

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

645T0640

## SENATE BILL NO. 160

Introduced by: Senators Novstrup (Al), Brown, Fryslie, Heineman, and Kraus and  
Representatives Cronin, Hoffman, Moser, Novstrup (David), Tulson, and  
Wick

1 FOR AN ACT ENTITLED, An Act to create the North Central Water Development District,  
2 to provide for the appointment of the board of directors, to establish certain property tax  
3 levy limitations, and to revise the boundaries of the James River Water Development  
4 District.

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

6 Section 1. That chapter 46A-3A be amended by adding thereto a NEW SECTION to read  
7 as follows:

8 The North Central Water Development District is hereby established. The North Central  
9 Water Development District includes all of Brown, Marshall, and Spink counties.

10 Section 2. That § 46A-3A-4 be amended to read as follows:

11 46A-3A-4. The James River Water Development District is hereby established. The James  
12 River Water Development District includes all of ~~Brown, Spink~~, Beadle, Sanborn, Davison,  
13 Hand, Hanson, Hutchinson, ~~Marshall~~, and Yankton counties; Farmington, Homer,  
14 Independence, Andover, Union, Lynn, Bristol, Kidder, Scotland, Valley, Butler, Oak, Troy, and



1 York townships in Day County; Redstone, Carthage, Miner, Green Valley, Clinton, Roswell,  
2 Beaver, and Rock Creek townships in Miner County; and Pleasant Valley, Bristol, Belford,  
3 Cooper, Firesteel, Palatine, Plankinton, Hopper, Pleasant Lake, Dudley, and Aurora townships  
4 in Aurora County.

5 Section 3. That chapter 46A-3A be amended by adding thereto a NEW SECTION to read  
6 as follows:

7 Notwithstanding the provisions of § 46A-3A-1, the North Central Water Development  
8 District shall exist as a legal entity beginning on July 1, 2012. For the property taxes payable in  
9 2012 which were imposed by the James River Water Development District in Brown, Marshall,  
10 and Spink counties, fifty percent of such property taxes shall be disbursed to the James River  
11 Water Development District and fifty percent shall be disbursed to the North Central Water  
12 Development District.

13 Section 4. That chapter 46A-3B be amended by adding thereto a NEW SECTION to read  
14 as follows:

15 Notwithstanding the provisions of chapter 46A-3B, the North Central Water Development  
16 District board of directors shall be appointed by the board of county commissioners and the  
17 board shall consist of three members. Each board of county commissioners may appoint one  
18 person to serve on the water development district board of directors at their first meeting in July.  
19 The initial directors shall be appointed to serve staggered terms with the Brown County  
20 appointee serving one year, the Marshall County appointee serving two years, and the Spink  
21 County appointee serving three years. The directors shall thereafter be appointed for three-year  
22 terms at each subsequent appointment to succeed those directors whose terms expire.

23 Section 5. That chapter 46A-3E be amended by adding thereto a NEW SECTION to read  
24 as follows:

1        Notwithstanding the provisions of chapter 46A-3E, the North Central Water Development  
2        District board of directors may levy taxes, not to exceed ten and four tenth cents per thousand  
3        dollars of taxable valuation in the district for property taxes payable in 2013 and 2014. The  
4        water development district may adjust the maximum amount of revenue payable for property  
5        taxes based on the growth and index factor for each year thereafter pursuant to chapter 10-13.