

Proposed Rule Changes for Conservation District Elections



*Proposing to Amend WAC Chapter 135-110
(Information Only)*

Bill Eller, Special Projects Coordinator
SCC Meeting, May 21, 2026

Summary

- SCC commissioners authorized beginning the rulemaking process to update certain election rules.
- Related to conservation district elections - Washington Administrative Code (WAC) Chapter 135-110.
- On track for the 2027 election cycle.



SCC Election Authority

WAC 135-110 - Election and replacement of conservation district supervisors

RCW 89.08.190

“The Commission shall establish procedures for elections, canvass the returns and announce the official results thereof.”



Background

March 19, 2026 - SCC commissioners authorized staff to begin the rulemaking process.

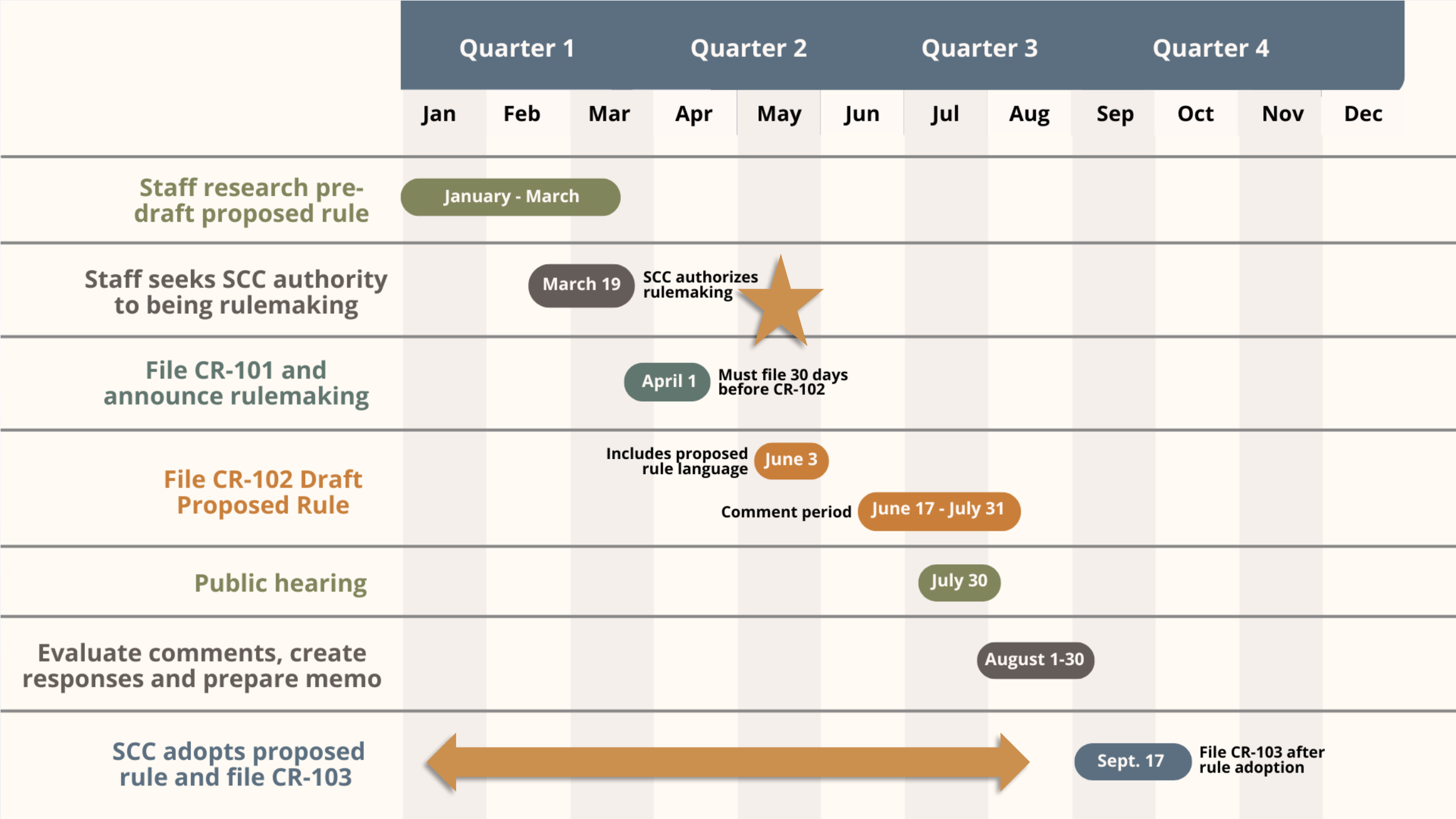
This process only relates to certain aspects

