



Washington Secretary of State

# CLEARINGHOUSE

## ELECTIONS NOTICE

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## Diking, Drainage, and Flood Control District Elections

Diking, drainage, and flood control district elections are governed by RCW Chapter 85.38. (Flood control districts, although governed by Title 86, also defer to this chapter.)

RCW 29A.04.330 list the possible election dates each year. Section (1)(b) provides an exemption for “Public utility districts, conservation districts, or district elections at which the ownership of property within those districts is a prerequisite of voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto.” The general election date for these districts is prescribed in RCW 85.38.100: “General elections shall be held in each special district on the first Tuesday after the first Monday in February in each even numbered year.”

In 2008, all diking, drainage, and flood control district general elections will be held on **February 5, 2008** - NOT in conjunction with the Presidential Primary on February 19<sup>th</sup>.

If you have districts of this type in your county, here are some things to remember:

- Voters must own property in the district AND be a qualified voter of Washington to be eligible to vote. (RCW 85.38.010)
- Corporations, partnerships, and governmental entities owning land in the district may designate a natural person to vote in these elections. (RCW 85.38.105)
- Each owner is eligible to cast at least two ballots. Two owners may vote one ballot each. (RCW 85.38.105)
- Voters of drainage improvement districts created after May 14, 1925 and all flood control districts may receive more than two votes, depending on acreage owned within the district. (See RCW 85.08.025 and RCW 86.09.377.)
- A list of eligible voters indicating the acreage of property maintained by the district must be provided to the County Auditor no later than November 1. If a district does not provide a list, the county assessor may have a list of landowners in the district. (RCW 85.38.110)
- Districts with less than 500 qualified voters must contract with the county to conduct the election. For districts over 500 voters, the district may contract with the county to conduct the election. (RCW 85.38.125)
- If a district encompasses multiple counties, the county with the largest geographic portion of the district conducts the election. (RCW 85.38.120)

- Candidate filing must be held no earlier than December 7 and no later than January 6. The length of the filing period is not addressed in state law. The Secretary of State's Office recommends a five-day filing period. (RCW 85.38.070)
- No primary is held. (RCW 85.38.070)
- If only one person files, no election is held and he or she shall be considered elected. If no one files, filing is not reopened and the position is not put on the ballot. (RCW 85.38.115)
- If the district has fewer than 500 voters, the County Auditor may conduct the election by mail. For districts over 500 voters, the contract with the jurisdiction will determine if the election is conducted by mail or at the polls, even in a county designated as all mail. (RCW 85.38.125)

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