

Soil Conservation Districts Election – Accreditation Training Section

District Supervisor Election Procedure:

Oath of Office / Official Starting Date

Vacancies - Elected Supervisors:

Appointed Supervisors:

Advisors:

District Supervisor Election Procedure - Any land occupier physically living in the soil conservation district and is a qualified elector is eligible to run for the office of a soil conservation district supervisor. A “land occupier” as defined in the Soil Conservation Districts Law, includes any person that holds title to or is in possession of any lands lying within a district whether living or located in a rural or urban area within the district.

“Qualified elector” means an individual who is at least eighteen years old, is a citizen of the United States, and who has resided in the precinct thirty days next preceding any election, whether or not the individual is living in a rural or urban area.

District Supervisor Election Procedure - Any person can become a candidate upon filing a petition and statement of interests with the county auditor of the county or counties in which their district lies. The final filing date for petitions and statement of interests is no later than sixty days before the day of the election and not later than four p.m. of such day. The candidates’ petition must contain signatures of not less than twenty-five, nor more than three hundred qualified electors of the district (N.D.C.C. Chapter 4.1-20-15 & 16)

In the event a soil conservation district lies in two counties, an original petition and statement of interests with original signatures must be filed with both county auditors concerned. Any land occupier living in the district who has failed to file a nominating petition and statement of interests may furnish stickers to be attached to the ballot. The ballot shall have blank spaces below the names of candidates nominated by petition for writing in other names.

The regular election of Soil Conservation District supervisors shall be held at the same time, and at the same place, as the general election is held. Supervisors are elected for a term of six years. Candidates shall be elected on a nonpartisan ballot.

Nominating Petitions and Statement of interest forms are available through the local County Auditor Office. Contact County Auditor to confirm General Election ballot includes SCD Supervisor.

Oath of Office / Officially Take Office - Newly elected soil conservation district supervisors officially take office on the first day of January and upon completing and filing an Oath of Office.

Oath of Office forms are official documents and must be executed prior to the time elected and appointed officers are designated to officially take office. Only those elected and appointed soil conservation district supervisors who have completed and filed an Oath of Office shall qualify for their elective and appointive positions.

All newly elected soil conservation district supervisors must complete and file an Oath of Office which will cover the duration of their term of office to which they have been elected. The Secretary of State will furnish the Oath of Office forms which must be completed and returned to the Secretary of State's office. (Note different than Appointed Supervisor)

Vacancies - Elected Supervisors - In case the office of any elected supervisor shall, for any reason, become vacant, the remaining members of the board of supervisors shall, with the advice and consent of the State Soil Conservation Committee, fill the vacancy by appointment. In the event that vacancies shall occur in the office of two elected supervisors, the remaining supervisor and the State Soil Conservation Committee shall fill the vacancy; and in case the offices of all elected supervisors of a district shall become vacant, the State Soil Conservation Committee shall fill the vacancies by appointment. A supervisor appointed to fill a vacancy shall hold office until the next general election. A supervisor elected to fill a vacancy shall serve the balance of the unexpired term in which the vacancy occurred N.D.C.C. Chapter 4.1-20-18

Appointed Supervisors – In accordance with the opinion secured from the Attorney General's office, any soil conservation district, upon resolution of the three elected supervisors, may appoint two additional supervisors who shall serve for a term of one year from and after the date of their appointment. N.D.C.C. Chapter 4.1-20-18.

Such supervisors shall be appointed by a majority of the three elected supervisors and shall have all the powers, voting privileges, duties, and responsibilities of elected supervisors. As far as possible, the appointed supervisors shall represent interests within the district which are not represented by the elected supervisors. Try to have equal representation from all parts of the district on the board of supervisors. Such appointments must be made at a district meeting and recorded in the district minutes.

All appointed supervisors, whether newly appointed or reappointed, must complete an Oath of Office form immediately after their appointment, which will cover the duration of their term of office to which they have been appointed. The Oath must be signed in the presence of a Notary Public. All completed Oath of Office forms for appointed supervisors must be submitted to the State Soil Conservation Committee by March 31. (Note different than Elected Supervisor)

Only those appointed soil conservation district supervisors who have completed and filed an Oath of Office would qualify for their appointive position. The district law requires that there be

two appointees and not just one. The Committee does not file the appointed supervisor's Oath of Office form with the Secretary of State until both appointees' Oath of Office forms are received.

Advisors – If the soil conservation district board needs broader coverage than can be obtained with the elected and appointed supervisors, advisors can be appointed.

- Can offer advice and counsel.
- Cannot vote or take official action at board meetings.
- Cannot hold an office on the board of supervisors.
- Cannot receive supervisor compensation.
- Can be reimbursed for their expenses.