



2020 South Dakota Legislature

House Bill 1166

Introduced by: **Representative Anderson**

1 **An Act to revise provisions regarding the appointment of inactive watershed**
 2 **district boards and the reactivation of watershed districts.**

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

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

5 **46A-14-39. Vacancies on board--Appointments--Terms of office.**

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

14 **Section 2.** That a NEW SECTION be added:

15 **46A-14-39.1. Watershed district--Reactivation--Hearing.**

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

- 23 (1) A statement that a request has been filed with the conservation district
 24 supervisors;
 25 (2) A general description of the territory included in the watershed district;

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