



# Special District Elections

---

.... Conservation Districts  
WS 11-16-101



# District Supervisor Elections

---

- Elected on a general ballot on a nonpartisan basis.
- Held during the general election on the Tuesday following the first Monday in November
- Supervisors serve 4-year terms. All registered voters residing within the district are eligible to vote for district supervisor positions.



# Supervisors to be elected:

---

- Board Composition (W.S. 11-16-120)
  - Five supervisors who reside within the district
    - Three rural
    - One urban
    - One at large
  - Terms are staggered, four-year terms
    - Stagger is controlled by principal act



# Principal Act???

---

- Statutes under which a special district can be formed or is operating
  - **WS 11-16-101 – Conservation Districts**



# Supervisors Terms of Office

---

Within 10 business days after notification of election, take Oath of Office (Constitution, Art.VI, Sec 20) before district secretary or treasurer. File copy of written oath with district secretary. (WS 22-29-118)

Supervisor holds office from his election until successor elected and qualified. (WS 11-16-118)



# Legal framework:

---

- Principal Act – Conservation Districts
  - Title 11, Chapt 16
- Special District Elections Act
  - Title 22, Chapt 29
  - **Applies only when principal act is silent or unclear**
- Rules
  - SOS Rules-Election Procedures - Special District Elections, Chapt 26



# Supervisor elections:

---

- **Election Dates** (W.S. 22-29-112)
  - **March** (first Tuesday after the third Monday)
  - **May** (Tuesday next following the first Monday)
  - **November** (Tuesday next following the first Monday)
- **Election Types**
  - Conventional Election (*Polling Place*)
  - Mail Ballot Election



# Renewal of Mill Levy on Ballot

---

- **Board of Supervisors chooses option:**

- Proposition submitted at general election or by mail ballot pursuant to 22-29-115 & 116, and thereafter at succeeding general elections or by mail ballot every four years until defeated,

OR

- Tax in effect until a petition to discontinue the tax, signed by not less than 10% of voters is received by BOCC, and voters approve discontinuation of the tax at the next general election or by mail ballot.
- Anyone wishing to print and distribute campaign literature in support of a mill levy continuation or any other ballot proposition, must form a Political Action Committee. **No public funds can be spent in support of or in opposition to any ballot measure.**





# Special district elections:

---

## ■ Who Pays?

- Elections not held in conjunction with any other election
  - At expense of the district
  - Districts may apply to BOCC for financial help
- Elections held in conjunction with other elections
  - District may be required to pay portion of total election costs
  - Pro-rated costs cannot include any fixed costs of the election



# Starting the clock:

---

- Publish the Proclamation (WS 22-29-112)
  - **Who?** District Secretary
  - **What?** Set forth the election date, offices to be elected & their terms, filing period, address of filing office; what kind of election (Conventional or Mail
  - **Where?** In newspaper of general circulation in each county in which all or part of the district is situated
  - **When?** Not more than 120 and not less than 100 days prior to the election

See Rules, Special District Elections, Chapt 26, Sec 5



# Candidate filings:

---

- Who?

- Any qualified candidate: Registered voter; Residing in supervisor designated area

- What?

- Application form in conformance with W.S. 22-29-110(b)

- Where?

- File with the secretary of the district

- When?

- Not more than 90 nor less than 70 days prior to the election



# Ballot preparation:

---

- Ballots must be printed and ready no later than 30 days preceding the election
- Ballot format
  - Name of District
  - County or Counties in which District is located
  - Date of the election
  - Number of offices to be filled; term for each office; number of candidates each voter may vote for
  - Names of candidates; any ballot propositions
- Candidate names appear without party designation; one name to a line; blank lines for write-in candidates
- Sample ballot to be published not later than 10 days prior to date of election; names of candidates to published



# Conventional election:

---

- Appoint election judges
  - No less than three judges per polling place
  - Judges must be qualified electors of the District
  - Must be appointed no less than 30 days prior to the election
  - May be permanently appointed
- Appoint a counting board
  - May be the same as the election judges
- Appoint a canvassing board
  - District secretary +
  - Two other qualified electors appointed by the District Board



# Conventional election:

---

- The entire district may constitute an election precinct
- Polling hours set by the Board of Directors prior to publication of the proclamation
  - Must be at least 5 consecutive hours
  - Between the hours of 9:00 a.m. and 7:00 p.m.
- District secretary to furnish ballots, sealed ballot box, and other supplies



# Conventional election:

---

- Only voters whose names appear on the official poll list may vote. A person not registered who makes an affidavit evidencing his qualifications to vote is deemed registered for that election (WS 22-29-113 (e)) .
  - Poll list consists of list of registered voters as of 30 days prior to election
  - Poll list is ordered by District secretary from County Clerk not less than **45** days prior to the election and certified and delivered by Clerk not less than 30 days prior to election
- Handling ballots
  - Ballots must be sealed in a container when delivered to the polling place(s)
  - Voters place their voted ballot into the sealed ballot box



# Absentee voting:

---

Absentee voting is conducted according to procedures for mail ballot elections. (WS 22-29- 116)

- Absentee voting begins on the 25<sup>th</sup> day preceding the election
  - Any eligible voter or someone on his behalf may request an absentee ballot
    - In person
    - In writing
    - By telephone
- Absentee ballot envelopes are available from the County Clerk or Secretary of State
- Ballots must be received at the designated depository no later than 5:00 p.m. on Election Day.





