

AN ACT

ENTITLED, An Act to appropriate funds from the water and environment fund and the environment and natural resources fee fund, to authorize the state cost share for the Lewis and Clark Rural Water System, and to declare an emergency.

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

Section 1. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of four million five hundred thousand dollars (\$4,500,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing grants and loans to project sponsors under the consolidated water facilities construction program established pursuant to § 46A-1-63.1. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 2. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of two hundred thousand dollars (\$200,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a grant to local project sponsors for the engineering design, preconstruction activities, and construction of the Lewis and Clark Rural Water System as authorized in § 46A-1-13.10. Funds shall be used by the project sponsors for activities that qualify as nonfederal matching requirements as enumerated in P.L. 106-246 as amended to January 1, 2001. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 3. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of one million seven hundred thousand dollars (\$1,700,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a loan to the project sponsors to be used for the engineering design, preconstruction activities, and construction of the facilities included in the Mni Wiconi Rural Water

System as authorized in § 46A-1-13.4. Funds shall be used by the project sponsors for activities that qualify as nonfederal matching requirements as enumerated in P.L. 100-516 as amended to January 1, 2001. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 4. Notwithstanding § 34A-6-85, there is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, from fees received pursuant to §§ 34A-6-81 to 34A-6-84, inclusive, a grant in the sum of one million five hundred thousand dollars (\$1,500,000), or so much thereof that may be necessary, to the South Dakota Department of Environment and Natural Resources to be used for the statewide cleanup of waste tires and solid waste. Notwithstanding § 46A-1-61, the department may fund up to one hundred percent of the nonfederal share of statewide waste tire and solid waste cleanup projects.

Section 5. There is hereby appropriated from the South Dakota environment and natural resources fee fund established pursuant to § 1-40-30, the sum of three hundred thousand dollars (\$300,000), to the Department of Environment and Natural Resources for the determination of selected total maximum daily load limits as required pursuant to the 1998 South Dakota 303(d) waterbody list developed pursuant to the federal Clean Water Act § 303(d) (33 U.S.C. § 1313(d)) as amended to January 1, 2001. Any funds appropriated by this section that are not expended for the authorized purpose shall be deposited in the South Dakota water and environment fund established pursuant to § 46A-1-60.

Section 6. That § 46A-1-13.10 be amended to read as follows:

46A-1-13.10. Pursuant to §§ 46A-1-11 to 46A-1-13, inclusive, construction of the South Dakota project features of a two hundred seventy-two million eight hundred thousand dollar Lewis and Clark rural water system as generally described in the report "Feasibility Level Evaluation of a Missouri River Regional Water Supply for South Dakota, Iowa and Minnesota" dated September 1993, is

hereby authorized for the purposes of providing safe and adequate municipal, rural and industrial water supplies as well as mitigation of wetlands and water conservation in the counties of Union, Clay, Lincoln, Turner, Minnehaha, McCook, and Lake.

There is hereby authorized from the South Dakota water and environment fund established pursuant to § 46A-1-60, a grant in the amount of eighteen million five hundred eighty-five thousand five hundred forty dollars (\$18,585,540), or so much thereof as may be necessary, to provide the State of South Dakota's portion of the nonfederal matching requirement for the Lewis and Clark Rural Water System. No disbursements may be made under the grant authorized by this section unless funds are appropriated by the Legislature in conformance with § 46A-1-61. Grant terms and conditions shall be set by the Board of Water and Natural Resources.

The grant authorized by this section may be increased or decreased by such amounts as may be justified by reason of ordinary fluctuations in development costs incurred after September 1993, as indicated by engineering costs indices applicable for the type of construction involved.

Section 7. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to appropriate funds from the water and environment fund and the environment and natural resources fee fund, to authorize the state cost share for the Lewis and Clark Rural Water System, and to declare an emergency.

=====

I certify that the attached Act originated in the

HOUSE as Bill No. 1231

\_\_\_\_\_  
Chief Clerk

=====

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1231  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

=====

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

=====

The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

=====  
STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_ , 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State