

AN ACT

ENTITLED, An Act to repeal certain rule-making authority of the Department of Environment and Natural Resources and to revise certain rule-making authority of water development districts.

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

Section 1. That § 34A-2-12.1 be repealed.

Section 2. That § 46A-1-87 be repealed.

Section 3. That § 46A-2-15 be amended to read as follows:

46A-2-15. The district may, with respect to any project owned and operated by the district or a regulated public water utility:

- (1) Establish and fix the rate or rates to be charged by the project owner for the furnishing or sale of all water from the project;
- (2) Establish and fix the charge or charges for water meters or other means necessary for determining the consumption of water from the project; and
- (3) Require that water for such beneficial uses in this state as the district may determine be made available along the route of the project in this state, in such amounts as the district may determine, up to a maximum of twenty-five percent of the capacity of any privately owned project, to any residential user in this state, upon the payment by the residential user of all costs of tapping into and removing water from the project.

The district may promulgate rules pursuant to chapter 1-26 for the exercise of the powers enumerated in this section, including procedures for the establishment of rates and charges and for making available water from the project.

An Act to repeal certain rule-making authority of the Department of Environment and Natural Resources and to revise certain rule-making authority of water development districts.

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I certify that the attached Act
originated in the
SENATE as Bill No. 38

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 38
File No.
Chapter No.

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Received at this Executive Office
this ___ day of _____,
19__ at ___ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 19__

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State