2021 South Dakota Legislature

House Bill 1027

ENROLLED

AN ACT

ENTITLED An Act to identify Water Management Board officers, authorize appointment of a prehearing officer, and define the duties of the prehearing officer.

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

Section 1. That § 1-40-18 be AMENDED.

1-40-18. Officers of Water Management Board--Meetings.

The Water Management Board shall annually elect a chair, vice chair, and secretary. A prehearing officer may be appointed by the board as needed to conduct prehearing matters. The board shall meet at least four times a year upon the call of the chair or the secretary of the Department of Environment and Natural Resources.

Section 2. That a NEW SECTION be added:

46-2-24. Prehearing officer--Duties--Rulings.

The Water Management Board member appointed as prehearing officer pursuant to § 1-40-18 may act on behalf of the board concerning prehearing motions, scheduling orders, and subpoenas. Any ruling of the prehearing officer may be appealed by the affected party to the board for a board ruling. The appeal to the board shall be filed with the prehearing officer within ten days of the date of the prehearing officer's ruling or prior to the next board meeting if the meeting is less than ten days from the date of the prehearing officer's ruling. The prehearing officer may defer a ruling directly to the board.

An Act to identify Water Management Board officers, authorize appointment of a prehearing officer, and define the duties of the prehearing officer.

I certify that the attached Act originated in the:

House as Bill No. 1027

_____
Chief Clerk

_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1027
File No. _____
Chapter No. _____

Received at this Executive Office
this _____ day of _____,

2021 at _____M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 2021

_____
Governor

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

Filed _____, 2021
at _____ o'clock __M.

_____
Secretary of State

By _____
Asst. Secretary of State