identify the voter. The name and address of the voter, as shown on
746 the list of registered voters obtained from the County Auditor, is recommended.
- 747 iii) Mail-in ballots are to be delivered to the election supervisor.
- 748 c) The election supervisor determines if mail-in ballots votes are submitted by qualified district
749 electors.
- 750 i) As ballots are received from voters, the election supervisor may verify each mail-in ballot as
751 eligible or disqualified based on the information provided on or in the outer envelope of the
752 mail-in ballot. Alternatively, the election supervisor may wait until all ballots are received, at
753 which time the eligibility of each voter must be verified before outer envelopes are opened.
- 754 ii) When a voter cannot be verified as eligible to vote in this election, the outer envelope must
755 not be opened, and the ballot must be counted as a disqualified ballot.
- 756 iii) The election supervisor may enlist the help of polling officers in verifying mail-in ballots as
757 eligible or disqualified.
- 758 iv) The election supervisor must not open the inner envelope containing the actual ballot.
759 Polling officers must open and count each ballot that has been verified as having been cast by
760 a qualified district elector.
- 761 v) The inner envelope for each mail-in ballot found to be cast by a person who is not a qualified
762 district elector must not be opened.

763 F. Polling Officer duties

764 1. Before an election

- 765 a) Review contested ballots: what they are, when they are issued, and how they are counted.
- 766 b) Review the poll list form and the ballot results reporting form, and how to complete them.
- 767 c) Confirm these resources are available at each poll site:
 - 768 i) Sufficient ballots for the expected number of voters;
 - 769 ii) A reasonable supply of contested ballots (double-envelope system);
 - 770 iii) A ballot box;
 - 771 iv) Voting booth or other means of assuring votes can be cast privately;
 - 772 v) A list of registered voters (voter list);
 - 773 vi) A map or description of the conservation district legal boundary;
 - 774 vii) A copy of these procedures; and
 - 775 viii) Poll list forms and ballot results reporting forms.

776 2. During a poll-site election

- 777 a) Polling officers must monitor the voting place for compliance with these procedures, and also
- 778 serve as guardians of all issued and unissued ballots.
- 779 b) Polling officers verify voters and issue ballots.
 - 780 i) A polling officer must verify a voter is a qualified district elector before issuing a ballot to the
 - 781 voter and record that determination on the poll list.
 - 782 ii) At least one polling officer must be present and in control of the ballot box(es) at all times
 - 783 while the polls are open.
 - 784 iii) At a poll-site election, a contested ballot must be issued if the voter's eligibility to vote
 - 785 cannot be determined during polling. A voter whose eligibility cannot be determined may
 - 786 only vote on a contested ballot. Contested balloting should be explained to the voter.
 - 787 Following is an example dialog:

788 *At this time, I cannot verify you are a qualified district elector eligible to vote in this*

789 *election. For your vote to be counted, you must be a registered voter living inside the*

790 *boundary of the conservation district.*

791 *Every vote is important, so if you wish to vote, I will issue you a contested ballot so that*

792 *you can vote. Election officials will determine your eligibility to vote after the polls are*

793 *closed and count all ballots.*

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

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

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

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

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

807 ii) Poll times may not be less than advertised.

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

810 3. After the polls close

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

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

814 ii) Ballots must remain in the custody of polling officers until counted. Polling officers count all
815 votes cast.

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

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

819 v) When verifying a voter who cast a contested ballot, compare the name and address provided
820 by the voter with the voter list obtained from the County Auditor.

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

824 b) Provide a completed ballot results report for each type and location of election held (poll-site
825 and mail-in) to a conservation district supervisor or the election supervisor.

