

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

444I0525

CONFERENCE COMMITTEE ENGROSSED NO. **SB** **145** - 03/05/2003

Introduced by: Senators Sutton (Duane), Dennert, Duxbury, Moore, Sutton (Dan), and Symens and Representatives Burg, Elliott, Frost, Hundstad, and Novstrup

1 FOR AN ACT ENTITLED, An Act to revise certain Central Plains Water Development District
2 boundaries and to provide legal recognition of the Lewis and Clark Rural Water System for
3 certain purposes.

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

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

6 46A-3A-2. The Central Plains Water Development District is hereby established. The Central
7 Plains Water Development District includes all of ~~Hand County; Franklin, Union, Banner, Spring~~
8 ~~Lake, Illinois, Eden, Valley, Douglas, Washington, Loomis, Lincoln, William Hamilton,~~
9 ~~Holabird, Highmore, and Bramhall townships in Hyde County; Peoria, Mentor, Bryon, Logan,~~
10 ~~Blunt, Bretton, Harrold, Buckeye, Dry Run, and Canning townships in Hughes County; Lake and~~
11 ~~Elk townships in Sully County; Enterprise, Freedom, Emerson, Fairview, Saratoga, Pulaski,~~
12 ~~Myron, Devoc, Wesley, Bryant, Tamworth, Lafoon, Centerville, Pioneer, Orient, Arcade,~~
13 ~~Hillsdale, and Zell townships in Faulk County; Exline, Redfield, Lodi, Frankfort, Lake, Tulare,~~
14 ~~Crandon, Lincoln, Buffalo, Garfield, Belmont, and Cornwall townships in Spink County; Nance,~~



1 ~~Bonilla, Altoona, Pleasant View, Whiteside, Allen, Broadland, Fairfield, Iowa, Wessington,~~
2 ~~Wolsey, Hartland, Theresa, Valley, Sand Creek, Vernon, Dearborn, Clyde, Custer, Burr Oak,~~
3 ~~Kellogg, Carlyle, Grant, and Clifton townships in Beadle County; Faulk, Hand, Hughes, Hyde,~~
4 Potter, and Sully counties and all municipalities that lie wholly or partially within the included
5 area or that are contiguous to the included area.

6 Section 2. That § 46A-1-13.10 be amended to read as follows:

7 46A-1-13.10. Pursuant to §§ 46A-1-11 to 46A-1-13, inclusive, construction of the South
8 Dakota project features of a two hundred seventy-two million eight hundred thousand dollar
9 Lewis and Clark Rural Water System as generally described in the report "Feasibility Level
10 Evaluation of a Missouri River Regional Water Supply for South Dakota, Iowa and Minnesota"
11 dated September 1993, is hereby authorized for the purposes of providing safe and adequate
12 municipal, rural and industrial water supplies as well as mitigation of wetlands and water
13 conservation in the counties of Union, Clay, Lincoln, Turner, Minnehaha, McCook, and Lake.

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

21 The grant authorized by this section may be increased or decreased by such amounts as may
22 be justified by reason of ordinary fluctuations in development costs incurred after September
23 1993, as indicated by engineering costs indices applicable for the type of construction involved.

24 For purposes of section 1.103-1 of the federal income tax regulations, Lewis and Clark Rural

1 Water System, Inc. is hereby recognized as a corporation authorized to act on behalf of its
2 members, including its South Dakota member governmental units, to provide drinking water to
3 their communities, and to issue debt obligations in its own name on behalf of some or all of its
4 members. However, no South Dakota member governmental unit is liable for the payment of
5 principal of or interest on such obligations.