



Rules of
Department of Natural Resources
Division 70—Soil and Water Districts Commission
Chapter 2—Referendums

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**Title 10—DEPARTMENT OF
NATURAL RESOURCES
Division 70—Soil and Water Districts
Commission
Chapter 2—Referendums**

10 CSR 70-2.010 Conduct of Referendums

PURPOSE: This rule sets forth the basic procedures for the conduct of a referendum on the establishment or disestablishment of soil and water conservation districts.

(1) The process for the local committee and election judges is—

(A) Publish successive notices of the referendum in one (1) or more newspapers in the county where the referendum is being held during each of the two (2) weeks immediately preceding the referendum;

(B) Open polls promptly at the time advertised;

(C) Furnish official ballots to each polling place; and

(D) Close the polls promptly at the closing hour designated but allow those who have entered the polling place before this time to complete their ballots.

(2) If any elected judge is not present at the polls on the date and time of the referendum, the judges present may select any citizen in the district to serve as a judge and provide the necessary instructions.

(3) Only one (1) vote is allowed per farm by the owner or the owner's legal representative. A tract of land must be operated as an independent farm enterprise to entitle its land representative to a single vote. Two (2) or more tracts of land that are operated by one (1) management entity as an independent farm enterprise will be entitled to one (1) vote.

(4) Each landowner may personally cast one (1) vote per owned and independently operated farm. If the landowner is unable to personally vote, the landowner may give power of attorney to a taxpayer residing within the county to represent the landowner in the referendum.

(5) All blanks on the list of voters and all referendum and election tally sheets must be correctly filled in.

(6) Referendum and election tally sheets and all supplies should be returned to the clerk of the county court within twenty-four (24) hours after polls are closed, where they shall be safely preserved for twelve (12) months. If arrangements cannot be made with the coun-

ty clerk, these materials shall be sent to the Soil and Water Districts Commission, PO Box 176, Jefferson City, MO 65102. The chair of the local committee and the clerk of the county court shall certify the total referendum vote by area and polling place and report the results to the chair of the Soil and Water Districts Commission.

AUTHORITY: section 278.080, RSMo 2016. This version of rule filed Dec. 7, 1955, effective Dec. 17, 1955. Amended: Filed May 23, 2018, effective Jan. 30, 2019.*

**Original authority: 278.080, RSMo 1943, amended 1980, 1986, 1995, 2000, 2001.*

10 CSR 70-2.020 Conduct of Supervisor Elections

PURPOSE: To fulfill the authority and duty assigned in section 278.080.5(2), RSMo, this rule sets forth the basic procedures for the election of supervisors to the governing body of a soil and water conservation district.

(1) The Soil and Water Conservation District (SWCD) Board is responsible for conducting the election of supervisors in accordance with procedures established by the commission. Elections may be conducted electronically or with paper ballots.

(2) The SWCD shall be partitioned by the commission into four (4) areas for the purpose of identifying candidates for the SWCD board.

(3) To qualify for office, a candidate shall—

(A) Be a land representative as defined in 10 CSR 70-4.010;

(B) Be a cooperator of the SWCD;

(C) Reside in or own a farm lying in the same area where there is an expiring term; and

(D) Be eighteen (18) years of age or older by the election date.

(4) Eligibility for Voting.

(A) Voting in SWCD supervisor elections is limited to one (1) vote per independent farm enterprise by a landowner or the landowner's legal representative. A legal representative must have a power of attorney that specifically authorizes voting in SWCD supervisor elections.

(5) The election shall be certified by a majority of the board responsible for conducting the election. The SWCD Board of Supervisors shall complete and sign two (2) copies of the report and certification of supervisor election

form. One (1) copy shall be mailed to the Soil and Water Conservation Program and one (1) copy shall be kept permanently in the SWCD files along with the tally sheet signed by the judges. After the election, the newly composed board shall select new officers and submit a list of the new officers to the Soil and Water Conservation Program.

AUTHORITY: section 278.080.5(2), RSMo 2016. Original rule filed May 28, 1987, effective Aug. 27, 1987. Amended: Filed May 23, 2018, effective Jan. 30, 2019.*

**Original authority: 278.080, RSMo 1943, amended 1980, 1986, 1995, 2000, 2001.*