

# Quincy-Columbia Basin Irrigation District



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## DISTRICT ELECTION INSTRUCTIONS Chapter 87.03 RCW

### Qualifications to become a Director

1. Must be 18 years of age, a U.S. citizen and resident of the State of Washington.
2. Must hold title to or evidence of title to land assessed or assessable within the District, in the Director Division they wish to represent.
3. If a potential candidate does not live in the Director Division itself, and they own land in more than one Director Division, they can represent the Director Division nearest their actual residence.

### Petitions of Nomination

1. A *News Release* announcing the open filing period for Director positions due for re-election is sent to local news outlets and posted on website in mid-August, prior to the September board meeting.
2. Annual *Election Schedule* is created, listing Director Division positions due for re-election and Petitions of Nomination are made available at the September Board meeting for incumbent Directors and competing candidates. All election documents will be filed in the current "Director Election, (Year)" file folder in the vault.
3. A *Petition of Nomination* form for declaration of candidacy will be provided by the District after the announcement of the filing period for any qualified candidate requesting one.
4. The Petition of Nomination form must be returned to District Business Office before 5:00 p.m. on the first Monday in October.
5. Petition of Nomination forms must be signed by at least 10 qualified electors in the Director division as verified by the District Business Office.
6. **If only one qualified petition of nomination is filed by the deadline, no election is necessary. The one qualified candidate shall be declared to be elected as Director at the next Board of Director's meeting. The Secretary shall immediately make and deliver a *Certificate of Election*. A *Resolution* is also prepared for said Division(s), declaring the Director elected. This will be presented at the next-scheduled board meeting and signed by other Directors.**

### Election Preparation

1. If two or more qualified candidates file petitions for a Director Division, an election will be held by the District to select one Director for that Division.

2. Prepare *News Release – Notice of Election, Ballots, Resolution-Notice of Election* and ensure election supplies are ready as soon as possible, once it is determined that there will be an election.
3. The names of the candidates are to be printed on the ballot in chronological order in which their respective *Petitions of Nomination* were filed with the District. *Ballots* shall contain a space for writing in the name of an undeclared candidate.

## **Elections**

1. Director Division elections are to be held on the second Tuesday of December per RCW 87.03.080. Special elections will be held as established by the Board of Directors.
2. Blank *ballots* shall be secured in a box secured by two locks. The keys shall be held by the Administrative Supervisor and the Business Manager.
3. The District provides *ballots*. Ballots shall be in the format of RCW 87.03.033. Votes cast on any other form will not be valid. The ballot needs to include a space for write-in candidates.
4. There will be separate “Ballot Boxes” for Election Day ballots and absentee (or mail-in) ballots. “Ballot Boxes” will have two locks securing each “Ballot Box”. Keys for the “Election Day Ballot Box” will be held by the Administrative Supervisor and the Business Manager. Keys for the “Absentee (or mail-in) Election Ballot Box” will be held by the Board President and the Business Manager.
5. Security requirements
  - At all times when ballots are being controlled including, but not limited to, receipt, opening of ballots, certification, tabulation, reconciliation, or any other type of processing, two (2) individuals not on the ballot must be present.
  - Each ballot box must be secured and locked, with a deposit slot, and clearly marked as an “official ballot box”. Ballot box keys must be provided to District election officials only, or designated District Business Administration staff.
  - Each ballot box must be closed with tamper-evident seals with a paper seal log;
    - Each time the box is opened, a new seal log must be signed, with the seal number noted & dated.
    - When the box is opened, the previous seal log must be compared to the cut seal and initialed; and
    - All seal logs must be retained for 6 months after the day of the electionEach ballot box must be physically secured so that it cannot be stolen or moved, and may only be moved by District election officials or designated District Business Administration staff.
  - Any election officials or District staff carrying out official ballot or election duties may not be a candidate on the election ballot.
  - Ballot envelopes may not be opened immediately after voter deposit; Ballot tabulation may only begin after the polls are closed and ballots must be opened in batches, rather than individually;
    - The number of tabulated ballots must be reconciled with the number of ballots received.

