

House Bill 3672

Sponsored by COMMITTEE ON RULES

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Designates elected county surveyor office as nonpartisan. Allows elected county surveyor to be nonresident of county of less than 25,000 population.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to county surveyors; amending ORS 204.016, 249.002 and 254.005; and declaring an emer-
3 gency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 204.016 is amended to read:

6 204.016. (1) A person is not eligible to serve in any office listed in ORS 204.005 unless the person
7 is a citizen of the United States and an elector under the Oregon Constitution.

8 (2) A person is not eligible to serve in any elective office listed in ORS 204.005 unless the person
9 meets the requirements of subsection (1) of this section and in addition is a resident of the county
10 in which the person is elected for the period of one year preceding the next election, **except that**
11 **in counties of less than 25,000 population the requirement of residency in the county in which**
12 **the person is elected does not apply to an elected county surveyor.**

13 (3) A person is not eligible to be a candidate for election or appointment to the office of county
14 surveyor unless registered under the laws of this state as a registered professional land surveyor.

15 (4) A person is not eligible to be a candidate for election or appointment to the office of county
16 assessor unless:

17 (a) The person has qualified as a registered appraiser or is an appraiser trainee under ORS
18 308.015 and if an appraiser trainee, notwithstanding ORS 308.015, becomes a registered appraiser
19 within two years after taking office; and

20 (b) The person either has two years of office and accounting experience, including experience
21 in office management activities, or has two years of full-time employment in the office of a county
22 assessor.

23 (5) The Department of Revenue shall prepare applications and questionnaires, and obtain infor-
24 mation it may deem necessary to determine that a candidate for the office of county assessor has
25 met the requirements of subsection (4) of this section, and shall furnish to applicants suitable cer-
26 tificates evidencing satisfactory compliance with the required qualifications.

27 **SECTION 2.** ORS 249.002 is amended to read:

28 249.002. As used in this chapter:

29 (1) "Candidate" means an individual whose name is or is expected to be printed on the official
30 ballot.

31 (2) "County clerk" means the county clerk or the county official in charge of elections.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 (3) "Elector" means an individual qualified to vote under section 2, Article II, Oregon Consti-
2 tution.

3 (4) "Judge" means judge of the Supreme Court, Court of Appeals, circuit court or the Oregon
4 Tax Court, or any county judge who exercises judicial functions.

5 (5) "Member" means an individual who is registered as being affiliated with the political party.

6 (6) "Minor political party" means a political party that has qualified as a minor political party
7 under ORS 248.008.

8 (7) "Nonpartisan office" means the office of judge, Superintendent of Public Instruction, Com-
9 missioner of the Bureau of Labor and Industries, any elected office of a metropolitan service district
10 under ORS chapter 268, justice of the peace, county clerk, county assessor, **county surveyor**,
11 county treasurer, sheriff, district attorney or any office designated nonpartisan by a home rule
12 charter.

13 (8) "Prospective petition" means the information, except signatures and other identification of
14 petition signers, required to be contained in a completed petition.

15 (9) "Public office" means any national, state, county, city or district office or position, except
16 a political party office, filled by the electors.

17 (10) "State office" means Governor, Secretary of State, State Treasurer, Attorney General,
18 Commissioner of the Bureau of Labor and Industries, Superintendent of Public Instruction, judge,
19 state Senator, state Representative or district attorney.

20 **SECTION 3.** ORS 254.005 is amended to read:

21 254.005. As used in this chapter:

22 (1) "Ballot" means any material on which votes may be cast for candidates or measures. In the
23 case of a recall election, "ballot" includes material posted in a voting compartment or delivered to
24 an elector by mail.

25 (2) "Chief elections officer" means the:

26 (a) Secretary of State, regarding a candidate for a state office or an office to be voted on in the
27 state at large or in a congressional district, or a measure to be voted on in the state at large.

28 (b) County clerk, regarding a candidate for a county office, or a measure to be voted on in a
29 county only.

30 (c) City clerk, auditor or recorder, regarding a candidate for a city office, or a measure to be
31 voted on in a city only.

32 (3) "County clerk" means the county clerk or the county official in charge of elections.

33 (4) "Elector" means an individual qualified to vote under section 2, Article II, Oregon Consti-
34 tution.

35 (5) "Major political party" means a political party that has qualified as a major political party
36 under ORS 248.006.

37 (6) "Measure" includes any of the following submitted to the people for their approval or re-
38 jection at an election:

39 (a) A proposed law.

40 (b) An Act or part of an Act of the Legislative Assembly.

41 (c) A revision of or amendment to the Oregon Constitution.

42 (d) Local, special or municipal legislation.

43 (e) A proposition or question.

44 (7) "Minor political party" means a political party that has qualified as a minor political party
45 under ORS 248.008.

1 (8) "Nonpartisan office" means the office of judge of the Supreme Court, Court of Appeals, cir-
2 cuit court or the Oregon Tax Court, Superintendent of Public Instruction, Commissioner of the Bu-
3 reau of Labor and Industries, any elected office of a metropolitan service district under ORS chapter
4 268, justice of the peace, county clerk, county assessor, **county surveyor**, county treasurer, county
5 judge who exercises judicial functions, sheriff, district attorney or any office designated nonpartisan
6 by a home rule charter.

7 (9) "Prospective petition" means the information, except signatures and other identification of
8 petition signers, required to be contained in a completed petition.

9 (10) "Regular district election" means the election held each year for the purpose of electing
10 members of a district board as defined in ORS 255.005 (2).

11 (11) "Vote tally system" means one or more pieces of equipment necessary to examine and tally
12 automatically the marked ballots.

13 (12) "Voting machine" means any device that will record every vote cast on candidates and
14 measures and that will either internally or externally total all votes cast on that device.

15 **SECTION 4. This 2010 Act being necessary for the immediate preservation of the public**
16 **peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect**
17 **on its passage.**

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