



STATE OF WASHINGTON

CONSERVATION COMMISSION

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NOTICE OF ADOPTION OF A TEMPORARY INTERPRETIVE STATEMENT

**SCC IS 20-01 Temporary Election Process Due to Covid-19 Pandemic for
Elected Members of the State Conservation Commission**

Effective Date: September 17, 2020

Statutory References: RCW 34.05.230(1) An agency is encouraged to advise the public of its current opinions, approaches, and likely courses of action by means of interpretive policy statements.

RCW 89.08.030 Provides for three members of the Commission to be elected each year by the district supervisors at their annual statewide meeting.

RCW 89.08.030 states, in relevant part:

The three elected members shall be elected for three-year terms, one shall be elected each year by the district supervisors at their annual statewide meeting. One of the members shall reside in eastern Washington, one in central Washington and one in western Washington, the specific boundaries to be determined by district supervisors. At the first such election, the term of the member from western Washington shall be one year, central Washington two years and eastern Washington three years, and successors shall be elected for three years.

Unexpired term vacancies in the office of appointed commission members shall be filled by appointment by the governor in the same manner as full-term appointments. Unexpired terms of elected commission members shall be filled by the regional vice president of the Washington association of conservation districts who is serving that part of the state where the vacancy occurs, such term to continue only until district supervisors can fill the unexpired term by electing the commission member.

FINDINGS

The Conservation Commission finds:

1. The lack of specificity in the statute for the nomination and election of the elected members of the Commission has created confusion as to the process for individuals to be considered for the position.
2. Providing a description of the ministerial process by which persons declare their interest and the election of elected members of the Commission takes place will serve the district supervisors' and the Commission's interest in a sound process for such elections.
3. For the year 2020, Governor Inslee has issued several proclamations restricting the gathering of individuals in light of the Covid-19 pandemic. As a result, the Washington Association of Conservation Districts (WACD) will hold their annual meeting virtually, necessitating an alternative approach to the nomination and election of the elected members of the Conservation Commission.

INTERPRETIVE STATEMENT

Based on these findings, the Conservation Commission hereby issues the following interpretive statement

The Conservation Commission interprets RCW 89.08.030 to require a clear and public process for nomination of candidates for the position of elected member of the Commission. Furthermore, the Conservation Commission determines Governor Inslee's emergency declarations regarding the Covid-19 pandemic require an alteration in the process for the elected Commission position for the 2020 election.

The Commission will provide for such a process to allow for secured online voting by conservation district supervisors as follows:

- The Commission shall issue a notice of opening for candidates for elected Commission member no later than October 1 of the year in which a candidate is to be elected.
- Interested candidates will submit their interest in the elected Commission position to Commission staff no later than November 13 in the manner detailed by the Commission.
- Commission staff will distribute the list of all candidates who submitted their interest to the district supervisors by November 16.

- The WACD annual meeting will be conducted virtually. Conservation district supervisors will have the opportunity to meet the candidates who submitted their interest in the position in a virtual setting during the lunch hour on Monday, November 30th.
- In place of nominations directly from the floor, nominations will be accepted during the lunch hour on Monday.
- The Conservation Commission interprets that RCW 89.08.030 requires an assurance that the process for electing the elected member of the Commission is be clear and impartial.

The Commission will provide for such a process as follows:

- The election of the elected member of the Commission shall take place during the annual statewide meeting of the board supervisors.
- Election shall be by the district supervisors. Associate supervisors are not eligible to vote.
- Commission staff shall conduct the election by distributing a secured online voting ballot to board members email addresses on record at the Conservation Commission. Board members will have until 6:00 p.m. following the annual meeting to cast their ballot. All ballots will be automatically tallied by the online voting system and results will be announced at 8:00 p.m. by the Commission Chair.
- Following announcement of the results, the elected member of the Commission shall be sworn-in to the position by the Chair of the Commission or designee.

This interpretive statement supersedes the existing Commission document: *SCC IS 13-01 Election Process for Elected Members of the Conservation Commission* for the period beginning with the enactment date of this the temporary interpretive statement and ending December 31, 2020. After this date, the document *SCC IS 13-01 Election Process for Elected Members of the Conservation Commission* shall remain in effect.

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