

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

400I0556

SENATE BILL NO. 81

Introduced by: The Committee on Appropriations at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to make appropriations from the water and environment
2 fund, the water pollution control revolving fund subfund, and the drinking water revolving
3 fund subfund for the purpose of making certain grants and loans, and to declare an
4 emergency.

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

6 Section 1. There is hereby appropriated from the South Dakota water and environment fund
7 established pursuant to § 46A-1-60, the sum of four million five hundred thousand dollars
8 (\$4,500,000), or so much thereof as may be necessary, to the South Dakota Conservancy
9 District for the purpose of providing grants and loans to project sponsors under the consolidated
10 water facilities construction program established pursuant to § 46A-1-63.1. Funds shall be
11 provided according to the terms and conditions established by the Board of Water and Natural
12 Resources.

13 Section 2. There is hereby appropriated from the South Dakota water and environment fund
14 established pursuant to § 46A-1-60, the sum of two million five hundred thousand dollars
15 (\$2,500,000), or so much thereof as may be necessary, to the South Dakota Conservancy
16 District for the purpose of providing a grant to local project sponsors for the engineering design,



1 preconstruction activities, and construction of the Lewis and Clark rural water system as
2 authorized in § 46A-1-13.10. Funds shall be provided according to the terms and conditions
3 established by the Board of Water and Natural Resources.

4 Section 3. There is hereby appropriated from the South Dakota water and environment fund
5 established pursuant to § 46A-1-60, the sum of five hundred thousand dollars (\$500,000), or so
6 much thereof as may be necessary, to the South Dakota Conservancy District for the purpose
7 of providing a grant to the local project sponsors to be used for a feasibility phase study and
8 other activities of the James River restoration project as authorized in § 46A-1-13.9. Funds shall
9 be provided according to the terms and conditions established by the Board of Water and Natural
10 Resources.

11 Section 4. There is hereby appropriated from the South Dakota water and environment fund
12 established pursuant to § 46A-1-60, the sum of four hundred fifty thousand dollars (\$450,000),
13 or so much thereof as may be necessary, to the South Dakota Conservancy District for the
14 purpose of providing a grant to the local project sponsors to be used for the preparation of the
15 Big Sioux flood control study general reevaluation report and supplemental environmental
16 impact statement. Funds shall be provided according to the terms and conditions established by
17 the Board of Water and Natural Resources.

18 Section 5. There is hereby appropriated from the South Dakota water and environment fund
19 established pursuant to § 46A-1-60, the sum of fifty thousand dollars (\$50,000), or so much
20 thereof as may be necessary, to the South Dakota Conservancy District for the purpose of
21 providing a loan to the project sponsors to be used to implement the Lake Andes-Wagner/Marty
22 II research demonstration project as authorized by section 14 of chapter 254 of the 1992 Session
23 Laws. Funds shall be provided according to the terms and conditions established by the Board
24 of Water and Natural Resources.

1 Section 6. There is hereby appropriated from the South Dakota water and environment fund
2 established pursuant to § 46A-1-60, the sum of one hundred thousand dollars (\$100,000), to the
3 Department of Environment and Natural Resources for the determination of selected total
4 maximum daily load limits pursuant to the federal Clean Water Act as amended to January 1,
5 2003. Notwithstanding § 46A-1-61, the department may fund up to one hundred percent of the
6 nonfederal share of a total maximum daily load assessment project.

7 Section 7. There is hereby appropriated from the South Dakota water and environment fund
8 established pursuant to § 46A-1-60, the sum of seven hundred fifty thousand dollars (\$750,000),
9 or so much thereof that may be necessary, to the South Dakota Conservancy District for the
10 purpose of providing grants and loans to project sponsors under the solid waste management
11 program established pursuant to § 46A-1-83. Funds shall be provided according to terms and
12 conditions established by the Board of Water and Natural Resources. The board may use up to
13 twenty-five thousand dollars (\$25,000) of the funds appropriated by this section to contract for
14 services to process and review loan applications as authorized under chapter 46A-1.

15 Section 8. Notwithstanding § 34A-6-85, there is hereby appropriated from the South Dakota
16 water and environment fund established pursuant to § 46A-1-60, from the fees received pursuant
17 to §§ 34A-6-81 to 34A-6-84, inclusive, the sum of one million dollars (\$1,000,000), or so much
18 thereof that may be necessary, to the South Dakota Conservancy District for the purpose of
19 providing grants and loans to project sponsors for the construction, enlargement, or upgrade of
20 regional landfills. Funds shall be provided according to the terms and conditions established by
21 the Board of Water and Natural Resources. Notwithstanding § 46A-1-67, the term of years for
22 loans under this section may be extended to the useful life of the facilities being financed.

23 Section 9. Notwithstanding § 34A-6-85, there is hereby appropriated from the South Dakota
24 water and environment fund established pursuant to § 46A-1-60, from the fees received pursuant

1 to §§ 34A-6-81 to 34A-6-84, inclusive, a grant in the sum of five hundred thousand dollars
2 (\$500,000), or so much thereof that may be necessary, to the Department of Environment and
3 Natural Resources for the statewide cleanup of waste tires and solid waste. Notwithstanding
4 § 46A-1-61, the department may fund up to one hundred percent of the nonfederal share of
5 statewide waste tire and solid waste cleanup projects.

6 Section 10. There is hereby appropriated from administrative expense surcharge fees
7 deposited in the South Dakota state water pollution control revolving fund program subfund
8 established pursuant to § 46A-1-60.1, the sum of one hundred thousand dollars (\$100,000), or
9 so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose
10 of providing small community planning grants to project sponsors under the state water pollution
11 control revolving fund program established pursuant to § 46A-1-60.1. Funds shall be provided
12 according to terms and conditions established by the Board of Water and Natural Resources.

13 Section 11. There is hereby appropriated from federal capitalization grant funds received into
14 the South Dakota state drinking water revolving fund program subfund established pursuant to
15 § 46A-1-60.1, the sum of two hundred thousand dollars (\$200,000), or so much thereof as may
16 be necessary, to the South Dakota Conservancy District for the purpose of providing small
17 system technical assistance set-aside grants to project sponsors under the state drinking water
18 revolving fund program established pursuant to § 46A-1-60.1. Funds shall be provided according
19 to terms and conditions established by the Board of Water and Natural Resources.

20 Section 12. Whereas, this Act is necessary for the support of the state government and its
21 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full
22 force and effect from and after its passage and approval.