

# HOUSE BILL REPORT

## HB 1652

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**As Reported by House Committee On:**  
State Government & Tribal Relations

**Title:** An act relating to conservation district elections.

**Brief Description:** Concerning conservation district elections.

**Sponsors:** Representatives Dolan, Lekanoff, Shewmake, Fitzgibbon, Goodman and Tharinger.

**Brief History:**

**Committee Activity:**

State Government & Tribal Relations: 1/12/22, 2/2/22 [DPS].

**Brief Summary of Substitute Bill**

- Lengthens conservation district board of supervisor terms from three to four years.
- Provides that conservation district elections occur in odd-numbered years.
- Permits conservation districts to choose to hold their elections under Title 29A, the regular election process used for federal, state, and many local offices.
- Requires conservation district supervisors, as well as candidates or applicants, to submit a statement of financial affairs for public disclosure.

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### HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass.  
Signed by 4 members: Representatives Valdez, Chair; Lekanoff, Vice Chair; Volz, Ranking Minority Member; Dolan.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Minority Report:** Without recommendation. Signed by 3 members: Representatives Walsh, Assistant Ranking Minority Member; Graham and Gregerson.

**Staff:** Jason Zolle (786-7124).

**Background:**

Special purpose districts are local governments formed for a limited purpose that are separate from a county, city, or town government. There are more than 80 types of special purpose districts in Washington, providing services such as fire protection, libraries, water and sewer treatment, and mosquito control.

Conservation Districts.

The State Conservation Commission (SCC) consists of 10 members, two of whom are appointed by the Governor and three of whom are elected by conservation district supervisors. The directors of the departments of Ecology and Agriculture, the Commissioner of Public Lands, the President of the Washington Association of Conservation Districts, and the Dean of the College of Agriculture at Washington State University are ex officio members of the SCC.

Conservation districts are special purpose districts that are organized to promote the conservation of renewable natural resources. A conservation district may be formed when 20 percent of the voters within the proposed district area file a petition with the SCC. A public hearing is then held, and the SCC may call an election if it finds that the public health, safety, and welfare warrant the creation of the district. If a majority of voters support a district, the SCC then determines whether the project is practicable. If so, the district is created.

*Board of Supervisors.* The board of supervisors of a conservation district is comprised of five members, three of whom are elected to staggered three-year terms. Two of the three elected supervisors must be landowners or operators of a farm. The other two supervisors are appointed by the SCC; one must be a landowner or the operator of a farm.

*Voting Rights.* The SCC may determine the qualifications necessary to vote. By SCC rule, an individual registered to vote in the county where the district is located and who resides within the conservation district boundaries may vote.

*Election Mechanics.* For the creation of a district, the SCC sets the date of the election and designates the polling places. For elections to the board of supervisors, the board of supervisors sets the date of the election during the first quarter of the calendar year. To appear on the ballot, a person must file a petition signed by 25 electors.

Title 29A Elections.

Other than some types of special districts and a few other exceptions, local government and

special district elections are conducted under Title 29A. Candidates file for office during a filing period in May; a primary is held to narrow the field to two candidates in August; and a general election is held on the first Tuesday after the first Monday in November. General elections for local government candidates are conducted in odd-numbered years, except for counties in which the charter specifies even-year elections. Special elections may be called by a county auditor on one of four days (one in February, one in April, and the date of the August primary or November general election) when the legislative authority so requests.

Ballots are mailed to voters by the county auditor, who largely conducts the elections at the county level, and returned ballots are canvassed by a county canvassing board. Each registered voter is entitled to one vote in the local government races for the jurisdictions in which the voter resides. Elections are overseen by the Office of the Secretary of State. The Public Disclosure Commission (PDC) oversees campaign finance laws and rules for these elections.

#### Statements of Financial Affairs.

Every year, all elected officials and executive state officers must file a Statement of Financial Affairs for the preceding calendar year with the PDC. Statements are also required of every candidate for such elected offices. These statements are called F-1 statements. According to the PDC, the F-1 statements are intended to allow the public to assess whether state officials may have conflicts of interest. "Executive state officer" is defined to include the director of many state agencies, councils, and commissions.

