



2020 South Dakota Legislature
House Bill 1166
ENROLLED

AN ACT

ENTITLED An Act to revise provisions regarding the appointment of inactive watershed district boards and the reactivation of watershed districts and to declare an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 46A-14-39 be AMENDED:

46A-14-39. Vacancies on board--Appointments--Terms of office.

Any vacancy in an unexpired term shall be filled by appointment within thirty days of the vacancy by the remaining managers. Any vacancy in an expired term for which no candidate's application has been filed pursuant to § 46A-14-38 shall be filled by appointment within thirty days of the election by the remaining managers. If there are no remaining managers on a board, upon request, the supervisors of the conservation district that contains the majority of the land of the watershed district shall fill the vacancies by appointment. An appointed manager shall hold office for the remainder of the term for which he or she has been appointed.

Section 2. That a NEW SECTION be added:

46A-14-39.1. Watershed district--Reactivation--Hearing.

If the conservation district supervisors receive a request to reactivate a watershed district, the conservation district supervisors shall, within ten days thereafter, by their order, fix a time and place for a hearing on the request. Notice of the hearing shall be given by the conservation district supervisors by publication once each week for at least two consecutive weeks in a newspaper of general circulation in the area covered by the watershed district. The last notice shall occur within ten days before the hearing and shall contain the following:

- (1) A statement that a request has been filed with the conservation district supervisors;

- (2) A general description of the territory included in the watershed district;
- (3) The date, time, and place of the hearing; and
- (4) A statement that all persons affected by the request or interested in the request may appear and be heard.

Section 3. That a NEW SECTION be added:

46A-14-39.2. Reactivated watershed district--Implementation of new tax levy.

If a watershed district is reactivated in accordance with § 46A-14-39.1, the reactivated watershed district shall comply with the provisions and procedures established in §§ 46A-14-47 through 46A-14-58 to implement any new tax levy authorized under this chapter. Once the new tax levy is implemented, the reactivated watershed district is no longer required to comply with the provisions of this section and will have met the requirements of §§ 10-13-35.12 and 10-13-35.13.

Section 4. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to revise provisions regarding the appointment of inactive watershed district boards and the reactivation of watershed districts and to declare an emergency.

I certify that the attached Act originated in the:
House as Bill No. 1166

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1166
File No. _____
Chapter No. _____

Received at this Executive Office
this ____ day of _____,
2020 at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 2020

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed _____, 2020
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State