

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

471B0745

HOUSE BILL NO. 1268

Introduced by: Representatives Cerny, Brown (Richard), and Lockner and Senators Morford, Benson, and Symens

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to water development
2 districts.

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

4 Section 1. That § 46A-3A-2 be amended to read as follows:

5 46A-3A-2. The ~~Mid-Dakota~~ Central Plains water development district is hereby established.

6 The ~~Mid-Dakota~~ Central Plains water development district includes all of Hand county; Franklin,
7 Union, Banner, Spring Lake, Illinois, Eden, Valley, Douglas, Washington, Loomis, Lincoln,
8 William Hamilton, Holabird, Highmore, and Bramhall townships in Hyde county; Peoria,
9 Mentor, Bryon, Logan, Blunt, Bretton, Harrold, Buckeye, Dry Run, and Canning townships in
10 Hughes county; Lake and Elk townships in Sully county; Enterprise, Freedom, Emerson,
11 Fairview, Saratoga, Pulaski, Myron, Devoe, Wesley, Bryant, Tamworth, Lafoon, Centerville,
12 Pioneer, Orient, Arcade, Hillsdale, and Zell townships in Faulk county; Exline, Redfield, Lodi,
13 Frankfort, Lake, Tulare, Crandon, Lincoln, Buffalo, Garfield, Belmont, and Cornwall townships
14 in Spink county; Nance, Bonilla, Altoona, Pleasant View, Whiteside, Allen, Broadland, Fairfield,
15 Iowa, Wessington, Wolsey, Hartland, Theresa, Valley, Sand Creek, Vernon, Dearborn, Clyde,

1 Custer, Burr Oak, Kellogg, Carlyle, Grant, and Clifton townships in Beadle County; and all
2 municipalities that lie wholly or partially within the included area or that are contiguous to the
3 included area.

4 Section 2. That § 46A-3A-5 be amended to read as follows:

5 46A-3A-5. The ~~Southern Missouri~~ South Central water development district is hereby
6 established. The ~~Southern Missouri~~ South Central water development district includes all of
7 Charles Mix, Brule, Buffalo, Bon Homme, Douglas, and Gregory counties and the portion of
8 Lyman county south of the White river.

9 Section 3. That § 46A-3E-1 be amended to read as follows:

10 46A-3E-1. A water development district board of directors may levy taxes, not to exceed the
11 lesser of ~~two hundred thousand~~ one million dollars or thirty cents per thousand dollars of taxable
12 valuation in the district, for accomplishment of the purposes of chapters 46A-3A to 46A-3E,
13 inclusive, and chapters 46A-1 and 46A-2. If an area is included in more than one water
14 development district, that area's tax levy payable to each of the water development districts shall
15 be determined by multiplying the greater of the overlapping water development districts' levies
16 by each water development district's taxing fraction. Each water development district's taxing
17 fraction is determined by dividing that water development district's proposed tax levy for the
18 overlapped area by the sum of all water development districts' levies for the overlapped area. The
19 provisions of § 10-13-35 do not apply to water development districts until July 1, 2000.

20 Section 4. That § 46A-3E-7 be amended to read as follows:

21 46A-3E-7. A water development district may assist or construct a water resources project
22 only if it has entered into a contract with a project sponsor. The contract shall conform to the
23 provisions of § 46A-2-3, which provides that specific areas shall finance those phases of water
24 resources development that provide general benefits to people in such areas, that direct
25 beneficiaries shall finance those phases of water resources development that provide water for

1 their use or that project or enhance the value of their property, and that administrative
2 jurisdiction and responsibility for the various phases of water resources development are related
3 to such variable degrees of benefits. ~~Any contract requiring expenditure of more than fifty~~
4 ~~thousand dollars by a water development district to assist or construct a water resources project~~
5 ~~is subject to approval by the board of water and natural resources to ensure that the contract~~
6 ~~conforms with the provisions of § 46A-2-3.~~