- 826 c) Surrender all poll list documents, all ballots, all working notes and papers, and all ballot results
827 reports to a conservation district supervisor or the election supervisor.
- 828 d) Polling officers may announce the unofficial results of the election, subject to certification by the
829 Conservation Commission.
- 830 4. During a mail-in election
- 831 a) Polling officers receive each ballot from the election supervisor.
- 832 i) Each ballot must be sealed inside an envelope.
- 833 ii) Only one ballot may be in an envelope. If more than one ballot is found inside a single
834 envelope, all such ballots must be disqualified.
- 835 iii) A ballot in an in unsealed inner envelope must be disqualified.
- 836 b) Polling officers count votes and verify the ballot count in writing.
- 837 i) All votes must be counted: eligible, and disqualified. There are no contested ballots in a mail-
838 in election.
- 839 ii) Ballot counts are reported on the ballot results report form, which is to be provided by a
840 polling officer to a supervisor of the conservation district holding the election.
- 841 c) If the conservation district holds a poll-site election and a mail-in election, polling officers must
842 count and report ballots separately for each type of election and for each poll location. This
843 means a separate ballot results report must be completed for each type and location of election.

844 **G. Candidate duties**

- 845 1. Before an election
- 846 a) Any person wishing to be a candidate must file candidate information with the conservation
847 district by the filing deadline.
- 848 b) A candidate wishing to have his or her name pre-printed on the official ballot must provide a
849 nominating petition signed by at least 25 qualified district electors to the conservation district by
850 the filing deadline. A conservation district supervisor or the election supervisor will verify
851 nominators on the nominating petition.
- 852 c) Should a candidate wish to withdraw his or her candidacy, written notice to that effect must be
853 provided to the conservation district before election day. Notice by any other means will be
854 considered invalid. If the candidate is running as a nominated candidate and ballots have already
855 been printed, the conservation district is not obligated to reprint ballots to remove the
856 withdrawn candidate's name.

- 857 d) It is the responsibility of a candidate to inform voters of the candidate's desire and qualifications
858 to be elected to the office of conservation district supervisor. A conservation district may provide
859 equal opportunity and equivalent space to candidates for this purpose but are not required to do
860 so. Such information must not be provided within 300 feet of polls on election day.
- 861 e) Every candidate must be eligible to be elected to, and hold the office of, conservation district
862 supervisor on the day of filing candidate information with the conservation district.
- 863 2. During a poll-site election
- 864 a) Candidates may not seek to influence voters to vote for or against a specific candidate within 300
865 feet of ballot box(es).
- 866 b) Candidates may observe an election while the polls are open but may not interfere with voters or
867 polling officers.
- 868 c) Candidates may observe the counting of ballots but may not interfere with polling officers or the
869 election supervisor.
- 870 3. After the polls close
- 871 a) Candidates may not disrupt or interfere with polling officers.
- 872 b) Candidates may observe the counting of votes.
- 873 c) The supervisor-elect becomes a municipal officer upon certification of the election by the
874 Conservation Commission.

875 **H. Nominator duties**

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

884 **I. Voter duties**

- 885 1. During a poll-site election
- 886 a) No voter may seek to influence any other voters within 300 feet of the ballot box(es).

- 887 b) A voter may observe an election but may not interfere with voters or polling officers.
888 c) A voter must sign in on a poll list and provide sufficient information for a polling officer to
889 determine the individual's eligibility to vote.
890 d) Before receiving a ballot, the identity of a voter must be verified by a polling officer. Acceptable
891 forms of voter identification include:
892 i) Valid Washington State driver's license or Valid Washington State identification card; or
893 ii) Any other identification allowed for registering to vote by the Auditor of the County where
894 the conservation district is located.
895 e) A voter who cannot be confirmed at the polling place as eligible to vote may vote, but only on a
896 contested ballot issued by a polling officer.
897 2. After the polls close
898 a) Voters and other citizens may not disrupt or interfere with polling officers.

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

- 900 1. Incumbent automatically reelected if no other person files. WAC 135-110-370.
901 a) The incumbent is automatically reelected to another three-year term if:
902 i) Due notice of the election resolution and the election have been duly published by the
903 conservation district;
904 (1) The information in the election resolution been published, at least twice, a week apart,
905 the first time being at least one week before the candidate filing deadline and the second
906 at least one day before the candidate filing deadline;
907 (2) The date, time, place and manner of the election been published, at least twice, a week
908 apart, the first time being at least one week before the candidate filing deadline and the
909 second at least one day before the candidate filing deadline;
910 ii) The only person filing by the filing deadline is the incumbent;
911 (1) At the time of filing, the incumbent was a qualified district elector (at the time of filing,
912 the incumbent was a registered voter in the county where the district is located and a
913 resident within the conservation district boundary);
914 (2) At the time of filing, the incumbent submitted to the conservation district
915 (a) The name of the conservation district;
916 (b) The incumbent's name, residential address, mailing address (if different), and phone
917 number;

