

AN ACT

ENTITLED, An Act to remove any reference to land ownership being a requirement for participation in any actions pertaining to the creation of or withdrawal from a water development district.

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

Section 1. That § 46A-3A-8 be amended to read:

46A-3A-8. Fifteen percent of the residents and voters in a geographical area may petition the Board of Water and Natural Resources to submit to an election the question of whether the geographical area shall become a water development district.

Section 2. That § 46A-3A-14 be amended to read:

46A-3A-14. If in some, but not all of the election districts within a proposed water development district, sixty percent or more of the votes cast are in favor of the formation of the water development district, the Board of Water and Natural Resources shall by resolution establish a water development district consisting of only those election districts wherein the requisite vote approving the formation of a water development district was cast. In the event of the creation of a water development district, any of the election districts may withdraw from the water development district by filing with the board within sixty days thereafter, a petition requesting withdrawal, signed by fifteen percent of the residents and voters in the election district. The petition shall contain the same information with respect to the signers and be verified in the same manner as in the case of a petition to establish a water development district. The question of whether an election district shall withdraw shall be referred to the voters of the election district at the next general election, the procedure is the same as required to establish a water development district.

Section 3. That § 46A-3B-9 be amended to read:

46A-3B-9. Directors shall take office on the first day of January of the year following their election, or not later than sixty days after election in the case of a special election. Vacancies that

may occur on the water development district board of directors by reason of death, disability, failure to be a resident and voter, resignation, or other cause pursuant to § 3-4-1, or upon expiration of term of office if no qualifying petitions have been filed or if no successor has qualified for the office, unless otherwise provided in chapters 46A-3A to 46A-3E, inclusive, shall be declared to exist and shall be filled by elective action of the remaining directors from candidates proposed by nominating petitions signed by at least twenty-five eligible voters in the director area for which a vacancy exists.

An Act to remove any reference to land ownership being a requirement for participation in any actions pertaining to the creation of or withdrawal from a water development district.

=====

I certify that the attached Act originated in the

SENATE as Bill No. 116

Secretary of the Senate

=====

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 116
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