
**State Government & Tribal Relations
Committee**

HB 1910

Brief Description: Concerning conservation district elections.

Sponsors: Representatives Gregerson, Pollet, Simmons, Fitzgibbon, Peterson, Goodman and Valdez.

Brief Summary of Bill

- Provides that all five members of the conservation district board of supervisors are elected, and removes the requirement that three supervisors must be landowners or farm operators.
- Provides that supervisor elections are conducted under the standard election process for state and local elections in Title 29A, subject to a two-year waiver.
- Lengthens supervisor terms from three to four years.

Hearing Date: 1/27/22

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.

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.

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 (Secretary). The Public Disclosure Commission oversees campaign finance laws and rules for these elections.

Summary of Bill:

All five supervisors are elected, rather than three, and the requirement that three of the supervisors be landowners or farm operators is removed. Supervisor terms are lengthened from three to four years.

Elections for supervisors are conducted under the standard elections process outlined in Title 29A, in even-numbered years. However, a board may apply to the Secretary for a two-year waiver to exempt the conservation district from conducting its elections under Title 29A. A waiver may be granted only if the conservation district demonstrates that the costs and burdens of conducting its election under the standard election process are disproportionate to the anticipated benefits from increased voter turnout and engagement. For each waiver granted, the Secretary must provide a report to the Legislature that includes the reasons for the waiver, information about the costs of elections in the district and the district's use of special assessments and fixed rates and charges, and discussion about possible collaboration between districts or other ways that the conservation district could reduce the burdens of Title 29A elections.

These changes to term lengths and election dates apply to current supervisors as follows:

- If a supervisor's term is scheduled to end in an even-numbered year, the supervisor shall serve through the end of that year.
- If a supervisor's term is scheduled to end in an odd-numbered year, the supervisor shall serve one additional year.

The SCC's authority to determine qualifications to vote is removed. Any natural person who is a registered voter under general state election laws and who resides in the district or proposed district is a qualified elector.

District supervisors elected in districts using Title 29A are subject to the same campaign finance and disclosure laws that apply to all other candidates and elected officials who are elected under that title.

For the first elections in new conservation districts, no primary is held, voters select five candidates, and the term length of the newly elected supervisors is staggered so that all future elections are held in even-numbered years.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect on January 1, 2023.