- Tabulated ballots must be stored separately from uncounted or challenged ballots.
  - Canvassing of ballots must be open to observation by the public.
  - Any election officials or District staff participating in the processing of ballots may not be a candidate on the ballot.
  - Once canvassing of ballots is completed, date & time of the verification of canvassing must be posted in either: (1) the District office for at least 2 weeks; (2) on the District Website for at least 2 weeks, or (3) at least once a week for 2 weeks in one or more newspapers of general circulation within the Irrigation District.
- Lists & reports of ballots, election outcomes, voter challenges & challenge outcomes, and curing of errors must be maintained by the District for 6 months after the date of the election and made available to the public.
6. The District challenge process in order to allow individuals to challenge the vote of an individual voter;
    - a. Public challenges by an individual voter must be made 45 days prior to opening of election polling place. The challenger must be a qualified voter of the District. The challenger must file a written statement certified under oath with the District providing grounds and supporting documentation for claim against an individual voter.
    - b. District Election officials or staff challenge procedures are incorporated in these elections instructions below for challenges made during an election or absentee or mail-in process.
    - c. Within 7 days of the resolution of the challenge, the outcome of the challenge must be posted in either: (1) the District office for at least 2 weeks, (2) on the District website for at least 2 weeks, or (3) at least once a week for 2 weeks in one or more newspapers of general circulation within the Irrigation District.
  7. The District curing process in order to cure absentee, mail-in, or challenge ballots. District staff will notify voter regarding a challenged ballot day after election. Absentee or mail-in ballot envelopes returned with errors, District staff will notify voter day of receipt. Voter has until start of canvassing meeting to provide information to District staff to cure a ballot. Ballots will be cured by the Board of Directors during the canvassing meeting.
  8. The Board of Directors will designate the election method, either by polling place or mail-in ballots. The polling place for a single Director Division election shall be held within that Division or at the QCBID Business office. If an election is to be held for more than one Director Division or a District-wide election, the principal business office may be designated by the Board of Directors as the polling place for all Director Divisions. The election officials appointed by the Board of Directors may serve more than one Director Division.
  9. An Election Board, consisting of 1 inspector and 2 judges, should be appointed as soon as possible prior to the election. The members of the Election Board must be electors in the Director division for which the election is taking place, except when the Board of Directors has designated a single polling place for more than one Director Division (see RCW 87.03.085) or for a District-wide election.

10. A *News Release-Notice of Election* is to be issued listing the names of the candidates or the ballot measure, polling place or election-by-mail, date of the election, location of polling place(s), voting hours, instructions for absentee voting and place, date and time of canvassing. The news release is to be issued to newspapers known to be in general circulation within the District area and may be issued to radio, television media known to be broadcasting within the District area and the District Website.
11. At least fifteen calendar days prior to the election, a *Notice of Election* needs to be posted in 3 public places in each election precinct. This Notice of Election needs to list the time and place of the election. The notice also needs to be posted in the office of the Board (main business office). The person who does the posting needs to sign an *Affidavit of Posting* to be filed in the election file. The Notice of Election is also to state that any qualified voter may vote by absentee ballot, and that a ballot and form of certificate of qualifications will be furnished to them upon written request being made of the District's Secretary.
12. On Election Day the polls are to be opened from 1:00 p.m. to 8:00 p.m. The American Flag can be displayed outside the polling place.
13. If the Board of Directors adopts a resolution to conduct an election using only mail-in ballots in lieu of polling places and absentee ballots, then the District Business office shall provide ballots to qualified electors derived from its assessment roll.
14. The judges need to sign the oaths as judges in each of the poll books and tally books (inside front cover). The inspector will sign as witness. The inspector needs to sign the oath as Inspector of the Election in each of the poll books and tally books. One of the judges will sign as witness.
15. Voter qualifications are the same as director qualifications. (See RCW 87.03.045) More particularly:
  - Where land is community property both the husband and wife may vote if otherwise qualified.
  - A trustee for another party may vote, beneficiaries of a trust may not vote. (an *Instrument of Authority for Trust* must be presented to the election officers).
  - An executor, executrix or personal representative of an estate may not vote, the heirs of an estate may vote if they are otherwise qualified.
  - Partners in ownership, or tenants in common, are each entitled to vote based on each partner's percentage of owned acreage.
  - For corporations, an authorized agent may vote on behalf of the corporation (an *Instrument of Authority for Entities* must be presented to the election officers).
  - A manager of an LLC (Limited Liability Company) may vote on behalf of the LLC. (an *Instrument of Authority for Entities* must be presented to the election officers).
  - A contract seller and purchaser may vote.
16. Provide the inspector with the following:
  - A list of qualified voters.
  - All remaining unused ballots.
  - An Inspector's Poll/Tally Book.
  - A Voter's Signature Poll/Tally Book.
  - A large "Ballots Challenged" envelope & several smaller "Challenged Ballot" envelopes
  - A larger "ELECTION RETURNS" envelope.

