

**01-001 DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY**

**Chapter 803: ELECTION OF SOIL AND WATER CONSERVATION DISTRICT SUPERVISORS**

*(APA Office Note: formerly Chapter 15 of the repealed Soil and Water Conservation Commission.)*

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**SUMMARY:** This chapter provides for the procedures to be followed in conducting the election of Soil and Water Conservation District Supervisors pursuant to 12 M.R.S.A. §§ 101 and 102.

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**1. Election Superintendent**

At least sixty (60) days before an election is scheduled the District Board of Supervisors shall appoint the District office manager or clerk or other responsible person other than a supervisor to act as Election Superintendent. The appointment shall be by letter and a copy of this letter sent to the Department of Agriculture, Conservation and Forestry.

**2. Notice of Impending Election**

The Election Superintendent shall send to the local newspaper an announcement of the upcoming election and availability of nomination petitions and ballots. Notice shall appear at least thirty (30) days prior to preparation and mailing of ballots. A sample legal notice shall be provided by the Maine Department of Agriculture, Conservation and Forestry. Such notice shall provide for all registered voters residing within the district boundaries to contact the district to receive nomination petitions or ballots.

**3. Candidates**

A candidate for an elected supervisor must be a registered voter residing within the boundaries of the district holding the election. The candidate or representatives working in his behalf shall submit to the Election Superintendent a nomination petition for the supervisor candidate signed by at least twenty-five (25) registered voters residing within the boundaries of the district. The Election Superintendent shall provide supervisor candidates with sufficient copies of blank nominating petitions. A sample form shall be provided by the Maine Department of Agriculture, Conservation and Forestry. The Election Superintendent shall establish the final date by which nomination petitions will be received and will certify nomination petitions for completeness and eligibility.

**4. Eligibility of Voters**

All registered voters residing within the boundaries of the district holding the election are eligible to vote.

## **5. Balloting**

At least twenty-one (21) days prior to the date of the election the Election Superintendent shall mail ballots to all registered voters residing within the district boundaries who requested them and to all district cooperators. Each official ballot shall contain the following information:

Name of district.

Date of election.

Number of candidates for whom to vote.

List of candidates and town of residence.

The date and time balloting will terminate and the manner in which ballots may be returned to the District.

The ballots will be prepared and distributed in a manner so as to insure a secret ballot. The Election Superintendent shall hold all ballots unopened until the date and time of election. Upon the close of the balloting, all ballots will be opened and counted by two supervisors, neither of whom are running for office in the election for which they are counting ballots, in the presence of the Election Superintendent. The Election Superintendent shall tabulate the results of the election showing total votes cast, the number of void ballots, and the number of votes received by each candidate. The candidate who receives a plurality of votes cast is elected supervisor. In the event of a tie vote, a runoff election is held.

## **6. Certification of Results**

The Election Superintendent shall certify to the Commissioner of the Maine Department of Agriculture, Conservation and Forestry, the results of the election and the names and mailing addresses, as well as legal addresses, of the elected supervisors. Each supervisor candidate shall also be notified of the election results. The ballots shall be held at the district office for a period of one year following the date of election.

## **7. Certificates of Election**

The Maine Department of Agriculture, Conservation and Forestry shall issue oaths of office and certificates of election to each elected supervisor certified by the district prior to the commencement of the elected supervisor's term. The chairman of the district will be notified when this has been done.

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EFFECTIVE DATE:

June 7, 1986 (under 01-019, Soil and Water Conservation Commission)

AMENDED:

May 14, 1991

EFFECTIVE DATE (ELECTRONIC CONVERSION):

May 4, 1996

RULE-MAKING AUTHORITY TRANSFERRED:

July 4, 1996 - to 01-001, Department of Agriculture, Food and Rural Resources

NON-SUBSTANTIVE CORRECTIONS:

March 2, 2000 - converted to MS Word

AMENDED:

February 19, 2002

NON-SUBSTANTIVE CORRECTIONS:

March 15, 2004 - Section 7

May 19, 2008 – bolding

February, 2014 – agency names, formatting