

Supervisor Election Rules

Presented by:
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Missouri Code of State Regulations

- Elected officials and state agencies have rulemaking authority.
 - Granted both constitutionally and by legislative statutes.
 - Soil and Water Districts Commission
- When effective:
 - Rules have the force and effect of law.

Constitution – The Missouri Constitution serves as Law within the state of Missouri. The Constitution provides the framework for the structure of state government and provides authority to the General Assembly and state elected officials in the duties and powers of their office. It serves as a guide for the development of Statute by the General Assembly.

Statute – are laws approved by the Missouri General Assembly and usually by the governor. They are based on constitutional authority granted to the legislature to establish policies and approved by a majority of the house and senate. The statutes, or the laws passed by the legislature, are published in the Revised Statutes of Missouri. Statutes may be created and amended each year by the legislature. Following each session the Revised Statutes of Missouri are updated and republished by the Joint Committee on Legislative Research, usually by adding a supplement with new and amended statutes.

Rule - The executive branch of state government promulgates rules. The executive branch includes elected officials—governor, lieutenant governor, secretary of state, attorney general, state treasurer and state auditor. Also included in this branch under the administration of the governor's office are all the various state agencies, such as: the Department of Transportation, Department of Elementary and Secondary Education, Department of Conservation, Department of Public Safety, etc. These elected officials and state agencies have rulemaking authority granted both constitutionally and by legislative statutes. Once the executive entities have been granted rulemaking authority, they have

the right to create rules to establish policy and procedure for carrying out their functions. Once effective, these rules have the force and effect of law.

Policy – is typically described as a principle or rule to guide decisions and achieve rational outcomes. Policy differs from rules or statute, while rules and statute have the authority of law, policy guides actions to achieve a desired outcome.

Recent Laws affecting State Regulations

- HB 1135 and SB 469
 - Passed in 2012's Legislative session
 - Require state agencies to review all rules every 5 years.
 - Agencies Title 7-10; Departments of Transportation, Labor and Industrial Relations, Mental Health and Natural Resources must begin this process by July 1, 2016

How does this affect the Soil and Water Program?

- The program currently maintains rules for:
 - Organization of Soil and Water Districts
 - Referendums
 - Formation of Subdistricts
 - Definitions
 - Cost-Share Program
 - Tax Levy Referendums
 - State Loan Interest-Share Program
 - SALT

The Program currently has 34 rules in 8 Chapters of the Code of State Regulations. All of which will need to be reviewed or be in the review process by July 1, 2016.

Commission Authority

- Formulate rules and procedures for the election of Soil and Water Districts Supervisors.

278.110. 1. The state soil and water districts commission upon declaring the establishment of a soil and water district as provided in section 278.100 shall proceed to arrange in the following manner for the establishment of a board of soil and water district supervisors to act as a local governing body for such soil and water district. This board shall consist of five members, as follows: Ex officio, the county agricultural extension agent; and four land representatives, resident taxpaying citizens within that soil and water district for a period of two years next preceding such election and elected by the majority vote of land representatives under rules and procedures formulated by the soil and water commission, but the date of this election shall not fall upon the date of any regular political election held in that county.

Why Supervisor Elections?

- Commission recently rescinded policies regarding supervisor elections
- Last revision of the rule was August 27, 1987
- All rules must be reviewed by July 1, 2016
- Commission has expressed an interest in completing the rulemaking

Candidate selection for the board.



Voter Eligibility



REPORT AND CERTIFICATION OF ELECTION FORM
COUNTY SOIL AND WATER CONSERVATION DISTRICT
MARCH 15, 2012

RECEIVED

Name of Candidate	Complete Address	MAY 10 2012	Votes Received
BY: _____			
TERRITORY I			
[Redacted]	[Redacted]		46
[Redacted]	[Redacted]		7
TERRITORY III			
[Redacted]	[Redacted]		39
[Redacted]	[Redacted]		12
Total Votes Cast in Election:			104

CERTIFICATION: According to the Tally Sheet, certified by _____, _____ and _____, who served as judges of the above election, the foregoing is a full, correct and true account of the votes received in the Election of Supervisors for the _____ Soil and Water Conservation District in Missouri, held on March 15, 2012.

Board Member signature: _____ Date: 4-10-12
Board Member signature: _____ Date: 4-10-12
Board Member signature: _____ Date: 4-10-12

***Please note that the board members certifying this election shall be from the areas NOT represented in this Election process.**

NOTE TO DISTRICT: Two copies of this report and Certification should be made with the names and correct addresses of all the nominees typed in the proper places, by areas, before tallying the election votes. Be sure the names are properly spelled and correspond to the nominee's signature. After both sheets are properly certified, mail one copy to the State Soil and Water Conservation District Commission, PO Box 176, Jefferson City, Missouri 65102. Keep one copy for the District files.