- Several *Instrument of Authority for Entities* and *Instrument of Authority for Trusts* forms.

The inspector is to have charge of the list of eligible voters, one of the judges is to handle the "Voter's Signature Poll Book", the other judge will write the name of the elector in the "Inspector's Poll Book" and deliver ballots to qualified voters.

17. Before the polls are open, the judge, in the presence of those assembled at the polling place, shall open, exhibit, close and lock the ballot box (making sure it is empty). The ballot box shall remain locked until the polls are closed. The ballot box is not to be removed from the polling place or from the view of bystanders until all ballots are counted. (see item 5. Security requirements)
18. After the ballot box has been secured, voting can begin.
19. Once voting begins neither the Secretary-Manager nor any other employee or Director of the District may enter the polling place except in the purpose of exercising the right to vote as a landowner. Questions or requests for assistance by the Board of Election are to be communicated to the Secretary-Manager or his designee by telephonic means or by conversation held outside the polling place.
20. The Election Board is not to leave the polling place premises while in the process of conducting of the election.
21. Anyone desiring to vote shall give their name to the inspector who will then check the voter list to see if that person is a qualified elector. The inspector shall then repeat the elector's name, director division, and the number of votes (1 or 2) the elector is to receive, to the judges.  
  
If the prospective voter is not named on the list of qualified voters, the inspector should inquire of the Secretary-Manager or his designee if the person desiring to vote is a qualified elector. The inspector is not to deny any person desiring to vote, the right to cast a ballot. If a voter cannot be verified as a qualified elector their ballot is deemed as challenged. The challenged ballot shall be sealed in a separate envelope labelled, on the front and back, "Challenged Ballot". The name of the voter and the reason for challenging ballot are to be written on the outside of that "Challenged Ballot" envelope. The "Challenged Ballot" envelope will be placed in the ballot box. District staff will contact the voter day after election with cure process to be concluded before start of canvass meeting.
22. Each qualified elector is entitled to one vote for the first ten acres or fraction thereof and one vote for anything over ten acres. If husband and wife jointly own over ten acres, both have two votes; if they jointly own less than ten acres, both have one vote. In no case will an eligible elector have more than 2 votes.
23. The qualified voter is to sign the "Voter's Signature Poll Book". If the voter is allowed two (2) votes they are to sign twice.
24. The second judge shall cut off the ballot number(s) and deliver the proper number of ballots to the elector and announce the numbers shown thereon and both judges are to record the ballot number(s) in their respective poll books.

