



February 12, 2024

To Senate Committee on Judiciary

From: Oregon Association of Conservation Districts

Re: **Oppose SB 1576 -3**

Chair Prozanski and Committee Members,

The Oregon Association of Conservation Districts (OACD) represents Oregon's 45 Soil and Water Conservation Districts (SWCDs), special districts governed by elected boards. The Districts protect and enhance soil quality, water quality and quantity, and habitat by supporting voluntary conservation in partnership with private landowners and managers as well as federal, state, and nonprofit partners.

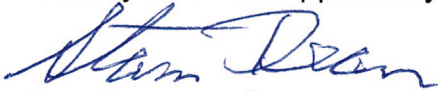
OACD Opposes SB 1576-3. Some of our member districts own lands that have or have the potential for public recreation, and the limitations on liability that are provided in the -3 Amendments would be very helpful. The bill is worded in an awkward manner and the intentions on who is covered and who is not covered are not clear.

As we read the bill, Section 2 of the -3 amendments extends the limitations on liabilities to local government as defined in ORS 174.116, and SWCDs meet this definition. Thus, Section 2 works for us. However, Section 2 is superseded by Section 4 starting January 2, 2026. Section 4 changes the definition of local government to mean "cities and counties," therefore SWCDs would then be excluded.

If we read this right, SWCDs get the liability protections for about a year and then they are taken away. If can be shown that our interpretation is incorrect, or the bill can be modified to provide the limitations on liability to SWCDs in perpetuity, we would be pleased to move to a support position.

We suspect that this problem that we are pointing out may also be a problem for other forms of local government.

Thank you for the opportunity to provide input.

A handwritten signature in blue ink that reads "Stan Dean". The signature is fluid and cursive, with the first name "Stan" and last name "Dean" clearly distinguishable.

Stan Dean
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