
HOUSE BILL 1652

State of Washington

67th Legislature

2022 Regular Session

By Representatives Dolan, Lekanoff, Shewmake, Fitzgibbon, Goodman, and Tharinger

Prefiled 12/16/21. Read first time 01/10/22. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to conservation district elections; and amending
2 RCW 89.08.190, 89.08.200, 29A.04.330, 29A.52.220, and 42.17A.010.

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

4 **Sec. 1.** RCW 89.08.190 and 2002 c 43 s 3 are each amended to read
5 as follows:

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

12 In the case of a new district, the commission shall give due
13 notice to elect the three supervisors. All provisions pertaining to
14 elections on the creation of a district shall govern this election so
15 far as applicable. The names of all nominees shall appear on the
16 ballot in alphabetical order, together with instructions to vote for
17 three. The three candidates receiving the most votes shall be
18 declared elected supervisors, the one receiving the most being
19 elected for a (~~three-year~~) four-year term, the next for (~~two~~)
20 three and the last for (~~one-year~~) two years. An alternate method of
21 dividing the district into three zones may be used when requested by

1 the board of supervisors and approved by the commission. In such
2 case, instructions will be to vote for one in each zone. The
3 candidate receiving the most votes in a zone shall be declared
4 elected.

5 ~~((Each year after))~~ After the creation of the first board of
6 supervisors, supervisor terms of office shall be four years. An
7 election shall be held every other year in odd-numbered years. In
8 each odd-numbered year after the creation of the first board of
9 supervisors, the board shall by resolution and by giving due notice,
10 set a date during the ~~((first quarter of each calendar year at which~~
11 ~~time it shall conduct an election, except that for elections in 2002~~
12 ~~only, the board shall set the date during the second quarter of the~~
13 ~~calendar year at which time it shall conduct an election))~~ month
14 identified by the conservation commission within which all
15 conservation district elections shall be held. Names of candidates
16 nominated by petition shall appear in alphabetical order on the
17 ballots, together with an extra line wherein may be written in the
18 name of any other candidate. The commission shall establish
19 procedures for elections, canvass the returns and announce the
20 official results thereof. Election results may be announced by
21 polling officials at the close of the election subject to official
22 canvass of ballots by the commission. Supervisors elected shall take
23 office at the first board meeting following the election.

24 A district board of supervisors may choose to conduct the
25 election of supervisors subject to Title 29A RCW. Such change by the
26 district board of supervisors must be made by a vote of a majority of
27 the district supervisors following public notice and a hearing on the
28 proposal. The district must notify the commission of the proposed
29 motion and public notice of the action. In the event a district
30 chooses to conduct the election subject to Title 29A RCW, rules and
31 guidance developed by the commission for the conduct of supervisor
32 elections do not apply and the district must comply with all
33 provisions of Title 29A RCW.

34 Conservation district supervisors may choose to remove the
35 district election from the Title 29A RCW process and revert to the
36 commission election process by a majority vote of the supervisors.
37 Such vote shall not take place until at least six years has passed
38 since the district supervisors has passed a resolution to conduct
39 supervisor elections consistent with Title 29A RCW.

1 **Sec. 2.** RCW 89.08.200 and 2013 c 23 s 550 are each amended to
2 read as follows:

3 The term of office of each supervisor shall be (~~three~~) four
4 years and until his or her successor is appointed or elected and
5 qualified, except that the supervisors first appointed shall serve
6 for (~~one~~) two and (~~two~~) three years respectively from the date of
7 their appointments, as designated in their appointments.

8 In the case of elected supervisors, the term of office of each
9 supervisor shall be (~~three~~) four years and until his or her
10 successor is elected and qualified, except that for the first
11 election, the one receiving the largest number of votes shall be
12 elected for (~~three~~) four years; the next largest (~~two~~) three
13 years; and the third largest (~~one-year~~) two years. Successors shall
14 be elected for (~~three-year~~) four-year terms.

15 Vacancies in the office of appointed supervisors shall be filled
16 by the state conservation commission. Vacancies in the office of
17 elected supervisors shall be filled by appointment made by the
18 remaining supervisors for the unexpired term.

19 A majority of the supervisors shall constitute a quorum and the
20 concurrence of a majority is required for any official action or
21 determination.