25. No more than one person shall be allowed inside the poll booth at a time, and should not be allowed to occupy a booth longer than necessary to prepare their ballot(s). At no time is a person allowed to occupy a booth longer than 5 minutes.
26. A new ballot will replace any ballot that has been accidentally damaged or spoiled by a voter when the damaged ballot is returned to the inspector.
27. If a qualified voter declares to the judges of election that they are unable to read, or that because of blindness or other physical disability is unable to mark their ballot (or if the judges of election observe such inability) they shall, upon request, receive the assistance of one or two election officers in the marking of the ballot. Such officer or officers shall certify on the outside of the ballot envelope, that the ballot was marked with their assistance. The election officer shall give no information regarding the assistance given. No elector may divulge to any person within the polling place the name of any candidate for whom they intend to vote or to ask, or receive assistance, of anyone within the polling place in the preparation of their ballot, except as stated previously.
28. The qualified voter shall mark their ballot, fold the ballot so as to hide all identifying marks and place the ballot in the ballot box.
29. Absentee (or mail-in) ballots may be received at the main business office or polling place until 8:00 p.m. Absentee (or mail-in) ballots can only be received sealed in a "Mailing Envelope" (Envelope #2).
30. The poll shall be closed promptly at 8:00 p.m. and only those qualified voters inside the polling place at that time shall be allowed to vote.
31. As soon as the polls are closed, and prior to the counting of the ballots, the election board shall publicly destroy all unused ballots.
32. As soon as balloting is completed the inspector shall open the ballot box (see item 5. Security requirements) and begin counting the votes.
33. Any challenged ballots are to remain sealed in the envelopes and delivered to the Secretary-Manager or his designee in a large envelope marked "Ballots challenged". District Business Administration office is to investigate the claim of each qualified voter and prepare a recommendation regarding each challenged ballot for the Board of Directors to consider during the Canvass meeting.
34. The ballots are to be taken out, one by one, by the inspector who will open them and read aloud the names of each person marked and the office for which every person is voted. Each judge shall write down in their "Tally Book" each office to be filled and the names of each person voted for such office and shall keep the number of votes by tallies as they are read aloud by the inspector. The counting shall continue in public without adjournment until all votes have been counted, and in no case shall the ballot box be removed from the election room until the counting of ballots is completed.
35. As soon as all the votes are read off and counted, certificates shall be completed, stating the number of persons voting and number votes each candidate has received. The number is to be written in figures and in word at full length. These certificates are attached to the "Inspector's Poll/Tally Book" and "Voter's Signature Poll/Tally Book". The inspector retains

and preserves the “Inspector’s Poll/Tally Book” for at least six (6) months. The ballots are to be sealed in an envelope and kept together with the “Voter’s Signature Poll/Tally Book” and then sealed in a large envelope endorsed “ELECTION RETURNS”. The “ELECTION RETURNS” envelope is then delivered with the “Ballots Challenged” envelope, the second certificate, and other election supplies to the Secretary of the Quincy-Columbia Basin Irrigation District or their representative.

### **Absentee Polling-Place Voting / or Election-By-Mail Voting**

1. If conducting election by polling-place method, any qualified district elector must request in writing to vote by absentee ballot, prior to noon of the election date. The *Absentee Ballot Request* form is available at the District Business Office or on the District Website; [www.qcbid.org](http://www.qcbid.org). No Absentee ballots will be given out after noon of Election Day.

When the proper request has been submitted, cut off the ballot number, send the appropriate number of ballots, security envelope(s) (Envelope #1) (one for each ballot), “Absentee Voting Instructions”, “Certificate of Qualifications” printed on Envelope #2, also an “Instrument of Authority” if applicable, and one “mailing envelope” (Envelope #2).

Absentee ballots may be hand delivered to the District Business Office. No ballots will be accepted after 8:00 p.m. on the day of the election. District Drop Boxes will be sealed at 8:00 p.m. the day of the election. Place all Absentee ballots in the locked “Absentee Ballot Box”, where they will remain until the Canvass Meeting.

2. If conducting election-by-mail method, ballots shall be mailed at least eighteen days prior to the election to qualified electors listed on the current District assessment roll; RCW 87.03.032 requires mail-in-ballots be postmarked no later than midnight of the election day & received by the District within 7 days of that date. Persons or entities who have not received a ballot and believe they are qualified electors may provide documents demonstrating they are qualified electors at the QCBID Business office by the close of business on the day before the election to receive a ballot if qualified to vote in the election.
3. Make a record of the requests, the date the voting material is mailed, and the date it is received back. They must be postmarked no later than midnight on the date of the election and received by the Secretary within 7 days of the date of election.
4. As the absentee or mail-in ballots come in, make sure the voter is a qualified elector and the “Certificate of Qualifications” has been signed by the voter. Do not open the mailing envelope (Envelope #2). This will be done at the Canvass Meeting. Contact voter day of ballot receipt if “Certificate of Qualifications” has not been completed and signed by the voter and attempt to correct before close of business same day. A mailing envelope (Envelope #2) with incomplete “Certificate of Qualifications”, shall receive a label reading “questioned ballot”. A list of questioned ballots will be created and reason for questioning ballot. Staff will attempt to obtain from the voter a separate completed “Certificate of Qualifications” form to present during Canvass Meeting.
5. By close of business day of receipt, each sealed Envelope #2 are placed in the locked “Absentee Ballot Box” where they will remain until the Canvass Meeting.

