

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6572

57th Legislature
2002 Regular Session

Passed by the Senate February 16, 2002
YEAS 47 NAYS 1

President of the Senate

Passed by the House March 5, 2002
YEAS 92 NAYS 5

**Speaker of the
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6572** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

Approved

FILED

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6572

Passed Legislature - 2002 Regular Session

State of Washington

57th Legislature

2002 Regular Session

By Senate Committee on Agriculture & International Trade (originally sponsored by Senators Rasmussen, Morton, Carlson and Benton)

READ FIRST TIME 02/08/2002.

1 AN ACT Relating to conservation district supervisors; amending RCW
2 29.13.020 and 89.08.190; adding a new section to chapter 42.17 RCW;
3 creating new sections; providing an expiration date; and declaring an
4 emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that there are
7 conflicting interpretations as to the intent of the legislature in the
8 enactment of chapter 305, Laws of 1999. The purpose of this act is to
9 make statutory changes that further clarify this intent.

10 It is the intent of the legislature that elections of conservation
11 district supervisors continue to be conducted under procedures in the
12 conservation district statutes, chapter 89.08 RCW, and that such
13 elections not be conducted under the general election laws contained in
14 Title 29 RCW. Further, it is the intent of the legislature that there
15 be no change made with regard to applicability of the public disclosure
16 act, chapter 42.17 RCW, to conservation district supervisors from those
17 that existed before the enactment of chapter 305, Laws of 1999.

1 **Sec. 2.** RCW 29.13.020 and 1994 c 142 s 2 are each amended to read
2 as follows:

3 (1) All city, town, and district general elections shall be held
4 throughout the state of Washington on the first Tuesday following the
5 first Monday in November in the odd-numbered years.

6 This section shall not apply to:

7 (a) Elections for the recall of any elective public officer;

8 (b) Public utility districts, conservation districts, or district
9 elections at which the ownership of property within those districts is
10 a prerequisite to voting, all of which elections shall be held at the
11 times prescribed in the laws specifically applicable thereto;

12 (c) Consolidation proposals as provided for in RCW 28A.315.280 and
13 nonhigh capital fund aid proposals as provided for in chapter 28A.540
14 RCW.

15 (2) The county auditor, as ex officio supervisor of elections, upon
16 request in the form of a resolution of the governing body of a city,
17 town, or district, presented to the auditor at least forty-five days
18 prior to the proposed election date, may, if the county auditor deems
19 an emergency to exist, call a special election in such city, town, or
20 district, and for the purpose of such special election he or she may
21 combine, unite, or divide precincts. Except as provided in subsection
22 (3) of this section, such a special election shall be held on one of
23 the following dates as decided by the governing body:

24 (a) The first Tuesday after the first Monday in February;

25 (b) The second Tuesday in March;

26 (c) The fourth Tuesday in April;

27 (d) The third Tuesday in May;

28 (e) The day of the primary election as specified by RCW 29.13.070;

29 or

30 (f) The first Tuesday after the first Monday in November.

31 (3) In a presidential election year, if a presidential preference
32 primary is conducted in February, March, April, or May under chapter
33 29.19 RCW, the date on which a special election may be called under
34 subsection (2) of this section during the month of that primary is the
35 date of the presidential primary.

36 (4) In addition to subsection (2)(a) through (f) of this section,
37 a special election to validate an excess levy or bond issue may be
38 called at any time to meet the needs resulting from fire, flood,
39 earthquake, or other act of God, except that no special election may be

1 held between the first day for candidates to file for public office and
2 the last day to certify the returns of the general election other than
3 as provided in subsection (2)(e) and (f) of this section. Such special
4 election shall be conducted and notice thereof given in the manner
5 provided by law.

6 (5) This section shall supersede the provisions of any and all
7 other statutes, whether general or special in nature, having different
8 dates for such city, town, and district elections, the purpose of this
9 section being to establish mandatory dates for holding elections.

10 **Sec. 3.** RCW 89.08.190 and 1973 1st ex.s. c 184 s 20 are each
11 amended to read as follows:

12 Within thirty days after the issuance of the certificate of
13 organization, unless the time is extended by the commission, petitions
14 shall be filed with the commission to nominate candidates for the three
15 elected supervisors. The petition shall be signed by not less than
16 twenty-five district electors, and a district elector may sign
17 petitions nominating more than one person.

