

AN ACT

ENTITLED, An Act to appropriate funds from the water and environment fund and the environment and natural resources fee fund 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 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 one hundred thousand dollars (\$100,000), or so much thereof as may be necessary to provide funds on a nonreimbursable basis to be used by the South Dakota Department of Environment and Natural Resources for the purpose of assisting the South Dakota Conservancy District including providing environmental studies, cost estimates, and a power marketing evaluation for preparing an application for a preliminary permit and a full permit from the Federal Energy Regulatory Commission for developing Gregory County pumped storage hydroelectric and multipurpose facility project. Notwithstanding § 46A-1-61, the department may fund up to one hundred percent of the nonfederal share of these activities.

Section 3. 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 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 used by the project sponsors for activities that qualify as nonfederal matching requirements as enumerated in P.L. 106-246 as amended to January 1, 2002. Funds shall be provided according to 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 two million dollars (\$2,000,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a grant to the project sponsors to be used for the engineering design, right-of-way acquisition, preconstruction activities, and construction of the Sioux Falls flood control project as authorized in § 46A-1-13.7. Funds shall be provided according to 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 fifteen thousand dollars (\$15,000), or so much thereof as may be necessary, to the South Dakota Conservancy District for the purpose of providing a loan to local project sponsors to be used to plan and implement the Lake Andes-Wagner/Marty II research demonstration program as authorized in § 46A-1-13.6. Funds shall be provided according to 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 seven hundred fifty thousand dollars (\$750,000), 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 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.

Section 7. Notwithstanding § 34A-6-85, there is hereby appropriated from the South Dakota water and environment fund established pursuant to § 46A-1-60, from fees received pursuant to

§§ 34A-6-81 to 34A-6-84, inclusive, a grant in the sum of one million dollars (\$1,000,000), or so much thereof as may be necessary, to the South Dakota Department of Environment and Natural Resources to be used 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 8. There is hereby appropriated from the South Dakota environment and natural resources fee fund established pursuant to § 1-40-30, the sum of one hundred fifty thousand dollars (\$150,000), to the Department of Environment and Natural Resources for the determination of selected total maximum daily load limits as required pursuant to the 1998 South Dakota 303(d) waterbody list developed pursuant to the federal Clean Water Act § 303(d) as amended to January 1, 2002. Any funds appropriated by this section that are not expended for the authorized purpose shall be deposited in the South Dakota water and environment fund established pursuant to § 46A-1-60.

Section 9. 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 appropriate funds from the water and environment fund and the environment and natural resources fee fund and to declare an emergency.

=====

I certify that the attached Act originated in the

SENATE as Bill No. 186

Secretary of the Senate

=====

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 186
File No. _____
Chapter No. _____

=====

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