

River Basin Districts

SDCL 46A-19-16. Districts to be governed by council. Each district is governed by a council. The size of each district council is determined by the task force based on the population and the geography of the district.

Nine river basin districts each with three sub district. Each sub district will have two board members.

Questions and Information:

1. Suggest following township boundaries
2. How will the initial and future board members be elected?
 - a. Initial board election – one 2 year term and one 4 year term. Once the 2 year term is up that position will be up for a 4 year term. This will keep the board members on staggered terms.
 - b. The initial and future board members will be elected in the general
 - i. Submit petitions by July 1st to the Office of Secretary of State
3. Three sub districts in each district with two board members in each sub district
4. Voter eligibility – any person who is a registered voter of the River Basin Natural Resource District
 - a. If elected at the general election – landowners cannot be a requirement to vote:
 - i. Voter list
 - ii. If landowners – a lot of questions need to be answered in the proposed statutes:
 - iii. Person owns more than one lot, parcel or tract – does owner get to vote for every lot, parcel or tract?
 - iv. A couple owns the lot – who votes?
 - v. Corporation, firm, partnership, limited liability company, association, or estate owns land owns the land - will casts that vote?
 - vi. A minor owns the land – will that minor be allowed to have a proxy vote?
 - vii. More difficult to determine an actual list of who gets to vote
5. Candidates must be a registered voter and a resident within the sub district they are running in
6. Vacancies
 - a. What creates a vacancy? (SDCL 3-4-1)
 - b. How will vacancies be filled – by appointment
 - i. Most timely process
 - ii. Less expensive
 - c. Who appoints?
 - i. Only remaining members (the resigning member does not get a vote) of the district
 - d. How long will the appointed person serve?
 - i. Remainder of term or until next general election
 - e. Who breaks a tie vote?
7. Voter registration deadline
 - a. 15 days prior to the election
8. Absentee voting
 - a. 46 days prior to the election
9. Who will canvass the election?
 - a. County Commissioners

b. Secretary of State

10. Process, notices, deadlines, publications, ballot format, petition form, – my office can assist with proposed language using current statutes in title 12 Elections, 6-16 Special Districts, 31-12A Road Districts, 46A Water Development Districts, 38-8 Conservation Districts.

a. After initial board election the districts will publish and pay for the notice of petition filing deadline

11. If boundary changes are allowed after initial creation:

a. Only can be done during odd years

b. Auditor needs a lot of time to go in and make boundary changes in the voter file

c. Auditor cannot make boundary changes during election cycles (special ballot question elections, annual city and school elections, etc.)

Possible elections conducted yearly in South Dakota:

- Special county ballot measures
- Annual municipal elections
- Annual school elections
- Special municipal ballot measures
- Special school ballot measures
- Fire districts
- Sanitary districts
- Ambulance districts
- County road districts
- Rural fire protection districts
- Irrigation districts
- Township districts
- Watershed districts
- Water project districts
- Townships
- Even years: Primary and General elections (possible Secondary elections)