

Requested by Senator FREDERICK

**PROPOSED AMENDMENTS TO
SENATE BILL 775**

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

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

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

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

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

14 “(3)(a) **All zone directors must be registered voters and reside within**
15 **the zones they represent in the district.**

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

19 “(A) Own or manage 10 or more acres of land in **the zones they repre-**
20 **sent in** the district[,] **and** be involved in the active management of the **land**
21 [*property, reside within the boundaries of the district and be registered voters.*

1 *Zone directors may either reside within the zone that is represented or own*
2 *or manage 10 or more acres within the zone that is represented and be involved*
3 *in the active management of the property. An individual may also serve as a*
4 *zone director when the individual, in lieu of the other requirements specified*
5 *in this subsection, resides within the zone that is represented and indicates];*
6 **or**

7 **“(B) Indicate** an interest in natural resource conservation as demon-
8 strated by serving at least one year as a director or associate director of a
9 district and having a conservation plan that is approved by the district.

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

12 **“[(4)] (5) The** directors shall designate a chairperson, secretary and other
13 officers as necessary and may, from time to time, change such designation.

14 **“[(5)] (6) The** term of office of each director shall be four years, except
15 that:

16 **“(a) Of the** directors first appointed under ORS 568.400, two shall serve
17 until January first following the first general election following their ap-
18 pointment, and three shall serve until January first following the second
19 general election following their appointment, as determined by the depart-
20 ment, and thereafter, their successors shall be elected as provided by law for
21 other elected directors.

22 **“(b) Of the** directors first elected as provided in ORS 568.545 (1), three
23 shall serve until January first following the first general election and four
24 shall serve until January first following the second general election after the
25 date of their election, as determined by them by lot at the meeting referred
26 to in ORS 568.545 (1).

27 **“(c) Of the** directors first elected as provided in ORS 568.565 (1), three
28 shall serve until January first following the first general election and two
29 shall serve until January first following the second general election after the
30 date of their election, as determined by them by lot at the meeting referred

1 to in ORS 568.565 (1).

2 “(d) Of the zone directors elected as provided under ORS 568.565 (2), three
3 shall serve until January first following the first general election and two
4 shall serve until January first following the second general election after the
5 date of their election, as determined by lot at the meeting referred to in ORS
6 568.565 (2).

7 “[~~(6)~~] (7) A director shall hold office until a successor has been elected
8 or appointed, has qualified and has taken the oath of office or until the office
9 becomes vacant under subsection [~~(7)~~] (8) of this section. Any vacancy oc-
10 ccurring in the office of director shall be filled as provided by subsection
11 [~~(8)~~] (9) of this section.

12 “[~~(7)~~] (8) A director position becomes vacant under the following circum-
13 stances:

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

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

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

30 “(d) A director serving in a position no longer qualifies under this section

1 to hold the position. A position becomes vacant under this paragraph upon
2 the department's declaration that the person no longer qualifies for the po-
3 sition.

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

6 “(f) A candidate who received the most votes at an election, or an ap-
7 pointee, refuses to take the oath of office as a director.

8 “[8] **(9)** A director position that becomes vacant before the scheduled
9 expiration of a term shall be filled by appointment by a majority of the re-
10 maining directors. However, if a majority of the director positions are vacant
11 or if the remaining directors cannot agree on an appointee, the department
12 shall make an appointment to fill the position.

13 “[9] **(10)** An appointment under subsection [(8)] **(9)** of this section shall
14 end on January 1 next following the first general district election held after
15 the appointment. If the appointment ends under this subsection before the
16 January 1 that would normally complete the four-year term of office for the
17 position, the position shall be placed on the ballot at the next general
18 election as provided under ORS 568.530 to fill the position for the remainder
19 of the four-year term.”.

20
