

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

581Q0411

SENATE BILL NO. 188

Introduced by: Senators Rhoden, Howie, and Maher and Representative Brunner

1 FOR AN ACT ENTITLED, An Act to provide for the appointment of members of the State
2 Brand Board by district.

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

4 Section 1. That § 40-18-1 be amended to read as follows:

5 40-18-1. The State Brand Board shall consist of five members appointed by the Governor
6 by district as provided in section 2 of this Act. Statewide nonprofit agricultural organizations
7 or other interested persons, may submit nominations to the Governor.

8 Section 2. That chapter 40-18 be amended by adding thereto a NEW SECTION to read as
9 follows:

10 The members of the State Brand Board shall be appointed from three districts so that two
11 members are residents of district one, two members are residents of district two, and one
12 member is a resident of district three. No more than one member may be a resident of any one
13 county. The districts are composed of the following counties:

14 (1) District one is composed of Butte, Corson, Dewey, Haakon, Harding, Lawrence,
15 Meade, Perkins, and Ziebach counties;



(2) District two is composed of Bennett, Custer, Fall River, Gregory, Jackson, Jones, Lyman, Mellette, Pennington, Shannon, Stanley, Todd, and Tripp counties; and

(3) District three is composed of all of the counties east of the Missouri River.

Section 3. That § 40-18-2 be amended to read as follows:

40-18-2. At least three of the five members of the board shall be persons who derive the major portion of their income from the livestock business and who are owners of brands duly recorded with the board. ~~At least three of the five members of the board shall reside in the livestock ownership inspection areas.~~ No appointed member may act as a member of the board while holding an elective or appointive state or federal office. No more than three of the members ~~shall~~ may be of any one political party.

Section 4. That § 40-18-3 be amended to read as follows:

40-18-3. Appointments to the board shall be made for terms of three years expiring on the first Monday in January in each year. In case of vacancy ~~prior to~~ before expiration of a term, appointment shall be made for the balance of the unexpired term only. However, the initial appointments to be made pursuant to SL 2004, ch 259 shall be made for staggered terms of one, two, two, three, and three years. Appointments by district, as required by § 40-18-1 and section 2 of this Act, shall be made as the terms of current members expire so that the composition of the board with each new appointment meets the district residency requirements as nearly as is feasible.