- Focusing on issues identified during a **December 12, 2025**, Thurston County Superior Court hearing.

Rulemaking

- Rulemaking requires specific steps for notification and public comment.
- Set by the Office of Code Reviser (OCR)



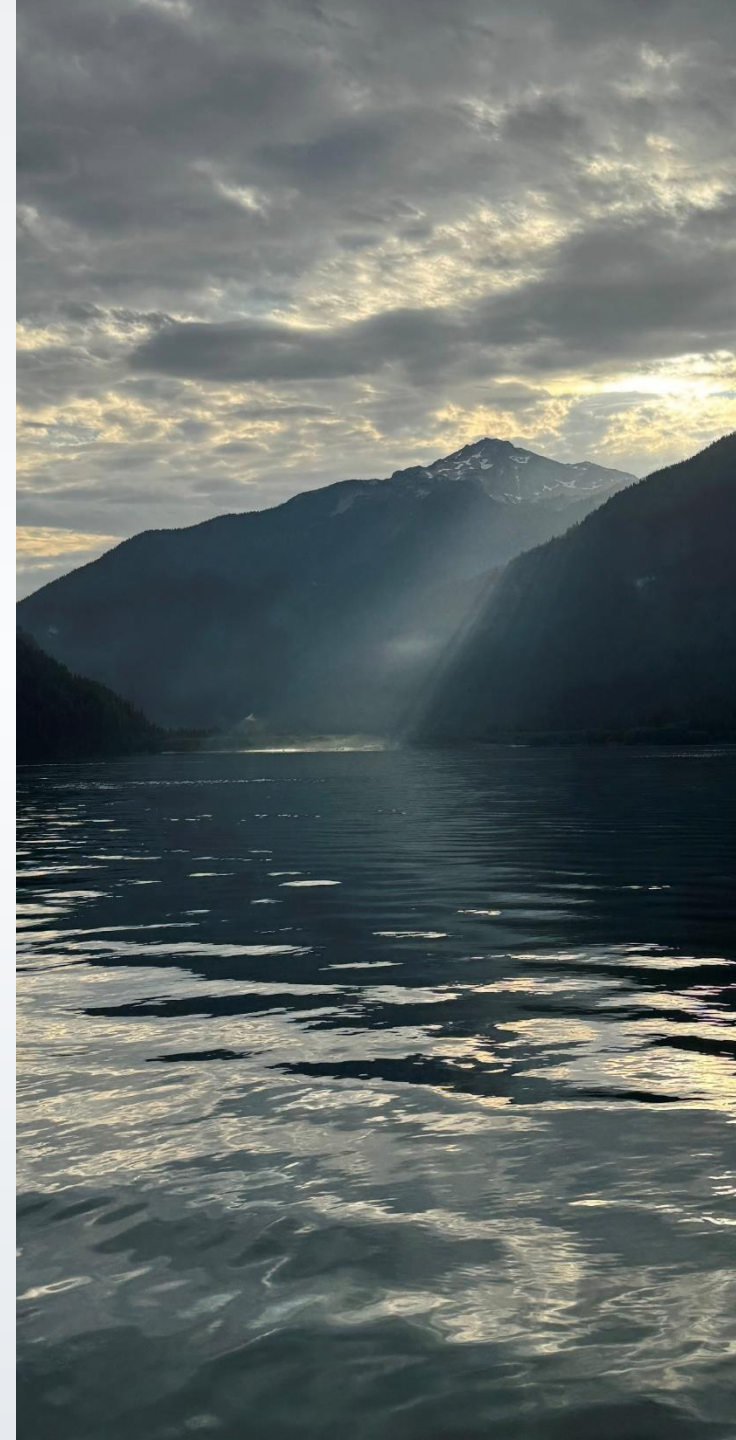


Proposed WAC Changes

Include the creation of two new rules:

1. WAC 135-110-415 Fulfilling a Ballot Request
2. WAC 135-110-425 Requested Ballot List

And amendments to ten WAC sections



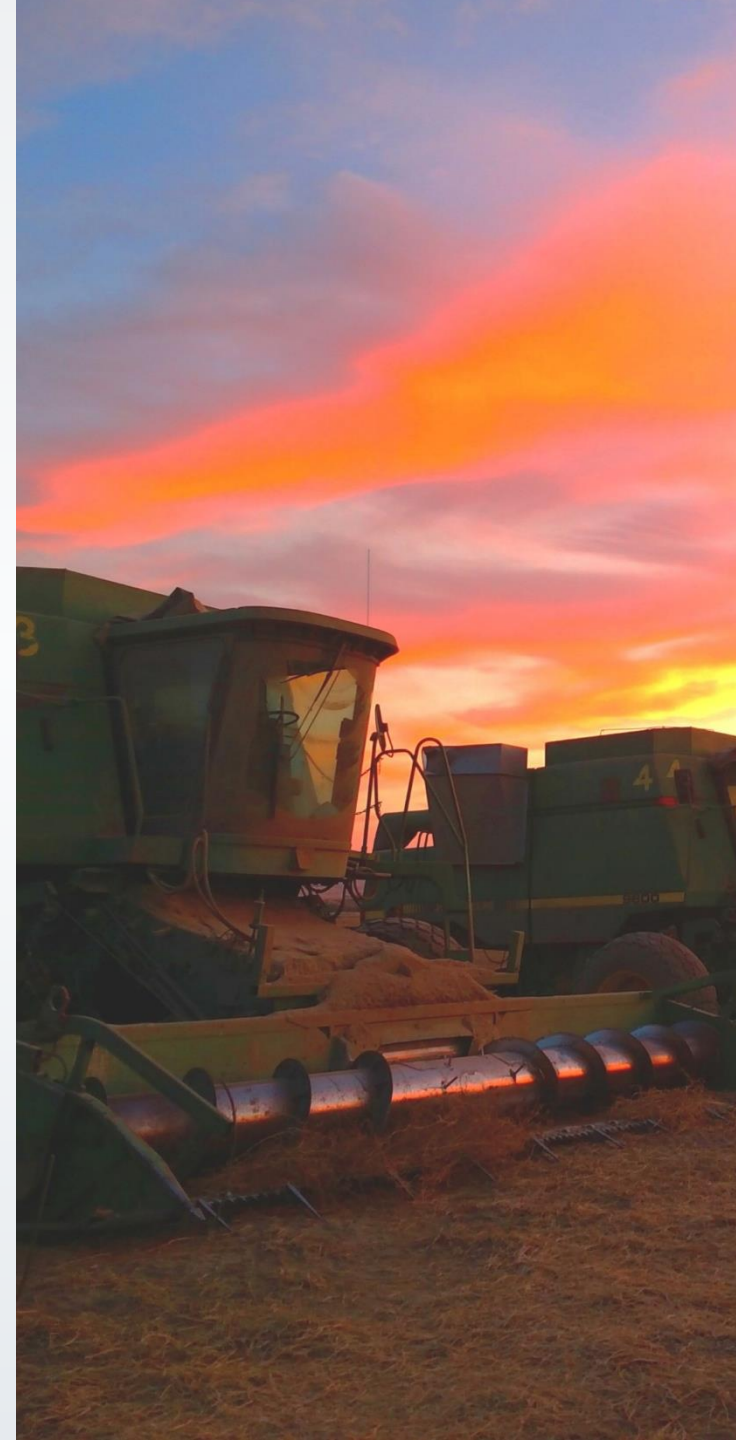
Proposed WAC Changes

1. WAC 135.110.110 Definitions.
2. WAC 135.110.230 Conservation district appoints elections supervisor.
3. WAC 135.110.400 Conservation district to obtain list of registered voters.
4. WAC 135.110.410 Conservation district must set deadline for requesting ballots be mailed or sent.
5. WAC 135-110-415 Fulfilling a Ballot Request **(NEW)**
6. WAC 135.110.420 Conservation district must not use certain lists.



Proposed WAC Changes

7. WAC 135-110-425 Requested Ballot List (**NEW**)
8. WAC 135.110.460 Polling officers verify voters, issue ballots and count votes.
9. WAC 135.110.520 Ballots must be provided on request.
10. WAC 135.110.550 Poll lists must be used.
11. WAC 135.110.620 Conservation district must provide polling officers at each poll site.
12. WAC 135.110.640 Conservation district must assure privacy in voting.



Proposed updates

1. Designating an alternate for the CD election supervisor