18 In the case of a new district, the commission shall give due notice
19 to elect the three supervisors. All provisions pertaining to elections
20 on the creation of a district shall govern this election so far as
21 applicable. The names of all nominees shall appear on the ballot in
22 alphabetical order, together with instructions to vote for three. The
23 three candidates receiving the most votes shall be declared elected
24 supervisors, the one receiving the most being elected for a three-year
25 term, the next for two and the last for one year. An alternate method
26 of dividing the district into three zones may be used when requested by
27 the board of supervisors and approved by the commission. In such case,
28 instructions will be to vote for one in each zone. The candidate
29 receiving the most votes in a zone shall be declared elected.

30 Each year after the creation of the first board of supervisors, the
31 board shall by resolution and by giving due notice, set a date during
32 the first quarter of each calendar year at which time it shall conduct
33 an election, except that for elections in 2002 only, the board shall
34 set the date during the second quarter of the calendar year at which
35 time it shall conduct an election. Names of candidates nominated by
36 petition shall appear in alphabetical order on the ballots, together
37 with an extra line wherein may be written in the name of any other
38 candidate. The commission shall establish procedures for elections,

1 canvass the returns and announce the official results thereof.
2 Election results may be announced by polling officials at the close of
3 the election subject to official canvass of ballots by the commission.
4 Supervisors elected shall take office at the first board meeting
5 following the election.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 42.17 RCW
7 to read as follows:

8 Elections of conservation district supervisors held pursuant to
9 chapter 89.08 RCW shall not be considered general or special elections
10 for purposes of the campaign disclosure and personal financial affairs
11 reporting requirements of this chapter. Elected conservation district
12 supervisors are not considered elected officials for purposes of the
13 annual personal financial affairs reporting requirement of this
14 chapter.

15 NEW SECTION. **Sec. 5.** (1) A work group on conservation district
16 elections is created, comprised of seven members who are appointed as
17 follows:

18 (a) The chair who shall be a person with expertise and experience
19 in local elections, to be named by the president of a statewide
20 organization of county auditors; and

21 (b) Six members appointed by agreement of the president of the
22 senate and the speaker of the house of representatives with the
23 following qualifications:

24 (i) Two persons who are landowners and are currently conservation
25 district supervisors selected from a list nominated by a statewide
26 association representing conservation district supervisors;

27 (ii) Two persons who are landowners and are not currently
28 conservation district supervisors, one whom is selected from a list
29 nominated by a statewide dairy organization and the other whom is
30 selected from a list nominated by a statewide agricultural
31 organization;

32 (iii) One person who is selected from a list nominated by a
33 statewide environmental organization and is knowledgeable about
34 conservation district operations; and

35 (iv) One person representing county governments selected from a
36 list nominated by the Washington association of counties.

1 (2) The work group shall conduct a review of conservation district
2 election procedures and prepare recommendations for changes and
3 improvements to the procedures including but not limited to:

4 (a) Defining eligibility requirements for holding the office of
5 conservation district supervisor;

6 (b) Determining what public agency should be responsible for
7 overseeing and certifying conservation district elections;

8 (c) Determining whether or not conservation district supervisors
9 should be required to report under chapter 42.17 RCW;

10 (d) Determining the cost of proposed changes and how the costs of
11 conservation district elections should be paid; and

12 (e) Determining what actions the conservation commission should
13 take in response to implementing the recommendations of the work group
14 for any elections conducted under chapter 89.08 RCW.

15 (3) The work group shall convene as soon as possible upon the
16 appointment of its members. The work group shall provide progress
17 reports as requested by the house of representatives committee on
18 agriculture and ecology and the senate committee on agriculture and
19 international trade during scheduled legislative committee assemblies
20 or at other meetings of these committees.

21 (4) The work group may conduct town hall meetings in different
22 regions of the state before submitting the recommendations to the
23 legislature. The open public meetings act, chapter 42.30 RCW, applies
24 to meetings conducted under this section. The work group shall
25 announce the location and time of meetings.

26 (5) The work group shall provide a report of its findings and
27 recommendations to the secretary of the senate and the chief clerk of
28 the house of representatives by December 15, 2002.

29 (6) No additional funds may be appropriated for the purposes of the
30 work group or the report in this section.

31 (7) This section expires April 15, 2003.

32 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
33 preservation of the public peace, health, or safety, or support of the
34 state government and its existing public institutions, and takes effect
35 immediately.

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