



STATE OF WASHINGTON

CONSERVATION COMMISSION

PO Box 47721 • Olympia, Washington 98504-7721 • (360) 407-6200 • FAX (360) 407-6215

NOTICE OF ADOPTION OF A TEMPORARY INTERPRETIVE STATEMENT

SCC IS 20-01 Temporary Election Process for Elected Members of the State Conservation Commission

Effective Date: September 25, 2023

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 western Washington, one in central Washington and one in eastern 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. The Washington Association of Conservation Districts (WACD) will hold their annual meeting in a hybrid style providing participation online and in-person, as 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.

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 Friday, September 29 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 Friday, November 17, 2023 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 Monday, November 20, 2023.
- This year's annual meeting will be conducted in-person and online. Conservation district supervisors will have the opportunity to meet the candidates who

submitted their interest in the position in a virtual or in-person (*dependent on applicant's preference*) setting in the afternoon on Monday, November 27, 2023.

- Nominations will be taken directly from the floor and online. Nominations will be accepted during the meet and greet on Monday afternoon on November 27, 2023.
- The Conservation Commission interprets that RCW 89.08.030 requires an assurance that the process for electing the elected member of the Commission is to 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 on Wednesday, November 29. All ballots will be automatically tallied by the online voting system and results will be announced no later than 8:00 p.m. by the Commission Chair via email.
- 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, 2023. After this date, the document *SCC IS 13-01 Election Process for Elected Members of the Conservation Commission* shall remain in effect.

Contact Person: Lori Gonzalez
Washington State Conservation Commission
P.O. Box 47721
Olympia, Washington 98504
(360) 791-0226
lgonzalez@scc.wa.gov