

AN ACT

ENTITLED, An Act to make appropriations from the water and environment fund, the water pollution control revolving fund subfund, and the drinking water revolving fund subfund for the purpose of making certain grants and loans, 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 the 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 million five hundred thousand dollars (\$2,500,000), 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 provided according to the 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 five hundred thousand dollars (\$500,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a grant to the local project sponsors to be used for a feasibility phase study and other activities of the James River restoration project as authorized in § 46A-1-13.9. Funds shall be provided according to the terms and conditions established by the Board of Water and Natural Resources.

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

Section 5. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of fifty thousand dollars (\$50,000), 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 to implement the Lake Andes-Wagner/Marty II research demonstration project as authorized by section 14 of chapter 254 of the 1992 Session Laws. Funds shall be provided according to the terms and conditions established by the Board of Water and Natural Resources.

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

Section 7. There is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, the sum of seven hundred fifty thousand dollars (\$750,000), or so much thereof that may be necessary, to the South Dakota Conservancy District for the purpose of providing grants and loans to project sponsors under the solid waste management program

established pursuant to § 46A-1-83. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources. The board may use up to twenty-five thousand dollars (\$25,000) of the funds appropriated by this section to contract for services to process and review loan applications as authorized under chapter 46A-1.

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

Section 9. Notwithstanding § 34A-6-85, there is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, from the fees received pursuant to §§ 34A-6-81 to 34A-6-84, inclusive, a grant in the sum of five hundred thousand dollars (\$500,000), or so much thereof that may be necessary, to the Department of Environment and Natural Resources 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 10. There is hereby appropriated from administrative expense surcharge fees deposited in the South Dakota state water pollution control revolving fund program subfund established pursuant to § 46A-1-60.1, the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing small community planning grants to project sponsors under the state water pollution control revolving fund

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

Section 11. There is hereby appropriated from federal capitalization grant funds received into the South Dakota state drinking water revolving fund program subfund established pursuant to § 46A-1-60.1, 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 small system technical assistance set-aside grants to project sponsors under the state drinking water revolving fund program established pursuant to § 46A-1-60.1. Funds shall be provided according to terms and conditions established by the Board of Water and Natural Resources.

Section 12. 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 make appropriations from the water and environment fund, the water pollution control revolving fund subfund, and the drinking water revolving fund subfund for the purpose of making certain grants and loans, and to declare an emergency.

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I certify that the attached Act
originated in the
SENATE as Bill No. 81

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 81
File No.
Chapter No.

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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