# Counting procedures:

---

- Election judges (or Counting Board) begin counting ballots after polls close
- Total number of ballots should match total number of voters marked off the poll list
- Discrepancies are reported to the Canvassing Board
- Counts from absentee ballots are added to poll count
- Write-in votes are counted *(don't have to be counted unless they could change the outcome of the election)*



# Certifying count:

---

- The following information is certified in the poll book:
  - Number of voters voting in person
  - Number of voters voting absentee
  - Candidates' names and vote totals
- All election judges or Counting Board members sign the poll book



# Canvassing Board procedures:

---

- Canvassing Board shall meet within 7 business days of the election
- The Board shall:
  - Cause minutes of the meeting and an abstract of the votes to be compiled
  - Review all challenged voter affidavits
  - Resolve any discrepancies
  - Review rejected absentee ballots
  - Sign the abstract and file it with the County Clerk
  - Notify the successful candidates of their election
    - Certificate of Election will be issued by the County Clerk



# Mail ballot elections:

---

- W.S. 22-29-115 & Rules, Special District Elections, Chap 26
- No sooner than 25 days and no later than 15 before an election, a mail ballot package shall be mailed to all qualified electors in the District
- Ballots must be received at the office of the election official or designated depository no later than 5:00 p.m. on Election Day

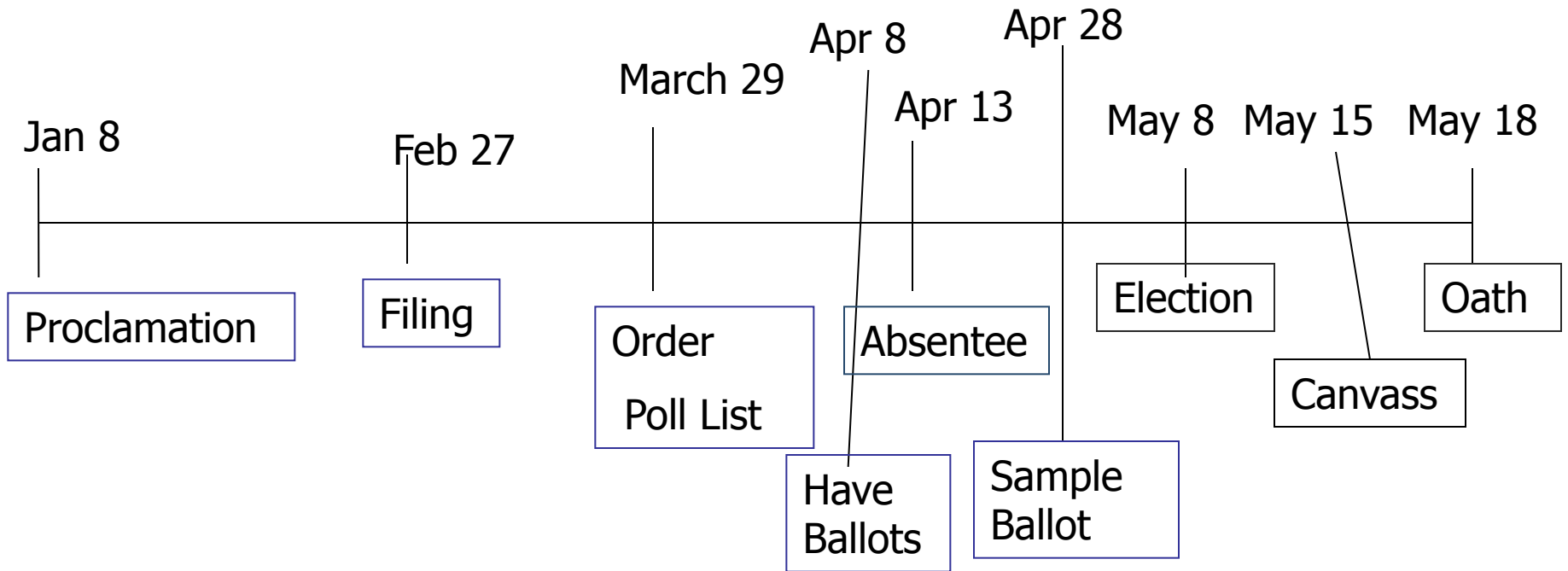


## After certification:

---

- Within 10 days of notification of election, all directors shall take the oath of office as per W.S. 22-29-118.
- The director shall complete the written oath of office and file with the District secretary
- The secretary or treasurer of the District may administer the oath

# Sample timeline:





# Penalties: Violation of Act

---

## **Misdemeanor Offense**

- Punishable by not more than 6 months in jail
- Fine of not more than \$1000
- Or both



# Campaign finance reports

---

- Candidates for director offices shall not be required to file campaign finance reports under WS 22-25-101 through 22-25-115.

WS 22-29-113 (a)(iii)



