

Senate Bill 520

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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**.

Requires that recall of district officer of irrigation district follow standard procedures for recall of public officers.

A BILL FOR AN ACT

1
2 Relating to recall of district officers of irrigation districts; amending ORS 198.425 and 198.430.

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

4 **SECTION 1.** ORS 198.425 is amended to read:

5 198.425. ORS 249.865 to 249.877 apply to the recall of a district officer of:

6 (1) A district defined in ORS 255.012[.]; **or**

7 (2) **Except as provided in ORS 545.189, an irrigation district organized under ORS chapter**
8 **545.**

9 **SECTION 2.** ORS 198.430 is amended to read:

10 198.430. (1) Before circulating a petition for recall of a district officer of a district other than
11 a district defined in ORS 255.012, the petitioner shall file the petition with the officer with whom a
12 petition for nomination to such office should be filed. Except as provided in this subsection, if there
13 is no such officer or if the officer is the district officer against whom the petition is being filed, the
14 petition shall be filed with the county clerk of the county in which the administrative office of the
15 district is located. [*In the case of an irrigation district organized under ORS chapter 545, if there is*
16 *no such officer or if the officer is the district officer against whom the petition is being filed, the petition*
17 *shall be filed with the board of directors of the irrigation district.*]

18 (2) The petition shall be signed by a number of persons who are qualified to vote in the district,
19 that is equal to but not less than the lesser of:

20 (a) Fifteen percent of the persons who are qualified to vote in the district, or subdivision of the
21 district from which the district officer was elected; or

22 (b) Fifteen percent of the total votes cast in the electoral district for all candidates for Governor
23 at the most recent election at which a candidate for Governor was elected to a full term.

24 (3) The circulator of the signature sheet shall certify on each sheet that the circulator:

25 (a) Witnessed the signing of the signature sheet by each individual whose signature appears on
26 the signature sheet; and

27 (b) Believes each individual stated the correct residence address of the individual and is an in-
28 dividual qualified to vote in the district.

29 (4) In those districts where a person qualified to vote must be an elector, the petition, before
30 filing, shall be submitted to the county clerk who shall compare the signatures of the persons sign-

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 ing the petition with the signatures of electors on the register of electors and, on the face of each
2 signature sheet, shall make a certificate of the number of signatures the county clerk believes to
3 be genuine. In other districts, the officer who receives the petition for filing, before filing the peti-
4 tion, shall verify the signatures and make a certificate of the number of signatures the officer be-
5 lieves to be genuine.

6 (5) The district shall pay the expense of verifying the signatures and of calling and conducting
7 the election. The election shall be conducted in the district, or in the subdivision of the district from
8 which the district officer was elected, in accordance with the law governing election of district of-
9 ficers.

10 (6) A person who is qualified to vote in a district under this section is a person who is qualified,
11 under the law applicable to the district, to vote in an election at which members of the governing
12 body of the district are elected.

13 (7) A recall petition is void unless the petition is filed not later than the 100th day after the date
14 of the first signature on the petition. Not later than the 90th day after the date of the first signature,
15 the petition shall be submitted for signature verification to the county clerk or other officer de-
16 scribed in subsection (4) of this section who shall make the certificate of the number of genuine
17 signatures not later than the 10th day after the date of submission. The petition must contain only
18 original signatures. A recall petition shall not be accepted for signature verification if the petition
19 contains less than 100 percent of the required number of signatures. A recall petition shall not be
20 accepted for filing until 100 percent of the required number of signatures have been verified.

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