- 918 (c) Whether the person is a registered voter in the county where the conservation district
919 is located;
- 920 (d) Whether the person resides inside the conservation district boundary;
- 921 (e) Whether the person is a landowner or an operator of a farm; and
- 922 (f) The dated signature of the incumbent attesting to the accuracy of the information so
923 provided.
- 924 iii) The conservation district verifies the continued eligibility of the incumbent to serve another
925 term of office;
- 926 (1) The election supervisor has determined that
- 927 (a) The name of the incumbent (who filed the candidate information) is the correct legal
928 name of the individual;
- 929 (b) That the incumbent submitted candidate information by the filing deadline;
- 930 (c) That the incumbent submitted a valid nominating petition by the filing deadline;
- 931 (d) That the incumbent was a qualified district elector on the day of filing; and
- 932 (e) That at least two of the three elected conservation district supervisors on the
933 conservation district board of supervisors will be landowners or operators of farms if
934 the incumbent is elected;
- 935 iv) The incumbent has not resigned on or before the last date of election; and
- 936 v) Before election day, the conservation district must have informed the voting public that the
937 incumbent has been reelected by reason of being the only person filing for the position, and
938 that no poll site, mail, or absentee balloting will be performed, and on election day, signs
939 containing this information were posted at poll sites.
- 940 b) Within four weeks of the first date of election as scheduled in the election resolution, the
941 conservation district must inform the Conservation Commission of the automatic reelection of
942 the incumbent.
- 943 2. Undeclared write-in candidate may be elected if no person files. WAC 135-110-360.
- 944 a) If no person has filed by the filing deadline, or if the election supervisor finds ineligible all persons
945 who filed, then only undeclared write-in candidates may be elected.
- 946 i) The undeclared write-in candidate, deemed the unofficial winner, must submit required
947 candidate information to the conservation district, and
- 948 ii) Within four weeks (twenty-eight calendar days) following the first date of election, the
949 election supervisor must verify the eligibility of the unofficial winner to be elected and to
950 serve.

- 951 iii) If the conservation district is unable to verify eligibility of the unofficial winner within four
952 weeks of the election, the unofficial winner is disqualified. The person receiving the next
953 highest vote count must then submit required candidate information and the conservation
954 district must verify his or her eligibility as described above.
- 955 iv) If the undeclared write-in candidate who is the unofficial winner is found ineligible and no
956 other persons received votes, the Conservation Commission will officially announce another
957 full term of office for the incumbent on the third Thursday in May, but only upon verification
958 by the conservation district of the eligibility of the incumbent to serve in the office of elected
959 conservation district supervisor.
- 960 3. Election results in a tie. WAC 135-110-730.
- 961 a) In the case of two or more eligible candidates receiving the most votes, and each receives an
962 equal number of votes, the conservation district must recount the ballots.
- 963 b) Conservation district supervisors may perform the recount at a regular or special meeting of the
964 conservation district board of supervisors, or may charge polling officers with this duty.
- 965 c) If a tie is verified by the recount, the winner of the election must be determined by drawing of
966 names as provided under RCW 29A.60.221 to ensure the drawing is equitable to all affected
967 candidates.
- 968 i) If no more than two candidates are tied, a coin toss may be used in lieu of drawing names to
969 determine the unofficial winner.
- 970 ii) If more than two candidates are tied, only a drawing of names may be used to determine the
971 unofficial winner.
- 972 iii) A representative of the Conservation Commission must be present for any drawing of names
973 or coin toss.
- 974 d) The candidate whose name is drawn (or who wins the coin toss) becomes the supervisor-elect.
- 975 4. No eligible candidate elected. WAC 135-110-740.
- 976 a) When no eligible candidate is elected, the Conservation Commission will officially announce
977 another full term of office for the incumbent on the third Thursday in May, but only upon
978 verification by the conservation district of the eligibility of the incumbent to serve in the office of
979 elected conservation district supervisor.
- 980 b) If the conservation district determines the incumbent conservation district supervisor is no
981 longer eligible to serve in the office of elected conservation district supervisor, or if the
982 incumbent has resigned, the position is deemed vacant and the conservation district may
983 appoint an eligible successor following the official announcement by the Conservation
984 Commission.

