



2021 South Dakota Legislature

Senate Bill 53

Introduced by: The Committee on Agriculture and Natural Resources at the request of the Department of Environment and Natural Resources

1 **An Act to revise certification and renewal fees for water supply and treatment**
 2 **system operators.**

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

4 **Section 1.** That § 34A-3-11 be AMENDED.

5 **34A-3-11. Duties of secretary.**

6 The secretary shall:

- 7 (1) Hold at least one examination each year at the designated time and place for the
- 8 purpose of examining candidates for certification;
- 9 (2) Advertise and promote the program of certification of water and wastewater works
- 10 operators;
- 11 (3) Encourage other operators to become certified other than those required to do so
- 12 by law;
- 13 (4) Distribute applications and notices;
- 14 (5) Receive and evaluate applications;
- 15 (6) Collect fees, ~~not exceeding ten dollars for both initial and an annual renewal fee to~~
- 16 cover reasonable costs of operator certification exams;
- 17 (7) Prepare, conduct, and grade examinations;
- 18 (8) Maintain records of operator qualifications and certification, and maintain a register
- 19 of certified operators;
- 20 (9) Promote and schedule regular training schools and programs.

21 **Section 2.** That § 34A-3-18 be AMENDED.

22 **34A-3-18. Certifications--Expiration--Renewal.**

23 All certifications shall expire on the first day of February of each ~~and every year,~~

24 at which time all certifications shall have been renewed.

1 ~~Certifications expired for failure to pay renewal fees may be reinstated by the~~
2 ~~secretary.~~

3 **Section 3.** That § 34A-3-19 be AMENDED.

4 **34A-3-19. Certifications--Fees--Deposit and use of funds.**

5 ~~The secretary may charge each applicant a fee not to exceed ten dollars which~~
6 ~~shall accompany the application. The request of each person so certified for an annual~~
7 ~~renewal certification shall be accompanied by a fee which shall be established by the~~
8 ~~secretary but which may not exceed ten dollars~~ promulgate rules, pursuant to chapter 1-
9 26, to establish a fee that does not exceed the reasonable costs of operator certification
10 exams. The fees shall be deposited in the state treasury to be credited to the Board of
11 Certification fund, which shall be used to pay expenses ~~of the board,~~ and to administer
12 the provisions~~,~~ of this chapter. Any surplus at the end of the fiscal year shall be retained
13 by the board for future expenditures.