Eligible Farms: 2004
Voting Percentage: 5%

RECEIVED

MAY 23 2012

REPORT AND CERTIFICATION OF ELECTION FORM

SOIL AND WATER CONSERVATION DISTRICT

which took place on April 5 2012.

Name of Candidate	Complete Address	Votes Received
Territory <input checked="" type="checkbox"/>	[Redacted]	91
Territory <input checked="" type="checkbox"/>	[Redacted]	91
Total Votes Cast in Election		91

CERTIFICATION: A confidentially Sheet, certified by [Redacted] and [Redacted] who served as judges of the above election, the foregoing is a full, correct and true account of the votes received in the Election of Supervisors for the Soil and Water Conservation District Missouri, held on April 5, 2012.

Board member signature [Redacted] Date: 5/10/12
Board member signature [Redacted] Date: 5/10/12
Board Secretary signature [Redacted] Date: 5/10/12

* Please note that the board members certifying this election shall be from the areas NOT represented in this Election process.

NOTE TO DISTRICT: Two copies of this report and Certification should be made with the names and correct addresses of all the nominees typed in the proper places, by areas, before tallying the election votes. Be sure the names are properly spelled and correspond to the nominee's signature. After both sheets are properly certified, mail one copy to the State Soil and Water Conservation District Commission, P.O. Box 176, Jefferson City, Missouri 65102. Keep one copy for the District files.

IX-21

01/26/2011

Eligible Farms: 434
Voting Percentage: 21%

Report and Certification of Election Form
County Soil and Water Conservation District
Which took place on August 25, 2011.

Area I
[Redacted] 1 vote
[Redacted] 3 votes

Area III
[Redacted] 4 votes

Total Cotes Cast in Election: 4

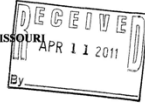
CERTIFICATION: According to the Tally Sheet, certified by [Redacted] who served as judges of the above election, the forgoing is a full, correct and true account of the votes received in the Election of Supervisors for the [Redacted] Soil and Water Conservation district in [Redacted] Missouri, held on August 25, 2011.

Board Member Signature: [Redacted] Date: 10-20-11
Board Member Signature: [Redacted] Date: 10-20-11
Board Member Signature: [Redacted] Date: 10/20/11

- Please note that the board members certifying this election shall be from the areas NOT represented in the Election process.

Eligible Farms: 1265
Voting Percentage: 0.3%

REPORT AND CERTIFICATION OF ELECTION OF SUPERVISORS
 SOIL AND WATER CONSERVATION DISTRICT OF ██████████ COUNTY, MISSOURI
 DATE: March 24, 2011



	Name of Candidate	Complete Address	Votes Received
Area I ██████████	██████████	██████████	24
			14
			32
Area III ██████████	██████████	██████████	21
			29
			22
TOTAL VOTES RECEIVED			142

Eligible Farms: 867
 Voting Percentage: 16%

CERTIFICATION: According to the Tally Sheets certified by ██████████ and ██████████ who served as judges of the above election, the foregoing is a full, correct, and true account of the votes received in the Election of Supervisors for the Soil and Water Conservation District of ██████████ county, Missouri, held on March 24, 2011.

Date: April 5, 2011

Date: April 5, 2011

Date: April 5, 2011

██████████
 Secretary, Board of Supervisors

106
RECEIVED
APR 20 2011
By

REPORT AND CERTIFICATION OF ELECTION FORM
SOIL AND WATER CONSERVATION DISTRICT
which took place on March 15 2011.

Name of Candidate	Complete Address	Votes Received
Territory [I] [REDACTED]	[REDACTED]	6
Territory [I] [REDACTED]	[REDACTED]	9

Total Votes Cast in Election: 15

CERTIFICATION: According to the Tally Sheet, certified by [REDACTED] and [REDACTED], who served as judges of the above election, the foregoing is a full, correct and true account of the votes received in the Election of Supervisors for the Soil and Water Conservation District Missouri, held on March 15, 2011.

Board member signature: [REDACTED] Date: 4/14/11
Board member signature: [REDACTED] Date: 4/14/11
Board Secretary signature: [REDACTED] Date: 4/14/11

* Please note that the board members certifying this election shall be from the areas NOT represented in this Election process.

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Eligible Farms: 462
Voting Percentage: 3%

How votes are cast.



Election Judge Requirement