## **Canvass Meeting**

1. The second Wednesday following the election, a Canvass Meeting is scheduled to tally the absentee (or mail-in) ballots and challenged ballots. The canvass must be made in public. If all the returns have not been received, the canvass must be postponed from day to day until all the returns have been received, or until six postponements have been had.
2. Absentee (or mail-in) envelopes will be reviewed and opened. Any envelopes labelled "questioned ballot" caused by incomplete "Certificate of Qualifications" may be cured by a separate completed form obtained by staff prior to canvass meeting.
3. Any challenged ballots (Envelope #1) shall be sealed in a separate envelope labelled, on the front and back, "Challenged Ballot". The name of the voter and the reason for challenging the ballot are to be written on the outside of that "Challenged Ballot" envelope. "Challenged ballots" are typically as follows:
  - Missing "Certificate of Qualifications" or "Instrument of Authority".
  - Land is located outside of Quincy-Columbia Basin Irrigation District boundaries.
  - Votes in another Director Division, for Director Elections.
  - Not a legal resident or entity of Washington State.

Note that ballots with ballot number still attached is not considered a "Challenged Ballot".

4. An identifying number is to be written on each "Challenged Ballot" envelope. The identifying number and why the ballot is being challenged is to be kept on a Challenged Ballot list. District staff and Counsel will report findings and recommendations for each "Challenged Ballot".
5. Curing of Challenged Ballots will be conducted by the Board of Directors. The Board of Directors are to review the findings and recommendations of District staff and Counsel for all challenged ballots and decide the validity of the qualifications of the voter casting each challenged ballot.

Any challenged ballot that is declared to be a valid ballot is to be counted with the absentee ballots.

6. The absentee ballots and cured challenged ballots are then to be counted in the same manner as the regular ballots.
7. The results are tallied noting the number of votes for each candidate of the Director Division(s) by absentee ballot and then combining the results with tallies on Election Day. If an undeclared write-in candidate for a position of director receives the most votes, the Board of Directors must determine whether that candidate is a qualified elector for that specific position. A qualified elector for the position of director must be 18-years-of-age, a citizen of the United States, a resident of the division of the District for which the director is being elected, or the designated agent of an entity that owns land within that division. If that candidate is not a qualified elector, the qualified elector receiving the next highest number of votes will be deemed elected to the position.
8. The Secretary of the Board of Directors must, as soon as the result is declared, enter in the records (minutes) of the Board showing:
  - The whole number of votes cast in the District.

- The name of the candidate voted for or the proposition voted for.
- The office to fill which each person was voted for or the proposition that was being voted on.
- The number of votes given in each division to each candidate and/or the number of votes given in each division for and against any proposition voted upon.

The Board of Directors must declare the elected candidate having the highest number of votes given for each office. The Secretary must immediately make and deliver to such person a *Certificate of Election* signed by him or her and authenticated by the seal of the District. A *News Release* will be prepared declaring the results of the election(s), and also posted on the District Website (see posting methods in Elections item 5. Security requirements).

9. If conducting election by polling-place method, place the absentee ballots in an envelope; Seal and mark the envelope "ABSENTEE BALLOTS" and place with the regular election materials returned by the election board. Or, if conducting election by mail-in method, place mail-in ballots in an envelope; seal & mark the envelope "ELECTION BY MAIL BALLOTS" & place with the election-by-mail materials.