

## AN ACT

ENTITLED, An Act to revise certain provisions related to the composition of water development district boards of directors.

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

Section 1. That § 46A-3A-18 be repealed.

Section 2. That § 46A-3B-2 be amended to read as follows:

46A-3B-2. The board of directors of a water development district shall consist of five, seven, or nine members. Those districts which have a population up to twenty-five thousand shall have five directors. Those districts which have a population of twenty-five thousand and one to seventy-five thousand shall have seven directors. Districts with a population greater than seventy-five thousand shall have nine directors. Each director shall be a resident and voter in the director area represented. The Board of Water and Natural Resources shall divide the water development district into director areas. A director shall be elected from each director area.

Section 3. That chapter 46A-3B be amended by adding thereto a NEW SECTION to read as follows:

For any water development district having director areas that will be realigned as a result of the provisions of this Act, any director of the district who is in office on the effective date of this Act shall continue to serve as a director if the director remains a resident of the district. At the first general election after the effective date of this Act, for any such water development district, directors shall be elected for all director positions in the district, regardless of whether or not any director's term has expired. The directors elected for the district at the general election shall be elected to serve for staggered terms. Thereafter, directors shall be elected to four-year terms at each subsequent general election to succeed those directors whose terms expire at the end of the year in which the election is held.

Section 4. That § 46A-3B-3 be amended to read as follows:

46A-3B-3. As soon as possible following each decennial census of population or any adjustment to a water development district boundary, the Board of Water and Natural Resources shall ascertain whether the number of board members should be adjusted, adjust the same, and redistrict water development district director areas to reflect changes in the population of the water development district so as to assure equitable representation of all areas within the water development district.

Section 5. This Act is effective on January 1, 2009.

An Act to revise certain provisions related to the composition of water development district boards of directors.

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I certify that the attached Act  
originated in the  
  
HOUSE as Bill No. 1174  
  
\_\_\_\_\_  
Chief Clerk  
\_\_\_\_\_

\_\_\_\_\_  
Speaker of the House  
  
Attest:

\_\_\_\_\_  
Chief Clerk  
  
\_\_\_\_\_  
President of the Senate  
  
Attest:

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

House Bill No. 1174  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,  
  
20\_\_\_\_ at \_\_\_\_\_ M.  
  
By \_\_\_\_\_  
for the Governor  
\_\_\_\_\_

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

\_\_\_\_\_  
Governor  
\_\_\_\_\_  
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