

State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

400L0559

HOUSE BILL NO. 1215

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 environment and natural resources fee fund, the water pollution control revolving
3 fund subfund, and the drinking water revolving fund subfund for various water and
4 environmental purposes, and to declare an 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 three million five hundred thousand dollars
8 (\$3,500,000), or so much thereof as may be necessary, to the South Dakota Board of Water and
9 Natural Resources for the purpose of providing grants and loans to project sponsors under the
10 consolidated water facilities construction program established pursuant to § 46A-1-63.1. Funds
11 shall be provided according to terms and conditions established by the Board of Water and
12 Natural 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 one million five hundred thousand dollars
15 (\$1,500,000), or so much thereof as may be necessary, to the South Dakota Board of Water and
16 Natural Resources for the purpose of providing a grant to local project sponsors for the



1 engineering design, preconstruction activities, and construction of the Lewis and Clark rural
2 water system as authorized in § 46A-1-13.10. Funds shall be used by the project sponsors for
3 activities that qualify as nonfederal matching requirements as enumerated in P.L. 106-246 as
4 amended to January 1, 2005. Funds shall be provided according to terms and conditions
5 established by the Board of Water and Natural Resources.

6 Section 3. There is hereby appropriated from the South Dakota water and environment fund
7 established pursuant to § 46A-1-60, the sum of one million five hundred thousands dollars
8 (\$1,500,000), or so much thereof as may be necessary, to provide funds to the South Dakota
9 Board of Water and Natural Resources for the purpose of providing a loan to the project
10 sponsors to be used for the engineering design, preconstruction activities, and construction, of
11 the facilities included in the Perkins County rural water system as authorized in § 46A-1-94.
12 Funds shall be used by the project sponsors for activities that qualify as nonfederal matching
13 requirements as enumerated in P.L. 106-136 as amended to January 1, 2005. Funds shall be
14 provided according to terms and conditions established by the Board of Water and Natural
15 Resources.

16 Section 4. There is hereby appropriated from the South Dakota water and environment fund
17 established pursuant to § 46A-1-60, the sum of one hundred thousand dollars (\$100,000), or so
18 much thereof as may be necessary, to the South Dakota Board of Water and Natural Resources
19 for the purpose of providing a grant to the project sponsors to be used for a feasibility phase
20 study and other activities of the James River restoration project as authorized in § 46A-1-13.9.
21 Funds shall be provided according to terms and conditions established by the Board of Water
22 and Natural Resources.

23 Section 5. There is hereby appropriated from the South Dakota water and environment fund
24 established pursuant to § 46A-1-60, the sum of one hundred thousand dollars (\$100,000), or so

1 much thereof as may be necessary, to the South Dakota Board of Water and Natural Resources
2 for the purpose of providing grants to local project sponsors to be used for the development,
3 evaluation, and review of water management studies related to the development of regional
4 water supply systems in or near the Black Hills of South Dakota as authorized in § 46A-1-13.8.
5 Funds shall be provided according to terms and conditions established by the Board of Water
6 and Natural Resources.

7 Section 6. There is hereby appropriated from the South Dakota water and environment fund
8 established pursuant to § 46A-1-60, the sum of eight hundred thousand dollars (\$800,000), or
9 so much thereof that may be necessary, to the South Dakota Board of Water and Natural
10 Resources for the purpose of providing grants and loans to project sponsors under the solid
11 waste management program established pursuant to § 46A-1-83. Funds shall be provided
12 according to the terms and conditions established by the Board of Water and Natural Resources.

13 Section 7. Notwithstanding § 34A-6-85, there is hereby appropriated from the South Dakota
14 water and environment fund established pursuant to § 46A-1-60, from the fees received pursuant
15 to §§ 34A-6-81 to 34A-6-84, inclusive, the sum of one million dollars (\$1,000,000), or so much
16 thereof that may be necessary, to the South Dakota Board of Water and Natural Resources for
17 the purpose of providing grants and loans to project sponsors for the construction, enlargement,
18 or upgrade of regional landfills. Funds shall be provided according to the terms and conditions
19 established by the Board of Water and Natural Resources. Notwithstanding § 46A-1-67, the term
20 of years for loans under this section may be extended to the useful life of the facilities being
21 financed.

22 The department may use up to one hundred thousand dollars of the funds appropriated by this
23 section, to contract for the statewide cleanup of waste tires and solid waste. Notwithstanding § 46A-
24 1-61, the department may fund up to one hundred percent of the nonfederal share of statewide waste

1 tires and solid waste cleanup projects.

2 Section 8. There is hereby appropriated from the South Dakota environment and natural
3 resources fee fund established pursuant to § 1-40-30, the sum of one hundred thousand dollars
4 (\$100,000), to the Department of Environment and Natural Resources for the determination of
5 selected total maximum daily load limits as required pursuant to the 1998, 2002, and 2004 South
6 Dakota 303(d) waterbody lists developed pursuant to the federal Clean Water Act § 303(d) as
7 amended to January 1, 2005. Any funds appropriated by this section that are not expended for the
8 authorized purpose shall be deposited in the South Dakota water and environment fund established
9 pursuant to § 46A-1-60.

10 Section 9. There is hereby appropriated from administrative expense surcharge fees deposited
11 in the South Dakota state water pollution control revolving fund program subfund established
12 pursuant to § 46A-1-60.1, the sum of three million dollars (\$3,000,000), or so much thereof as
13 may be necessary, to the South Dakota Board of Water and Natural Resources for the purpose
14 of providing grants to project sponsors for the construction of animal waste management
15 systems at livestock auction markets and other water quality grants under the state water
16 pollution control revolving fund program established pursuant to § 46A-1-60.1. Funds shall be
17 provided according to terms and conditions established by the Board of Water and Natural
18 Resources.

19 Section 10. There is hereby appropriated from administrative expense surcharge fees
20 deposited in the South Dakota state water pollution control revolving fund program subfund
21 established pursuant to § 46A-1-60.1, the sum one hundred thousand dollars (\$100,000), or so
22 much thereof as may be necessary to the South Dakota Board of Water and Natural Resources
23 for the purpose of contracting for the preparation of applications and administration of clean
24 water state revolving fund loans under the state water pollution control revolving fund program

1 established pursuant to § 46A-1-60.1. Funds shall be provided according to terms and conditions
2 established by the Board of Water and Natural Resources.

3 Section 11. There is hereby appropriated from administrative expense surcharge fees
4 deposited in the South Dakota state drinking water revolving fund program subfund established
5 pursuant to § 46A-1-60.1, the sum one hundred thousand dollars (\$100,000), or so much thereof
6 as may be necessary to the South Dakota Board of Water and Natural Resources for the purpose
7 of contracting for the preparation of applications and administration of drinking water state
8 revolving fund loans under the state drinking water revolving fund program established pursuant
9 to § 46A-1-60.1. Funds shall be provided according to terms and conditions established by the
10 Board of Water and Natural Resources.

11 Section 12. There is hereby appropriated from the South Dakota state drinking water
12 revolving fund program subfund established pursuant to § 46A-1-60.1, the sum of one hundred
13 sixty thousand dollars (\$160,000), or so much thereof as may be necessary, to the South Dakota
14 Board of Water and Natural Resources for the purpose of providing small system technical
15 assistance set-aside grants to project sponsors under the state drinking water revolving fund program
16 established pursuant to § 46A-1-60.1. Funds shall be provided according to terms and conditions
17 established by the Board of Water and Natural Resources.

18 Section 13. Whereas, this Act is necessary for the support of the state government and its existing
19 public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and
20 effect from and after its passage and approval.