

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

745Q0726

HOUSE JOINT RESOLUTION NO. 1002

Introduced by: Representatives Dreyer, Engels, Gosch, Kirkeby, Lederman, Lust, McLaughlin, Nygaard, Peters, and Steele and Senators Adelstein and Abdallah

1 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general election
2 an amendment to Article IX, § 1 of the Constitution of the State of South Dakota and a new
3 section to Article IX of the Constitution of the State of South Dakota, relating to the
4 consolidation of counties.

5 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF SOUTH
6 DAKOTA, THE SENATE CONCURRING THEREIN:

7 Section 1. That at the next general election held in the state, the following amendment to
8 Article IX, section 1 of the Constitution of the State of South Dakota, as set forth in section 2
9 of this Joint Resolution, and the following amendment to Article IX of the Constitution of the
10 State of South Dakota, as set forth in section 3 of this Joint Resolution which are hereby agreed
11 to, shall be submitted to the electors of the state for approval.

12 Section 2. That Article IX, section 1 of the Constitution of the State of South Dakota, be
13 amended to read as follows:

14 § 1. The Legislature shall have plenary powers to organize and classify units of local



1 government, ~~except that any proposed change in county boundaries shall be submitted to the~~
2 ~~voters of each affected county at an election and be approved by a majority of those voting~~
3 ~~thereon in each county.~~ No township heretofore organized may be abolished unless the question
4 is submitted to the voters of the township and approved by a majority of those voting thereon
5 in each township.

6 Section 3. That Article IX of the Constitution of the State of South Dakota, be amended by
7 adding a NEW SECTION to read as follows:

8 § 8. The Legislature shall establish by statute a County Consolidation Commission. The
9 commission shall deliberate for a period of not less than three years and shall hold at least one
10 public hearing in each county of the state. The commission shall submit a report to the
11 Legislature, in bill form, consolidating the existing counties in such a manner that no county
12 shall consist of fewer than twenty-five thousand population, as determined by the 2010 Federal
13 Decennial Census, or five thousand square miles of surface area, whichever is less. In the
14 legislative session to which the commission submits its report in bill form, the Legislature may
15 adopt or amend the commission report or enact a county consolidation plan of its own.
16 However, if the Legislature fails to enact a county consolidation plan that reduces the number
17 of counties in the state to no more than forty-three, the commission report shall automatically
18 become law, by action of this Constitution, on July 1, 2015.