

1 AN ACT relating to soil and water conservation.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 146.090 is amended to read as follows:

- 4 (1) The secretary of the Energy and Environment Cabinet, with the approval of the Soil  
5 and Water Conservation Commission shall divide the state into nine (9) soil and  
6 water conservation areas which shall contain as nearly as practicable, an equal  
7 number of soil and water conservation districts;
- 8 (2) The Soil and Water Conservation Commission shall consist of nine (9) members,  
9 not more than five (5) of whom shall be of the same political party, to be appointed  
10 by the secretary of the Energy and Environment Cabinet with the approval of the  
11 Governor;
- 12 (3) One (1) member shall be appointed from each of the areas from a list of two (2)  
13 names submitted from each area by the ***Kentucky Association of Conservation***  
14 ***Districts***~~[supervisors of the soil and water conservation districts that have their~~  
15 ~~principal offices therein]. All members ***of the commission*** shall be supervisors of  
16 soil and water conservation districts;~~
- 17 (4) The term of office of each member shall be four (4) years; provided that, whenever  
18 a member of the commission ceases to hold the office of district supervisor by  
19 virtue of which he ***or she*** is serving on the commission, his ***or her*** term of office as  
20 a member of the commission shall be terminated. In the case of any vacancy other  
21 than the one (1) caused by the expiration of a term, the secretary of the Energy and  
22 Environment Cabinet, with the approval of the Governor, shall appoint the  
23 successor from a list of two (2) names submitted by the ***Kentucky Association of***  
24 ***Conservation Districts from the***~~[supervisors of the soil and water conservation]~~  
25 area which was represented by the former member. The successor shall also be a  
26 supervisor of a soil and water conservation district;
- 27 (5) The members of the commission shall designate a chairman from among their

1 members and may from time to time change such designation. The commission  
2 shall keep a record of its official actions. A majority of the commission shall  
3 constitute a quorum. The commission may call upon the Attorney General for legal  
4 services as it may require. It may delegate to its chairman, any of its members, the  
5 director of the division, or any officer, employee, or agent, powers and duties as it  
6 deems proper. Members of the commission shall receive no compensation for their  
7 services, but shall be entitled to expenses, including traveling expenses, necessarily  
8 incurred in discharging their duties;

9 (6) The following persons are advisory members of the commission by virtue of their  
10 offices: the secretary of the Energy and Environment Cabinet, the Commissioner of  
11 Agriculture, the director of the agricultural experiment station, the director of  
12 vocational education, and the state conservationist of the United States Department  
13 of Agriculture.

14 ➔Section 2. KRS 262.210 is amended to read as follows:

15 Nominating petitions shall be filed with the clerk of the county in which the district lies to  
16 nominate candidates for supervisors of the district. Such petitions shall be filed by at least  
17 the last date prescribed by the election law generally for filing certificates of nomination  
18 prior to a general election. Such petitions shall be filed no later than 4 p.m. local time at  
19 the place of filing when filed on the last date on which such papers are permitted to be  
20 filed. Each nominating petition shall be subscribed by twenty-five (25) or more qualified  
21 voters who are residents of the territory to be encompassed by the district. Resident  
22 qualified voters may join in nominating by petition more than one (1) candidate for  
23 supervisor. The nominating petition shall state the residence and post office address of  
24 each candidate, that he ***or she*** is legally qualified to hold the office,~~and~~ that the  
25 subscribers desire, and are legally qualified, to vote for the candidate, ***and for candidates***  
26 ***who have not taken office prior to the effective date of this Act, that the candidate is at***  
27 ***least twenty-one (21) years of age.*** The county clerk shall certify the nomination and

1 election of supervisors to the commission.

2       ➔Section 3. KRS 262.240 is amended to read as follows:

- 3 (1) A supervisor's term begins on January 1 following his or her election. The two (2)  
4 supervisors elected in the general election of 1974 shall be elected for a term of two  
5 (2) years. In 1976 a general election shall be conducted for seven (7) supervisors.  
6 The four (4) supervisors elected with the highest number of votes in the general  
7 election of 1976 shall serve for four (4) years; the other three (3) supervisors elected  
8 in 1976 shall serve for two (2) years. In the event only seven (7) nominating  
9 petitions for supervisors are filed, the commission shall declare the nominees  
10 elected without an election, and shall name four (4) of the nominees to serve terms  
11 of four (4) years, and three (3) to serve terms of two (2) years. Thereafter  
12 supervisors shall be elected for four (4) years as their terms expire. Nominating  
13 petitions for supervisors shall be filed with the county clerk not later than the last  
14 date prescribed by the election law generally for filing certificates and petitions of  
15 nomination. No such nominating petition shall be accepted by the clerk unless it is  
16 signed by twenty-five (25) or more qualified resident voters of the district. Qualified  
17 resident voters may sign more than one (1) nominating petition to nominate more  
18 than one (1) candidate for supervisor. In the event nominating petitions for only the  
19 number of supervisors to be elected are filed, the commission shall declare the  
20 nominees elected without holding an election. The county clerk shall examine the  
21 petition of each candidate to determine whether it is regular on its face. If there is  
22 an error, the county clerk shall notify the candidate by certified mail within twenty-  
23 four (24) hours of filing.
- 24 (2) A supervisor shall hold office until his or her successor has been elected and has  
25 qualified. Vacancies shall be filled for the unexpired term by appointment by the  
26 commission.
- 27 (3) A supervisor may be reimbursed for expenses necessarily incurred in the discharge

1 of his or her duties and may be paid a per diem for attending meetings or otherwise  
2 discharging the obligations of his office.

3 (4) A supervisor shall be at least twenty-one (21) years of age, a resident of the county  
4 or district in which he or she serves as a supervisor, and upon moving from the  
5 county or district, the supervisor shall be ineligible to serve as a supervisor and his  
6 or her office shall be vacant.

7 (5) A supervisor who has been declared elected without an election pursuant to  
8 subsection (1) of this section may be removed from office by the commission in the  
9 same manner as provided by KRS 65.007 for removal of an appointed member of  
10 the governing body of a special district.

11 ➔Section 4. Whereas the Kentucky Association of Conservation Districts  
12 represents the 121 Soil Conservation Districts throughout our great Commonwealth, and  
13 its mission is to conserve and develop all renewable natural resources within each district,  
14 it is imperative that the continuity of the conservation district's board of supervisors  
15 remain as established upon the effective date of this Act. Therefore, it is the intent of the  
16 General Assembly that each supervisor of the district shall serve his or her term as elected  
17 by the residents of the district which the supervisor represents and shall not be replaced  
18 until his or her successor has been elected and has qualified. Furthermore, it is the intent  
19 of the General Assembly that, upon the effective date of this Act, candidates for  
20 supervisor of a conservation district shall be at least 21 years of age.