Subject to certain monetary thresholds, the F-1 statements must include information about a person's:

- bank accounts, savings accounts, and insurance policies;
- debts;
- other public or private offices, directorships, and positions as a trustee;
- other sources of compensation;
- real property ownership and interests within Washington; and
- acceptance of food, beverage, and gifts.

Elected conservation district supervisors are exempted from this requirement.

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#### **Summary of Substitute Bill:**

Supervisor terms are lengthened from three to four years. Elections are held every other year in an odd-numbered year, in a month designated by the SCC. Initial elected and appointed supervisor terms are modified to ensure that their terms end in an odd-numbered year. Provisions are included to specify how the change to term lengths and election years applies to currently serving supervisors.

A district board of supervisors may choose to conduct its elections under Title 29A instead,

by majority vote after public notice and hearing. However, those districts are still not required to hold a primary. For districts that hold elections under Title 29A, supervisors and candidates are subject to the campaign disclosure requirements that apply to other Title 29A elections. Both elected and appointed supervisors, as well as candidates and applicants, in those districts must also file F-1 statements with the PDC.

For supervisors, candidates, and applicants in districts that continue to conduct their elections under supervision of the SCC, a statement of financial affairs must be filed to cover the previous calendar year. The form must be designed by the SCC, and it must include, at minimum:

- real property interests held by the person;
- business interests within the conservation district boundary, whether owned directly by or in partnership with the person; and
- information relating to grants from the conservation district previously received by the person, if any.

These statements of financial affairs must be posted to the appropriate conservation district website. The SCC may adopt rules to implement these requirements, and it may fine those that do not comply.

#### **Substitute Bill Compared to Original Bill:**

The substitute bill modifies term lengths for the initial supervisors elected or appointed to a conservation district to ensure that terms end in an odd-numbered year, to coincide with the bill's switch to odd-year elections. The substitute bill also contains provisions that specify how the change to term lengths and election years applies to supervisors who are currently serving.

The substitute bill removes the exception to campaign disclosure requirements and F-1 statements for elected supervisors that are in conservation districts conducting elections under Title 29A. It also requires appointed supervisors in those districts to file F-1 statements.

For supervisors, candidates, and applicants in conservation districts that continue to conduct their elections under supervision of the SCC, the substitute bill adds a requirement to file a statement of financial affairs with the SCC, on a form designed by the SCC.

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**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on February 2, 2022.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This bill is the response to recent concerns about how special purpose districts run their elections. Attempts to place them all on the general election ballot have not passed because of the fear that small districts cannot afford such elections. Conservation districts formed a committee to discuss possible election reforms, and this bill is the product of their work. It allows districts the flexibility to choose which type of election is best. King County has struggled to get increased turnout despite various reforms, but by allowing them to use the general election ballot, they estimate that turnout would increase from 1 percent to 45 percent. Standardizing election dates for the other conservation districts that do not switch to the general ballot will help garner public engagement and get increased voter participation. In many districts, it has been a long time since elections had more than one candidate running. Increasing terms to four years will give supervisors the opportunity to work closer together and increase communication. Switching to elections in odd-numbered years will reduce costs. The SCC supports this bill. There are still concerns, however, that ballots are by request only, that there is a landowner requirement for certain supervisor positions, and that campaign finance disclosure is not required.

(Opposed) While a voluntary approach is better than a mandate to use the general election ballot, allowing districts to choose will put pressure on districts to switch to the general ballot. Conservation districts are underfunded and need any money they receive to work on conservation issues.

**Persons Testifying:** (In support) Representative Laurie Dolan, prime sponsor; Julie Wise; Cindy Madigan, League of Women Voters of Washington; Dave Hedrick, Ferry Conservation District; Bill Blake, Skagit Conservation District; Ron Shultz, Washington State Conservation Commission; Kirstin Haugen; Chris Porter; and Mark Craven, Washington Association of Conservation Districts.

(Opposed) Tom Davis, Washington Farm Bureau.

**Persons Signed In To Testify But Not Testifying:** None.