

Requested by Representative NOSSE

**PROPOSED AMENDMENTS TO
HOUSE BILL 2958**

1 On page 1 of the printed bill, delete lines 5 through 31 and delete pages
2 2 and 3 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
5 district shall consist of a board of either five or seven directors elected or
6 appointed as provided by law. To ensure proper representation of all the
7 people in the district and to facilitate district functions, the State Depart-
8 ment of Agriculture shall provide for the zoning of each district, and shall
9 provide each time directors are elected or appointed for the proper and eq-
10 uitable representation for each zone.

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

13 “[3) *Zone directors must own or manage 10 or more acres of land in the*
14 *district, be involved in the active management of the property, reside within*
15 *the boundaries of the district and be registered voters. Zone directors may ei-*
16 *ther reside within the zone that is represented or own or manage 10 or more*
17 *acres within the zone that is represented and be involved in the active man-*
18 *agement of the property. An individual may also serve as a zone director when*
19 *the individual, in lieu of the other requirements specified in this subsection,*
20 *resides within the zone that is represented and indicates an interest in natural*
21 *resource conservation as demonstrated by serving at least one year as a direc-*

1 *tor or associate director of a district and having a conservation plan that is*
2 *approved by the district. Candidates nominated for director from a specific*
3 *zone shall be voted on by all electors within the district.]*

4 **“(3)(a) A person qualifies to be a zone director:**

5 **“(A) If the person resides within the boundaries of the district and**
6 **is a registered voter; or**

7 **“(B) If the person resides within the boundaries of the zone, has**
8 **served at least one year as a director or associate director of a district**
9 **and has a conservation plan that is approved by the district.**

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

12 **“(4) The directors shall designate a chairperson, secretary and other offi-**
13 **cers as necessary and may, from time to time, change such designation.**

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

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

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

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

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

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

11 “(7) A director position becomes vacant under the following circum-
12 stances:

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

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

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

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

1 sition.

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

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

6 “(8) A director position that becomes vacant before the scheduled expira-
7 tion of a term shall be filled by appointment by a majority of the remaining
8 directors. However, if a majority of the director positions are vacant or if
9 the remaining directors cannot agree on an appointee, the department shall
10 make an appointment to fill the position.

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

18 **“SECTION 2. The amendments to ORS 568.560 by section 1 of this**
19 **2019 Act apply to a zone director position for which an election is held,**
20 **or an appointment to a vacant position is made, on or after the ef-**
21 **fective date of this 2019 Act.”.**

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