

# State of South Dakota

EIGHTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2010

435R0045

## HOUSE BILL NO. 1269

Introduced by: Representatives Fargen, Frerichs, Hunhoff (Bernie), Kirkeby, Rausch, Schlekeway, and Street and Senators Heidepriem, Ahlers, Bradford, Hansen (Tom), Hanson (Gary), Merchant, and Olson (Russell)

1 FOR AN ACT ENTITLED, An Act to require the installation of ethanol blender pumps in  
2 certain state-operated fueling facilities and to make an appropriation therefor.

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

4 Section 1. Not later than July 1, 2011, the state-operated fueling sites specified in this  
5 section shall have at least one ethanol blender pump installed and available so that users may  
6 select the ratio of ethanol to gasoline to be dispensed. This section applies to the following  
7 fueling sites:

- 8 (1) Aberdeen DOT;
- 9 (2) Aberdeen NSU;
- 10 (3) Brookings DOT;
- 11 (4) Brookings SDSU;
- 12 (5) Huron DOT;
- 13 (6) Huron State Fairgrounds;
- 14 (7) Madison DOT;



- 1 (8) Madison DSU;
- 2 (9) Mitchell DOT;
- 3 (10) Pierre DOT;
- 4 (11) Rapid City DOT;
- 5 (12) Rapid City SDSMT;
- 6 (13) Sioux Falls DOT;
- 7 (14) Spearfish DOT;
- 8 (15) Spearfish BHSU;
- 9 (16) Spearfish McNenny State Fish Hatchery;
- 10 (17) Sturgis DOT;
- 11 (18) Vermillion USD;
- 12 (19) Watertown DOT;
- 13 (20) Yankton DOT;
- 14 (21) Yankton Human Services Center.

15 Section 2. For purposes of this Act, the term, ethanol blender pump, means a mechanism for  
16 the dispensing of ethanol blend as defined in § 10-47B-3 so that the end user may select the ratio  
17 of ethanol to gasoline to be dispensed. The pump shall be the type that:

- 18 (1) Dispenses a blend of gasoline and ethanol in the ratio selected by the purchaser;
- 19 (2) Is manufactured to an industry standard and carries a warranty for compatibility with  
20 dispenser components and storage and piping systems;
- 21 (3) Has at least four hoses and dispenses the following:
  - 22 (a) Either a blend of ten percent ethanol or the minimum blend percentage  
23 approved for all vehicles by the United States environmental protection  
24 agency;

- 1 (b) One or more blends of at least fifteen percent ethanol; and
- 2 (c) E85 fuel; and
- 3 (4) Complies with all alternative fuel, biofuel, and flexible fuel requirements established
- 4 by law.

5 For purposes of this Act, the term, E85 fuel, means a petroleum product that is a blend of  
6 agriculturally derived denatured ethanol and gasoline or natural gasoline; typically contains  
7 eighty-five percent ethanol by volume but must at a minimum contain sixty percent ethanol by  
8 volume; and complies with the American Society for Testing Materials specification D 5798,  
9 as amended to January 1, 2010.

10 Section 3. There is hereby appropriated the sum of one million five hundred thousand  
11 dollars (\$1,500,000), or so much thereof as may be necessary, in federal fund expenditure  
12 authority, to the Bureau of Administration for the expenditure of funds received through the  
13 American Recovery and Reinvestment Act of 2009, P.L. 111-5 to provide for the installation  
14 of ethanol blender pumps, storage tanks, and related equipment necessary to implement the  
15 requirements of sections 1 and 2 of this Act and to implement the ethanol blender pump  
16 incentive grant program as provided in this Act.

17 Section 4. The commissioner of the Bureau of Administration shall approve vouchers and  
18 the state auditor shall draw warrants to pay expenditures authorized by this Act.