

Submitter: Dean Moberg
On Behalf Of:
Committee: Senate Committee On Rules
Measure: SB775

May 22, 2023

To: Senate Rules Committee
Re: SB 775 Soil and Water Conservation District Board Eligibility

Chair Lieber and Committee Members,

I submit this letter in support of SB 775, which seeks to update eligibility rules for soil and water conservation districts. SB 775 will amend ORS 568, which governs conservation districts, to allow candidates in counties with populations over 250,000 to serve as zone directors without the requirement of owning or managing at least 10 acres of land. SB 775 will ensure an open, democratic process and result in conservation district boards that represent everyone in their district.

It is common sense that candidates for public office should not be required to own or control land. Most people I talk with about this requirement are dumbfounded that such a requirement is even possible in a 21st-century democracy. However, you may hear the following arguments in opposition to SB 775, and I offer you reasons those arguments are not valid:

1. Some claim that a candidate without 10 acres of land only needs to serve as an “associate director” of a conservation district for one year in order to qualify.

But, ORS 568 provides no guidance on appointing associate directors. Conservation district boards make these decisions as they wish. It’s not hard to imagine a board denying an individual appointment as associate director if they don’t like the individual’s views or, worse, don’t want competition from them in a future election.

Also, there often isn’t time to serve for one year as an associate director before an election. In 2020, one of the Tualatin Soil and Water Conservation District zone directors announced that he would not run for re-election. When I heard this, I contacted a farmer who raises fresh market vegetables and had successfully implemented several conservation projects on her land. That farmer was interested in running for the position. Unfortunately, her farm is somewhat less than 10 acres. Since the election was just a few months away, she did not have time to serve a full year as associate director. Thus, this highly qualified individual could not even be considered by voters for this position on the conservation district board.

2. Some will claim that owning or managing 10 acres is a way to guarantee that candidates have better knowledge of conservation and are thus more qualified to serve than others. This, too, is a faulty argument. In my youth, I worked on farms in California, Illinois, and upstate New York. I worked as a conservationist for the USDA - Natural Resources Conservation Service for 35 years in Michigan, Wisconsin, and Oregon and helped farmers develop conservation plans on land ranging from less than one to over one thousand acres. I have helped conserve resources on farms, forests, ranches, wildlife land, and urban areas. I have degrees in agriculture and environmental science and engineering. I managed a wetland restoration project on a land unit of over 300 acres. However, once I retired from USDA, I no longer managed that land and thus was not eligible to run for a zone director position. Strangely, according to current ORS, I could run for a zone director position up until the day I retired, when I suddenly was no longer considered qualified for that role.

3. Finally, some will argue that directors with 10 or more acres of land are better able to relate to the people a conservation district serves. This argument is self-fulfilling. Conservation districts should serve everyone, not just those who own large farms and forests. If a conservation district feels that all of their "clients" are large farmers, that may be because people without 10 acres of land are restricted from serving as zone directors.

In short, SB 775 is long overdue legislation that will ensure democratic elections and conservation programs that serve everyone. I urge you to support this bill.

Thank you for your consideration,

Dean P. Moberg, Ph.D.
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