2. Voters must be verified before a ballot is provided
3. One ballot per voter
4. Use of provisional ballots for unverified voters
5. Providing a provisional ballot for duplicate requests; only the first tallied counts
6. Polling officers and the election supervisor verify voters
7. CD must first verify each voter if it uses a list to send unrequested ballots to voters
8. Keeping a list of voters who requested a ballot
9. Voters put their own ballot in the ballot box



1. Designating an alternate for the election supervisor

Establishing that the CD board of supervisors, when appointing an election supervisor to run their election, may also appoint a designee who would be able to perform the same duties if the election supervisor is unavailable.

WAC 135.110.110 and .230



2. Voters must be verified before a ballot is provided

Requiring that before a ballot request from a voter can be fulfilled, the CD must verify that the voter is a qualified district elector.

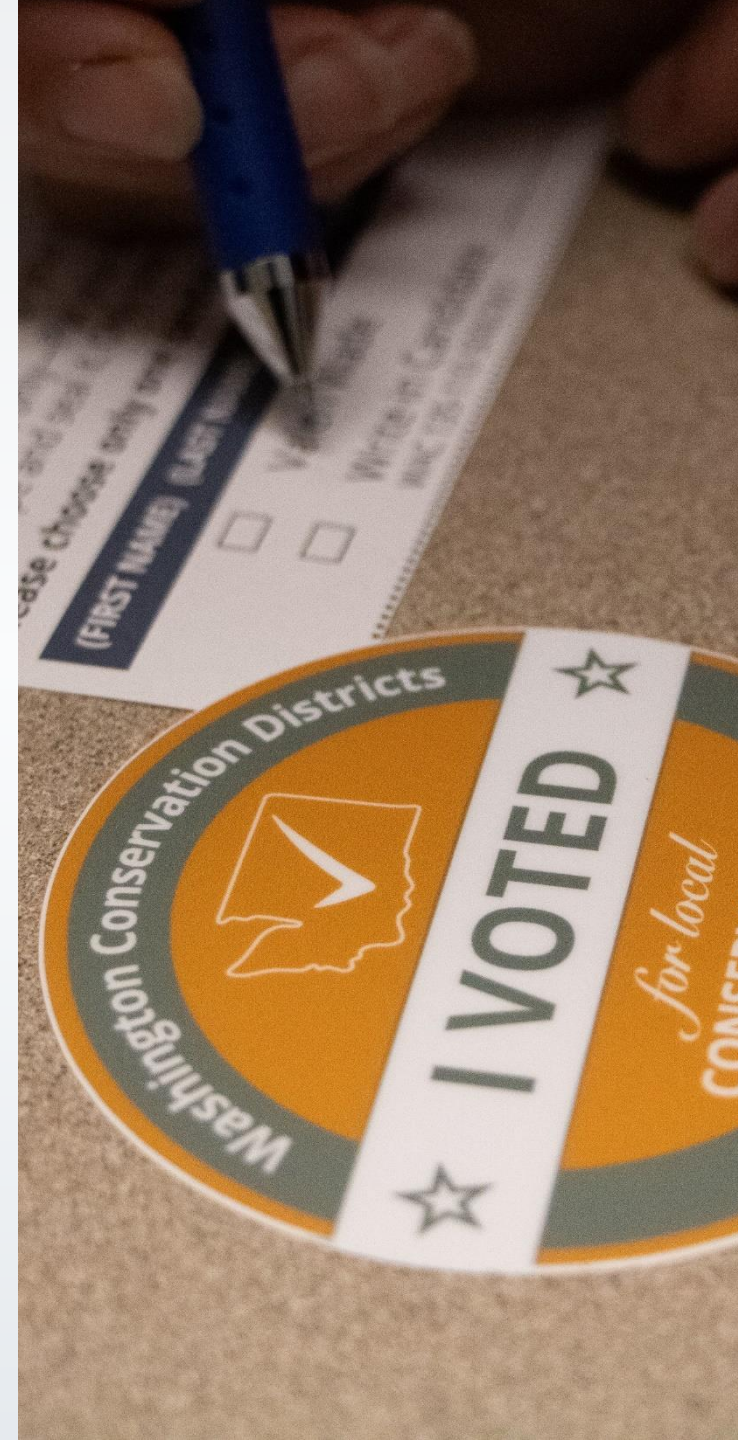
*WAC 135.110.400, .410, .415 (new),
.420, .425 (new), .460, .520, and 550*