22 Supervisors shall serve without compensation, but they shall be
23 entitled to expenses, including traveling expenses, necessarily
24 incurred in discharge of their duties. A supervisor may be removed by
25 the state conservation commission upon notice and hearing, for
26 neglect of duty or malfeasance in office, but for no other reason.

27 The governing board shall designate a chair from time to time.

28 **Sec. 3.** RCW 29A.04.330 and 2015 c 146 s 2 are each amended to
29 read as follows:

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

33 This section shall not apply to:

- 34 (a) Elections for the recall of any elective public officer;
35 (b) Public utility districts, conservation districts using RCW
36 89.08.190 to conduct their elections, or district elections at which
37 the ownership of property within those districts is a prerequisite to
38 voting, all of which elections shall be held at the times prescribed
39 in the laws specifically applicable thereto;

1 (c) Consolidation proposals as provided for in RCW 28A.315.235
2 and nonhigh capital fund aid proposals as provided for in chapter
3 28A.540 RCW; and

4 (d) Special flood control districts consisting of three or more
5 counties.

6 (2) The county auditor, as ex officio supervisor of elections,
7 upon request in the form of a resolution of the governing body of a
8 city, town, or district, presented to the auditor prior to the
9 proposed election date, shall call a special election in such city,
10 town, or district, and for the purpose of such special election he or
11 she may combine, unite, or divide precincts. Such a special election
12 shall be held on one of the following dates as decided by the
13 governing body:

14 (a) The second Tuesday in February;

15 (b) The fourth Tuesday in April;

16 (c) The day of the primary election as specified by RCW
17 29A.04.311; or

18 (d) The first Tuesday after the first Monday in November.

19 (3) A resolution calling for a special election on a date set
20 forth in subsection (2)(a) and (b) of this section must be presented
21 to the county auditor at least sixty days prior to the election date.
22 A resolution calling for a special election on a date set forth in
23 subsection (2)(c) of this section must be presented to the county
24 auditor no later than the Friday immediately before the first day of
25 regular candidate filing. A resolution calling for a special election
26 on a date set forth in subsection (2)(d) of this section must be
27 presented to the county auditor no later than the day of the primary.

28 (4) In addition to subsection (2)(a) through (d) of this section,
29 a special election to validate an excess levy or bond issue may be
30 called at any time to meet the needs resulting from fire, flood,
31 earthquake, or other act of God, except that no special election may
32 be held between the first day for candidates to file for public
33 office and the last day to certify the returns of the general
34 election other than as provided in subsection (2)(c) and (d) of this
35 section. Such special election shall be conducted and notice thereof
36 given in the manner provided by law.

37 (5) This section shall supersede the provisions of any and all
38 other statutes, whether general or special in nature, having
39 different dates for such city, town, and district elections, the

1 purpose of this section being to establish mandatory dates for
2 holding elections.

3 **Sec. 4.** RCW 29A.52.220 and 2013 c 195 s 1 are each amended to
4 read as follows:

5 (1) No primary may be held for any single position in any
6 nonpartisan office if, after the last day allowed for candidates to
7 withdraw, there are no more than two candidates filed for the
8 position. The county auditor shall as soon as possible notify all the
9 candidates so affected that the office for which they filed will not
10 appear on the primary ballot.

11 (2) No primary may be held for the office of commissioner of a
12 park and recreation district (~~or fer~~), the office of cemetery
13 district commissioner, or the office of conservation district
14 supervisor.

15 (3) Names of candidates for offices that do not appear on the
16 primary ballot shall be printed upon the general election ballot in
17 the manner specified by RCW 29A.36.131.

18 **Sec. 5.** RCW 42.17A.010 and 2002 c 43 s 4 are each amended to
19 read as follows:

20 Elections of conservation district supervisors held pursuant to
21 chapter 89.08 RCW shall not be considered general or special
22 elections for purposes of the campaign disclosure and personal
23 financial affairs reporting requirements of this chapter. Elections
24 of conservation district supervisors held pursuant to Title 29A RCW
25 are not subject to the campaign disclosure and personal financial
26 affairs reporting requirements of this chapter. Elected conservation
27 district supervisors are not considered elected officials for
28 purposes of the annual personal financial affairs reporting
29 requirement of this chapter.

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