

AN ACT

ENTITLED, An Act to revise provisions regarding election petitions for conservation district supervisors.

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

Section 1. That § 38-8-39 be amended to read:

38-8-39. The governing body of a district shall consist of a board of supervisors.

Each conservation district shall have a board of supervisors consisting of five members, each of whom shall be elected on a nonpartisan ballot at a general election and whose term of office shall be four years commencing on the first of January following election. Supervisors shall be registered voters within the district, to be elected at large.

The board of supervisors may, at its discretion, choose to elect its supervisors in precincts that contain as near as possible an equal number of residents, as determined by the last preceding federal decennial census.

Before any general election, the board of supervisors of an organized conservation district shall give notice of any district offices for which nominations may be filed. The notice shall be published at least once each week for two consecutive weeks in the official newspaper or newspapers of any counties within the territory of the district. The last publication may not be less than ten nor more than fifteen days before the deadline for filing nominating petitions. The Division of Resource Conservation and Forestry shall provide the required notice before a referendum regarding establishment of a new district.

Supervisors shall be nominated by a petition signed by twenty-five or more voters in the district for which the candidate seeks election.

The petition shall be verified by the circulator and be accompanied by the declaration of the candidate in a form substantially conforming to nominating petitions prescribed under the primary

election laws of this state governing nominating petitions for nonpolitical candidates. The petition shall be filed on or before July first of the year in which the general election is to be held, with the county auditor of the county, or where more than one county is within the territorial limits of the district, with the secretary of state. The auditor shall prepare ballots substantially in the form of the nonpolitical ballot and give notice thereof as provided by the general election laws of this state. The supervisors shall be elected by plurality. The election shall be conducted, canvassed, recounted, and contested as elections under the general laws of this state, except as otherwise provided in this chapter, and unless the general laws are inapplicable. If the details concerning the conduct, canvassing, recounting or contest of the election are not set forth within this chapter, and the general election laws are not applicable, then the commission shall promulgate rules pursuant to chapter 1-26 to make possible the submission to an election any matter which by the terms of this chapter may be submitted to a vote of the voters of any proposed or established district.

Section 2. That § 38-8-42 be amended to read:

38-8-42. For the purpose of staggering terms, at the first general election, the three at-large candidates receiving the largest number of votes shall be elected for a four-year term, and the two candidates receiving the next highest number of votes shall be elected for two-year terms. In succeeding elections all supervisors shall be elected for four-year terms commencing the following January first.

An Act to revise provisions regarding election petitions for conservation district supervisors.

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I certify that the attached Act
originated in the
SENATE as Bill No. 78

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 78  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office
this \_\_\_\_ day of \_\_\_\_\_ ,
20\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby
approved this \_\_\_\_\_ day of
\_\_\_\_\_, A.D., 20\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State