

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

733E0785

HOUSE BILL NO. 1261

Introduced by: Representative Monroe and Senator de Hueck

1 FOR AN ACT ENTITLED, An Act to revise the term of employment for a county highway
2 superintendent.

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

4 Section 1. That § 31-11-1 be amended to read as follows:

5 31-11-1. The board of county commissioners ~~at its discretion~~ may employ a county highway
6 superintendent, the salary and expenses to be fixed ~~and allowed~~ by the board ~~of county~~
7 ~~commissioners~~, to be paid out of the motor vehicle fund of the county. No member of the board
8 ~~of county commissioners shall~~ may be appointed as county highway superintendent. ~~The tenure~~
9 ~~of office of the county highway superintendent may be terminated at any time by resolution of~~
10 ~~the board of county commissioners upon thirty days' notice, but unless so terminated, the tenure~~
11 ~~of office shall be for two years. The term of office of the superintendent commences upon~~
12 appointment and may be terminated as provided in § 3-17-6 by the board for poor performance,
13 incompetency, gross immorality, unprofessional conduct, insubordination, neglect of duty, or the
14 violation of any policy or regulation of the county. The superintendent's term of office may be
15 terminated upon not less than ten working days notice. However, the board may dismiss the

- 1 superintendent, without cause, anytime within one year of the date of appointment. Any vacancy
- 2 shall be filled in the same manner as the original appointment.