985 **K. Emergencies**

986 1. Emergency relocation or rescheduling of election

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

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

992 i) Hazardous weather conditions;

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

994 ii) Chemical spills;

995 iii) Fire and smoke; or

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

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

999 d) When a polling site is changed in response to an emergency, and the election date is not
1000 changed, signage sufficient to notify potential voters must be provided to redirect voters to the
1001 new polling site(s). Poll times should be extended to allow for additional travel time to the
1002 relocated polls.

1003 e) When the election date is changed in response to an emergency, the conservation district should
1004 first seek to provide due notice to inform the public of the change. If due notice is not possible,
1005 the conservation district should take reasonable measures to inform the public of the change.
1006 Reasonable measures may include, but are not limited to: announcements on local radio or
1007 television; posting on web pages; announcements in newspapers; and posting of handbills or
1008 flyers.

1009 f) When one or more polling sites are changed and the date is changed in response to an
1010 emergency, the conservation district should perform the actions described above in subparts (d)
1011 and (e).

1012 g) The Conservation Commission must be informed of all emergency changes to poll locations or
1013 dates before voting begins.

SECTION 3: APPOINTMENTS

A. Information required

1. Only application forms provided by the Conservation Commission may be used to apply for the position of appointed supervisor. The Conservation Commission will make these application forms available to conservation districts and interested citizens.
2. The information the Conservation Commission will require on the application form includes:
 - a) The name of the conservation district.
 - b) The name, residential address, mailing address, phone number, and email address (if available) for the applicant.
 - c) Yes/No questions about the applicant being a registered voter, whether the applicant is a landowner or operator of a farm, whether the applicant resides inside the district, and whether the applicant owns land inside the district.
 - 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) The dated signature of the applicant.

B. Forms and reports required

1. Conservation districts must provide to the Conservation Commission copies of advertisements and publications used to notify the community of the ability to apply for an appointed conservation district supervisor position.

- 1043 2. Documents provided by applicants for the office of appointed supervisor to the Conservation
1044 Commission in Lacey, Washington.
- 1045 a) General
- 1046 i) Applications must be originals, not copies.
- 1047 ii) Applications and associated documents are to be delivered to the Conservation Commission
1048 in Lacey, Washington.
- 1049 iii) An applicant should keep a copy of the application and associated documents until the
1050 Conservation Commission confirms receipt of submitted materials.
- 1051 iv) Letters of recommendation, resumés, and other items do not need to be included with the
1052 application.
- 1053 v) Late applications and associated documents cannot be considered.
- 1054 vi) The Conservation Commission will not consider applications submitted by someone other
1055 than the applicant.
- 1056 b) For appointment to a full term of office
- 1057 i) The original application and all associated documents are due to the Conservation
1058 Commission by the close of business on the last working day in March.
- 1059 ii) All associated documents and information to be considered as part of the application must be
1060 received by the close of business on the last working day in March.
- 1061 iii) If an incumbent holding the office of appointed conservation district supervisor wishes to be
1062 reappointed, the incumbent must reapply for appointment. This clearly identifies to the
1063 Conservation Commission the wishes of the incumbent, and allows the Conservation
1064 Commission to verify the eligibility of the incumbent to continue his or her service.
- 1065 c) For appointment to a partial term of office
- 1066 i) In consultation with the Conservation Commission, the conservation district will establish a
1067 deadline for applications and publicize that date.
- 1068 ii) Applications and associated documents are to be delivered to the Conservation Commission
1069 in Lacey, Washington.

1070 **C. Conservation Commission duties**

- 1071 1. The Conservation Commission must notify affected parties.
- 1072 a) The Conservation Commission must notify each conservation district of upcoming vacancies in
1073 the position of appointed conservation district supervisor by January 15 of the year in which
1074 terms expire.

