AN ACT relating to soil and water conservation.

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

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

嫚(1) The secretary of the Energy and Environment Cabinet, with the approval of the Soil and Water Conservation Commission shall divide the state into nine (9) soil and water conservation areas which shall contain as nearly as practicable, an equal number of soil and water conservation districts;

嫚(2) The Soil and Water Conservation Commission shall consist of nine (9) members, not more than five (5) of whom shall be of the same political party, to be appointed by the secretary of the Energy and Environment Cabinet with the approval of the Governor;

嫚(3) One (1) member shall be appointed from each of the areas from a list of two (2) names submitted from each area by the Kentucky Association of Conservation Districts [supervisors of the soil and water conservation districts that have their principal offices therein]. All members of the commission shall be supervisors of soil and water conservation districts;

嫚(4) The term of office of each member shall be four (4) years; provided that, whenever a member of the commission ceases to hold the office of district supervisor by virtue of which he or she is serving on the commission, his or her term of office as a member of the commission shall be terminated. In the case of any vacancy other than the one (1) caused by the expiration of a term, the secretary of the Energy and Environment Cabinet, with the approval of the Governor, shall appoint the successor from a list of two (2) names submitted by the Kentucky Association of Conservation Districts from the [supervisors of the soil and water conservation] area which was represented by the former member. The successor shall also be a supervisor of a soil and water conservation district;

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

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

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

Nominating petitions shall be filed with the clerk of the county in which the district lies to nominate candidates for supervisors of the district. Such petitions shall be filed by at least the last date prescribed by the election law generally for filing certificates of nomination prior to a general election. Such petitions shall be filed no later than 4 p.m. local time at the place of filing when filed on the last date on which such papers are permitted to be filed. Each nominating petition shall be subscribed by twenty-five (25) or more qualified voters who are residents of the territory to be encompassed by the district. Resident qualified voters may join in nominating by petition more than one (1) candidate for supervisor. The nominating petition shall state that the candidate is at least twenty-one years of age, the residence and post office address of each candidate, that he or she is legally qualified to hold the office, and that the subscribers desire, and are legally qualified, to vote for the candidate. The county clerk shall certify the nomination and election of supervisors to the commission.
Section 3. KRS 262.240 is amended to read as follows:

(1) A supervisor's term begins on January 1 following his or her election. The two (2) supervisors elected in the general election of 1974 shall be elected for a term of two (2) years. In 1976 a general election shall be conducted for seven (7) supervisors. The four (4) supervisors elected with the highest number of votes in the general election of 1976 shall serve for four (4) years; the other three (3) supervisors elected in 1976 shall serve for two (2) years. In the event only seven (7) nominating petitions for supervisors are filed, the commission shall declare the nominees elected without an election, and shall name four (4) of the nominees to serve terms of four (4) years, and three (3) to serve terms of two (2) years. Thereafter supervisors shall be elected for four (4) years as their terms expire. Nominating petitions for supervisors shall be filed with the county clerk not later than the last date prescribed by the election law generally for filing certificates and petitions of nomination. No such nominating petition shall be accepted by the clerk unless it is signed by twenty-five (25) or more qualified resident voters of the district. Qualified resident voters may sign more than one (1) nominating petition to nominate more than one (1) candidate for supervisor. In the event nominating petitions for only the number of supervisors to be elected are filed, the commission shall declare the nominees elected without holding an election. The county clerk shall examine the petition of each candidate to determine whether it is regular on its face. If there is an error, the county clerk shall notify the candidate by certified mail within twenty-four (24) hours of filing.

(2) A supervisor shall hold office until his or her successor has been elected and has qualified. Vacancies shall be filled for the unexpired term by appointment by the commission.

(3) A supervisor may be reimbursed for expenses necessarily incurred in the discharge of his or her duties and may be paid a per diem for attending meetings or otherwise
discharging the obligations of his office.

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

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