

SENATE AMENDMENTS TO SENATE BILL 775

By COMMITTEE ON RULES

June 14

1 On page 1 of the printed bill, delete lines 4 through 31 and delete page 2.

2 On page 3, delete lines 1 through 4 and insert:

3 “**SECTION 1.** ORS 568.560 is amended to read:

4 “568.560. (1) The local governing body of the soil and water conservation district shall consist
5 of a board of either five or seven directors elected or appointed as provided by law. To ensure
6 proper representation of all the people in the district and to facilitate district functions, the State
7 Department of Agriculture shall provide for the zoning of each district, and shall provide each time
8 directors are elected or appointed for the proper and equitable representation for each zone.

9 “(2) Two director positions shall be at-large positions. At-large directors must reside within the
10 district and be registered voters.

11 “(3)(a) **All zone directors must be registered voters and reside within the zones they rep-**
12 **resent in the district.**

13 “(b) **In addition to the requirements described in paragraph (a) of this subsection, zone**
14 **directors in a district that does not include any county with a population of 250,000 or more**
15 **must:**

16 “(A) Own or manage 10 or more acres of land in **the zones they represent** in the district[,] **and**
17 **and be involved in the active management of the land** [*property, reside within the boundaries of the*
18 *district and be registered voters. Zone directors may either reside within the zone that is represented*
19 *or own or manage 10 or more acres within the zone that is represented and be involved in the active*
20 *management of the property. An individual may also serve as a zone director when the individual, in*
21 *lieu of the other requirements specified in this subsection, resides within the zone that is represented*
22 *and indicates*]; **or**

23 “(B) **Indicate** an interest in natural resource conservation as demonstrated by serving at least
24 one year as a director or associate director of a district and having a conservation plan that is
25 approved by the district.

26 “(4) Candidates nominated for director from a specific zone shall be voted on by all electors
27 within the district.

28 “[~~(4)~~] (5) The directors shall designate a chairperson, secretary and other officers as necessary
29 and may, from time to time, change such designation.

30 “[~~(5)~~] (6) The term of office of each director shall be four years, except that:

31 “(a) Of the directors first appointed under ORS 568.400, two shall serve until January first fol-
32 lowing the first general election following their appointment, and three shall serve until January
33 first following the second general election following their appointment, as determined by the de-
34 partment, and thereafter, their successors shall be elected as provided by law for other elected di-
35 rectors.

1 “(b) Of the directors first elected as provided in ORS 568.545 (1), three shall serve until January
2 first following the first general election and four shall serve until January first following the second
3 general election after the date of their election, as determined by them by lot at the meeting re-
4 ferred to in ORS 568.545 (1).

5 “(c) Of the directors first elected as provided in ORS 568.565 (1), three shall serve until January
6 first following the first general election and two shall serve until January first following the second
7 general election after the date of their election, as determined by them by lot at the meeting re-
8 ferred to in ORS 568.565 (1).

9 “(d) Of the zone directors elected as provided under ORS 568.565 (2), three shall serve until
10 January first following the first general election and two shall serve until January first following
11 the second general election after the date of their election, as determined by lot at the meeting re-
12 ferred to in ORS 568.565 (2).

13 “[6] (7) A director shall hold office until a successor has been elected or appointed, has qual-
14 ified and has taken the oath of office or until the office becomes vacant under subsection [(7)] (8)
15 of this section. Any vacancy occurring in the office of director shall be filled as provided by sub-
16 section [(8)] (9) of this section.

17 “[7] (8) A director position becomes vacant under the following circumstances:

18 “(a) The department, upon the written recommendation of a majority of the members of the local
19 governing body of a district, may declare vacant the position of a director who is absent from three
20 consecutive meetings of the local governing body of the district. A position becomes vacant under
21 this paragraph upon the issuance of the declaration by the department.

22 “(b) No nominee for the position qualifies under ORS 568.530 to have the name of the nominee
23 furnished to the county clerk for placement on the general district election ballot and no person
24 qualifies under ORS 568.530 to have write-in votes counted. A position becomes vacant under this
25 paragraph on January 1.

26 “(c) The department determines that a candidate receiving the most votes at an election does
27 not qualify under this section to hold the position. A position becomes vacant under this paragraph
28 on January 1 next following the election at which the unqualified candidate was elected unless an
29 appointee to the position has been selected under subsection [(8)] (9) of this section.

30 “(d) A director serving in a position no longer qualifies under this section to hold the position.
31 A position becomes vacant under this paragraph upon the department’s declaration that the person
32 no longer qualifies for the position.

33 “(e) A director resigns from a position. A position becomes vacant under this paragraph upon
34 the department’s receiving notice of the resignation.

35 “(f) A candidate who received the most votes at an election, or an appointee, refuses to take the
36 oath of office as a director.

37 “[8] (9) A director position that becomes vacant before the scheduled expiration of a term shall
38 be filled by appointment by a majority of the remaining directors. However, if a majority of the di-
39 rector positions are vacant or if the remaining directors cannot agree on an appointee, the depart-
40 ment shall make an appointment to fill the position.

41 “[9] (10) An appointment under subsection [(8)] (9) of this section shall end on January 1 next
42 following the first general district election held after the appointment. If the appointment ends under
43 this subsection before the January 1 that would normally complete the four-year term of office for
44 the position, the position shall be placed on the ballot at the next general election as provided under
45 ORS 568.530 to fill the position for the remainder of the four-year term.”.