- 1075 b) The Conservation Commission must notify each appointed supervisor whose term is expiring by
1076 January 15 of the year in which the term expires.
- 1077 2. The Conservation Commission must make these procedures and appropriate application forms
1078 available to any interested person.
- 1079 3. The Conservation Commission must provide copies of applications to the conservation district prior
1080 to the Conservation Commission making an appointment.
- 1081 4. The Conservation Commission may supplement at its cost any conservation district notice or
1082 advertising for applicants for appointed supervisor.
- 1083 5. In the event an incomplete application is received, the Conservation Commission will attempt to
1084 contact the applicant so the application can be corrected. However, the Conservation Commission is
1085 not bound to perform any additional investigation or due diligence if an applicant does not respond
1086 or if the application remains incomplete.
- 1087 6. In the event no applications are submitted from qualified applicants for a conservation district, the
1088 Conservation Commission may seek qualified applicants from the community served by the
1089 conservation district.
- 1090 7. Conservation Commission procedures for full-term appointments.
- 1091 a) Full-term appointments will be made annually at the regular Conservation Commission meeting
1092 to be held the third Thursday in May of each year.
- 1093 b) The term of office will be three years. The term of office for a full-term appointment will expire
1094 on the third Thursday of May three years following the appointment.
- 1095 c) Prior to the May meeting of the Conservation Commission Board, the Conservation Commission
1096 will evaluate all applications received by March 31 in the year the position is open for
1097 appointment.
- 1098 d) The Conservation Commission will evaluate the suitability and capability of all applicants for the
1099 position of appointed supervisor.
- 1100 e) A Conservation Commission representative will contact a conservation district supervisor from
1101 the affected conservation district prior to the Conservation Commission making the
1102 appointment.
- 1103 f) The Conservation Commission will notify all applicants, including those not appointed, of the
1104 appointments made at its May meeting.
- 1105 g) The Conservation Commission must notify each conservation district of the appointments made
1106 following the May meeting.

- 1107 8. Conservation Commission procedures for mid-term appointments.
- 1108 a) The term of office will be until the end of the original full-term.
- 1109 b) To assure continuity of district operations and effectiveness in administering the authorized
1110 conservation program of the conservation district, the Conservation Commission may act on an
1111 application for mid-term appointment at any time, as determined solely by the Conservation
1112 Commission.
- 1113 c) The Conservation Commission will evaluate the suitability and capability of all applicants for the
1114 position of appointed supervisor.
- 1115 d) A Conservation Commission representative will contact a conservation district supervisor from
1116 the affected conservation district prior to the Conservation Commission making the
1117 appointment.
- 1118 e) The Conservation Commission will notify all applicants, including those not appointed, of the
1119 mid-term appointments made.
- 1120 f) The Conservation Commission will notify each conservation district of the mid-term
1121 appointments made.

1122 **D. Conservation District duties**

- 1123 1. Conservation districts must provide due notice to citizens of the opportunity to apply for
1124 appointment to a full term of office as a conservation district supervisor.
- 1125 a) Notices should be published at least several weeks before the application deadline.
- 1126 b) Copies of published notices must be provided to the Conservation Commission.
- 1127 c) Notices for elections and appointments may be combined.
- 1128 2. Notices to the public must include at least the following information:
- 1129 a) There is an upcoming vacant or unexpired appointed supervisor position.
- 1130 b) Applicants may be required to be landowners or operators of a farm, depending on the current
1131 composition of the conservation district board of supervisors.
- 1132 c) A conservation district supervisor sets policy and direction for the conservation district.
- 1133 d) A conservation district supervisor is a public official who serves without compensation.
- 1134 e) Application forms may be obtained from the conservation district and the Conservation
1135 Commission.

