



**Joint Committee on Appropriations**  
REPRESENTATIVE MIKE DERBY, CO-CHAIR  
SENATOR JEAN HUNHOFF, CO-CHAIR

April 12, 2024  
Nathan Lukkes, Executive Director  
Board of Regents  
306 E. Capitol Avenue, Suite 200  
Pierre, SD 57501

### **Letter of Intent Regarding Utility Realignment**

Dear Executive Director Nathan Lukkes,

This Letter of Intent sets forth a particular view held by the Joint Committee on Appropriations (JCA) in approving your appropriation in the 2024 Legislative session. As such, this Letter of Intent seeks to supplement that legislation with specific policy guidance as approved on April 12, 2024.

While the guidance does not have the direct force of statutory law, it rests solidly on a long-standing tradition of Legislative-Executive relationships in South Dakota and it will be used by the Joint Committee as one basis for the fiscal oversight of your agency and its continued funding.

SB52 impacts utility appropriations for institutions under control of the Board of Regents. The amounts included in the legislation are estimates, based on systems overseen by the Bureau of Finance and Management. It is the intent of the Joint Committee on Appropriations that the institutions may realign the appropriated general fund utility dollars between the institutions as necessary to fully fund the utility costs for each institution, to the extent dollars are available. The institutions will prepare transfer documents and submit them to the Bureau of Finance and Management according to established procedures. The Joint Committee on Appropriations will continue to receive an electronic record of these transfers as they occur.

Thank you for your cooperation.

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Representative Mike Derby  
Lead Co-Chair, Joint Committee on Appropriations

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Senator Jean Hunhoff  
Co-Chair, Joint Committee on Appropriations

cc: Russell Olson, Auditor General  
Jim Terwilliger, Commissioner, Bureau of Finance and Management