3. One ballot per voter

Clarifying that a CD can only fulfill a ballot request by a voter by providing that voter with a single ballot, provided that voter has been verified by the CD as a qualified district elector.

WAC 135.110.400, .410, .415 (new), .420, .425 (new), .460, .520, and 550



4. Use of provisional ballots for unverified voters

Clarifying that in all cases when a voter requests a ballot, if a CD cannot verify the voter is a qualified district elector, the CD shall issue a provisional ballot to that voter.

WAC 135.110.410, .415 (new), .420, .425 (new), .460, .520, and 550



5. Providing a provisional ballot for duplicate requests; only the first tallied counts

Requiring that, if a voter requests another ballot after a request has been fulfilled, the CD must issue a provisional ballot, and the first ballot tallied is the only ballot that counts for that voter.

WAC 135-110-415.



6. Polling officers and the election supervisor verify voters

Clarifying that only polling officers, and the election supervisor if acting as a polling officer, can verify if a voter is a qualified district elector.

WAC 135.110.400, .410, .415 (new), .420, .425 (new), .460, .520, .550, and .620.



7. CD must first verify each voter if it uses a list to send unrequested ballots to voters

Requiring that, if the CD uses a list as described in WAC 135-110-420 to provide an unrequested ballot to a voter, the CD must verify each voter on that list as a qualified district elector before providing a ballot.

WAC 135-110-420.



8. Keeping a list of voters who requested a ballot

Requiring that, if the CD maintains a list from prior years of voters who have requested the CD provide them with a ballot in future elections, the CD must verify each voter on that list is a qualified voter before using that list to fulfill a request in the current election. If the CD cannot verify that a voter on such a list is a qualified district elector, the CD must provide the voter with a provisional ballot.

WAC 135-110-425 (new).



9. Voters put their own ballots in the ballot box

Clarifying that during a poll-site election, a voter must place their ballot into the ballot box themselves.

WAC 135-110-640



Public Comment Period

June 17 – July 31, 2026:

- Comments received via Formstack form
- Can also contact Bill
- All comments available at the September Commission meeting



Public Hearing

July 30, 2026:

- Olympia in-person and online
- Presentation on proposed changes
- Opportunity for oral or written public comment



Rulemaking page

<https://www.scc.wa.gov/rulemaking>



Questions?

Thank you!

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Washington State
Conservation Commission