- 1136 3. Deadlines for applications vary
- 1137 a) For full-term appointments, the deadline for applications and associated materials to be received
1138 by the Conservation Commission in Lacey, Washington, is the close of business on the last
1139 working day of March.
- 1140 b) For partial or short-term appointments, the conservation district must consult with the
1141 Conservation Commission to determine an appropriate due date, and then publish that date.
- 1142 4. If a conservation district receives an original application or associated documents from an applicant,
1143 the conservation district must forward to the Conservation Commission all such materials.
- 1144 a) The Conservation Commission will not accept applications submitted by parties other than the
1145 applicant, but if a conservation district forwards originals, the Conservation Commission will
1146 confirm the application with the applicant.
- 1147 b) If an applicant does not confirm his or her intent to apply, the application will be rejected by the
1148 Conservation Commission.
- 1149 5. Conservation district procedures for a full-term appointment.
- 1150 a) The application period is January 1 through March 31 in the year the appointment is to occur.
- 1151 b) The conservation district must notify the newly appointed supervisor of the date and time of the
1152 next meeting of its board of supervisors.
- 1153 6. Conservation district procedures for mid-term appointments
- 1154 a) The conservation district must consult with the Conservation Commission in determining an
1155 appropriate application period and deadline for applications.
- 1156 b) The application period must be at least four weeks (28 calendar days) in duration.
- 1157 c) The conservation district must select a reasonable deadline for applications to be received by the
1158 Conservation Commission, preferably at least four weeks before the regular Conservation
1159 Commission meeting at which the conservation district wishes the appointment to be made.
- 1160 d) A conservation district is not required to provide due notice, but should strive to do so unless an
1161 emergency exists that calls for immediate filling of the vacant office.
- 1162 e) A conservation district may extend the deadline for applications upon consultation with, and
1163 agreement by, the Conservation Commission. Due notice of the extended deadline must be
1164 provided by the conservation district.
- 1165 f) The conservation district must notify a newly appointed supervisor of the date and time of the
1166 next meeting of its board of supervisors.

E. Applicant duties

1. Applicants for the position of appointed supervisor of a conservation district must be qualified registered voters.
2. Applicants may obtain the application forms from any conservation district or from the Washington Conservation Commission, PO Box 47721, Olympia, Washington 98504-7721 or on the Conservation Commission website at <http://www.scc.wa.gov/>.
3. Applicant procedures for full-term appointments.
 - a) The application and all supporting materials are due at the Conservation Commission headquarters in Lacey, Washington no later than the last day of March in the year the position is open for appointment.
 - 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) An applicant becomes a municipal officer of the conservation district upon formal appointment by the Conservation Commission.
 - d) 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.
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) An applicant becomes a municipal officer of the conservation district upon appointment to office by the Conservation Commission.
 - 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.

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.

1217 **F. Declaration voiding an election or appointment – WAC 135-110-**
1218 **950**

- 1219 1. The office held by a conservation district supervisor is vacant upon the decision of a competent
1220 tribunal declaring void his or her election or appointment.

1221 **G. Removal from office – WAC 135-110-960**

- 1222 1. As provided in RCW 89.08.200, a conservation district supervisor may be removed from office by the
1223 conservation commission governing board upon notice and hearing for neglect of duty or
1224 malfeasance.
- 1225 2. The conservation commission must provide notice to the supervisor detailing the specific elements
1226 of the neglect of duty or malfeasance for which removal is sought. The supervisor shall be given the
1227 opportunity to respond in writing to the elements contained in the notice within thirty days of the
1228 notice to the supervisor from the conservation commission. Notice to the supervisor from the
1229 conservation commission shall be by certified mailing to the address of record for that supervisor.
- 1230 3. The conservation commission must hold at least one public hearing no earlier than sixty days from
1231 the date of certified mailing to the supervisor in the area served by the conservation district
1232 supervisor before acting to remove the incumbent from office.
- 1233 4. Following the public hearing, the conservation commission shall vote on the removal of the
1234 supervisor based on official findings of fact detailing the cause or causes of removal.

1235 **H. Replacement – WAC 135-110-970**

- 1236 1. A vacancy in the office of elected conservation district supervisor is filled by the conservation district
1237 board of supervisors for the remainder of the unexpired term, subject to the verification of
1238 supervisor qualifications by the conservation commission. While due notice to the affected
1239 community is strongly recommended, it is not required.
- 1240 2. A vacancy in the office of appointed conservation district supervisor is filled by the Conservation
1241 Commission for the remainder of the unexpired term. The conservation district may publish due
1242 notice of the vacancy.
- 1243 a) Conservation Commission requirements are identified in Section 3.C.8 of these procedures.
- 1244 b) Conservation district requirements are identified in Section 3.D.6 of these procedures.