



2022 South Dakota Legislature

Senate Bill 85

Introduced by: **Senator Duhamel**

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

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

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 \$10,000,000 in federal fund expenditure authority
10 to the Department of Agriculture and Natural Resources for the purpose of providing grants
11 to develop, study, engineer, and determine the feasibility of constructing a waterline from the
12 Missouri River to western South Dakota to provide water resources for western South Dakota
13 in accordance with the guidance provided in section 3 of this Act. The state treasurer shall
14 transfer \$10,000,000 of the state fiscal recovery fund moneys to the western dakota regional
15 watersystem ARPA subfund, a subfund hereby created within the ARPA water and
16 environment fund.

17 **Section 3.** The Department shall comply with any federal guidance on using the state fiscal
18 recovery funds and provide grants for projects addressing water quality issues.

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

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