

AN ACT

ENTITLED, An Act to provide for the appointment of members of the Brand Board by district.

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

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

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

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

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

- (1) District one is composed of Butte, Corson, Dewey, Haakon, Harding, Lawrence, 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. 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 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 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.

An Act to provide for the appointment of members of the Brand Board by district.

I certify that the attached Act  
originated in the

SENATE as Bill No. 103

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 103

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