

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

529B0497

SENATE BILL NO. 100

Introduced by: Senators Maher, Blare, Cammack, Greenfield (Brock), and Wismer and
Representatives Dennert, Brunner, Duvall, McCleerey, Otten (Herman),
Peterson (Kent), Schoenfish, and Wiese

1 FOR AN ACT ENTITLED, An Act to reduce the number of petition signatures required for
2 conservation district supervisor elections.

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

4 Section 1. That § 38-8-39 be amended to read:

5 38-8-39. The governing body of a district shall consist of a board of supervisors.

6 Each conservation district shall have a board of supervisors consisting of five members, each
7 of whom shall be elected on a nonpartisan ballot at a general election and whose term of office
8 shall be four years commencing on the first of January following election. Supervisors shall be
9 registered voters within the district, to be elected at large.

10 The board of supervisors may, at its discretion, choose to elect its supervisors in precincts
11 that contain as near as possible an equal number of residents, as determined by the last
12 preceding federal decennial census.

13 Before any general election, the board of supervisors of an organized conservation district
14 shall give notice of any district offices for which nominations may be filed. The notice shall be



1 published at least once each week for two consecutive weeks in the official newspaper or
2 newspapers of any counties within the territory of the district. The last publication may not be
3 less than ten nor more than fifteen days before the deadline for filing nominating petitions. The
4 Division of Resource Conservation and Forestry shall provide the required notice before a
5 referendum regarding establishment of a new district.

6 Supervisors shall be nominated by a petition signed by ~~twenty-five~~ fifteen or more voters
7 in the district for which the candidate seeks election.

8 The petition shall be verified by the circulator and be accompanied by the declaration of the
9 candidate in a form substantially conforming to nominating petitions prescribed under the
10 primary election laws of this state governing nominating petitions for nonpolitical candidates.
11 The petition shall be filed on or before July first of the year in which the general election is to
12 be held, with the county auditor of the county, or where more than one county is within the
13 territorial limits of the district, with the secretary of state. The auditor shall prepare ballots
14 substantially in the form of the nonpolitical ballot and give notice thereof as provided by the
15 general election laws of this state. The supervisors shall be elected by plurality. The election
16 shall be conducted, canvassed, recounted, and contested as elections under the general laws of
17 this state, except as otherwise provided in this chapter, and unless the general laws are
18 inapplicable. If the details concerning the conduct, canvassing, recounting or contest of the
19 election are not set forth within this chapter, and the general election laws are not applicable,
20 then the commission shall promulgate rules pursuant to chapter 1-26 to make possible the
21 submission to an election any matter which by the terms of this chapter may be submitted to a
22 vote of the voters of any proposed or established district.