

AN ACT

ENTITLED, An Act to restructure the South Dakota Weed and Pest Control Commission.

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

Section 1. That § 38-22-1.5 be amended to read as follows:

38-22-1.5. The South Dakota Weed and Pest Control Commission consists of the following members: the secretary of agriculture or a designee and the dean of the college of agriculture and biological sciences of South Dakota State University or a designee who shall serve as nonvoting members, the secretary of transportation or a designee, the secretary of game, fish and parks or a designee, the commissioner of school and public lands or a designee, a member of the South Dakota Association of County Commissioners to be appointed by that association, and five members appointed by the Governor as provided in § 38-22-1.6.

Section 2. That § 38-22-1.6 be amended to read as follows:

38-22-1.6. The five members of the South Dakota Weed and Pest Control Commission appointed by the Governor shall be selected from a list of nominees presented by the State Association of County Weed and Pest Boards, who shall submit at least three names for each appointment. One member from District I shall reside within the counties of Beadle, Brookings, Brown, Clark, Codington, Day, Deuel, Edmunds, Faulk, Grant, Hamlin, Hand, Hyde, Kingsbury, Marshall, McPherson, Roberts, or Spink; one member from District II shall reside within the counties of Aurora, Bon Homme, Brule, Buffalo, Charles Mix, Clay, Davison, Douglas, Hanson, Hutchinson, Jerauld, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Sanborn, Turner, Union, or Yankton; one member from District III shall reside within the counties of Bennett, Campbell, Corson, Dewey, Gregory, Haakon, Hughes, Jackson, Jones, Lyman, Mellette, Potter, Stanley, Sully, Todd, Tripp, Walworth, or Ziebach; and one member from District IV shall reside within the counties of Butte, Custer, Fall River, Harding, Lawrence, Meade, Pennington, Perkins, or Shannon; and one additional

South Dakota resident shall be appointed by the Governor to serve as an at-large member of the commission selected from a list of names representing one individual from each district. The term of each member appointed pursuant to this section shall be for no more than two consecutive four-year terms with the exception of the initial appointments which shall be made as follows: District I for a one-year term, District II for a two-year term, District III for a three-year term, and District IV for a four-year term. As the term of any gubernatorial member expires, a new member shall be appointed from the district for a period of four years. If a vacancy occurs in any of the terms, the Governor may appoint a successor in the manner described in this section to complete the term.

Section 3. The terms of the appointed members of the South Dakota Weed and Pest Control Commission in office on July 1, 2010, continue until January 1, 2011, at which time their terms end. The Governor shall appoint five members pursuant to section 2 of this Act. Terms for those members shall begin on January 1, 2011. The appointments may include former or currently serving commission members. No term previous to the reformulation of the commission pursuant to this Act may be considered in regard to term limitations.

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I certify that the attached Act
originated in the
HOUSE as Bill No. 1058

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1058
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