

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

400M0641

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1244** - 02/22/2006

Introduced by: The Committee on Appropriations at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to transfer funds from the property tax reduction fund, to
2 make an appropriation to construct instructional classrooms, and to declare an emergency.

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

4 Section 1. There is hereby transferred one dollar (\$1) from the property tax reduction fund
5 to the Board of Regents.

6 Section 2. There is hereby appropriated the sum of one dollar (\$1), or so much thereof as
7 may be necessary, of other fund expenditure authority to the Board of Regents to build an
8 instructional classroom building in Sioux Falls to provide the physical resources needed for
9 classrooms, offices, student support services, and labs for undergraduate and graduate programs.

10 Section 3. The design and construction of the facility approved by this Act shall be under
11 the general supervision of the Bureau of Administration as provided in § 5-14-2. The
12 commissioner of the Bureau of Administration and the executive director of the Board of
13 Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures
14 authorized by section 2 of this Act.

15 Section 4. The construction of the instructional classroom building pursuant to this Act is



contingent on the purchase of land located in Minnehaha County by the Board of Regents.

Section 5. That § 13-39-70 be amended to read as follows:

13-39-70. There is hereby created within the vocational education facilities fund ~~of the~~
~~secretary of education~~ a tuition subaccount. The secretary may determine and require that all or
any portion of the tuition and other student fees payable to an LEA shall be deposited in the
subaccount. No moneys may be disbursed from the tuition subaccount for any purpose other
than to pay lease rentals or other amounts due and owing in connection with ~~any~~.

(1) Any facility originally leased to the board of regents but now utilized for vocational
education so long as such facility is on the campus of a postsecondary technical
institute; and

(2) Any lease-purchase agreement authorized under §§ 13-39-66 and 13-39-67 unless
and until the health and educational facilities authority files with the state treasurer
a certification that it has on deposit or there has otherwise been appropriated
sufficient moneys to pay all amounts due or to become due within the next three
months on all such lease-purchase agreements.

No lease rentals on facilities described in subsection (1) shall be paid unless the secretary
of education has approved the assumption of the former board of regents' lease obligations by
the tuition subaccount. Thereafter, the state treasurer shall retain in the vocational education
facilities fund for future repair and improvement as authorized by the Legislature such amounts,
not to exceed ten percent thereof, as the secretary shall direct.

Section 6. 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.