

2022 South Dakota Legislature

Draft 202

Requested by: **Senator** Schoenbeck

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

2 **An Act to create the ARPA water and environment fund, to make an appropriation**
3 **therefor, and to declare an emergency.**

4 **Section 1.** That chapter 46A-1 be amended by adding a NEW SECTION to read:

5 There is hereby established in the state treasury a special capital projects fund to be
6 designated as the ARPA water and environment fund. This fund shall consist of moneys
7 appropriated by the legislature from the American Rescue Plan Act state fiscal recovery
8 funds.

9 **Section 2.** There is hereby appropriated \$40,000,000 in federal fund expenditure authority
10 to the Department of Agriculture and Natural Resources for the purpose of providing grants
11 for projects in the big sioux watershed in accordance with the guidance provided in Section 3
12 of this Act. The state treasurer shall transfer \$40,000,000 of the state fiscal recovery fund
13 moneys to the big sioux ARPA subfund, a subfund hereby created within the ARPA water and
14 environment fund.

15 **Section 3.** Projects in the upper big sioux watershed boundaries as provided in the 2016 big
16 sioux watershed strategic plan shall have dedicated \$20,000,000 of the moneys in the big
17 sioux ARPA subfund and \$20,000,000 of the moneys in the big sioux ARPA subfund shall be
18 dedicated to projects in lower big sioux watershed boundaries. The Department shall comply
19 with any federal guidance on using the state fiscal recovery funds and provide grants for
20 projects addressing water quality issues.

21 **Section 4.** The secretary of Agriculture and Natural Resources shall approve vouchers and
22 the state auditor shall draw warrants to pay expenditures authorized by this Act.

23 **Section 5.** Any amounts appropriated in this Act not lawfully expended or obligated by
24 December 31, 2024, shall revert in accordance with the procedures prescribed in chapter 4-
25 8.

- 1 **Section 6.** Whereas, this Act is necessary for the support of the state government and its
- 2 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
- 3 full force and effect from and after its passage and approval.

DRAFT