

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

398Z0641

## SENATE BILL NO. 91

Introduced by: Senators Stalzer, Bolin, Cammack, Cronin, Curd, Ewing, Frerichs, Greenfield (Brock), Haverly, Heinert, Jensen (Phil), Kennedy, Killer, Klumb, Kolbeck, Langer, Maher, Monroe, Nelson, Nesiba, Netherton, Novstrup, Otten (Ernie), Partridge, Peters, Rusch, Russell, Soholt, Solano, Sutton, Tapio, Tidemann, White, Wiik, and Youngberg and Representatives Zikmund, Ahlers, Anderson, Bartels, Barthel, Bartling, Beal, Bordeaux, Brunner, Campbell, Carson, Chase, Clark, Conzet, Dennert, Diedrich, DiSanto, Duvall, Frye-Mueller, Glanzer, Goodwin, Gosch, Greenfield (Lana), Haugaard, Hawley, Heinemann, Holmes, Howard, Hunhoff, Jamison, Jensen (Kevin), Johns, Johnson, Kaiser, Karr, Kettwig, Lake, Latterell, Lesmeister, Livermont, Lust, Marty, May, McCleerey, McPherson, Mickelson, Mills, Otten (Herman), Peterson (Kent), Peterson (Sue), Pischke, Qualm, Rasmussen, Reed, Rhoden, Ring, Rounds, Rozum, Schaefer, Schoenfish, Smith, Steinhauer, Stevens, Tulson, Turbiville, Wiese, Willadsen, Wismer, and York

1 FOR AN ACT ENTITLED, An Act to authorize the Department of Veterans Affairs to provide  
2 for the design, construction, and equipping of a state veterans cemetery in Sioux Falls, to  
3 make an appropriation therefor, and to declare an emergency.

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

5 Section 1. That the code be amended by adding a NEW SECTION to read:

6 The Department of Veterans Affairs is hereby authorized to contract for the design,  
7 construction, equipping, and any other action that may be required to provide for a state veterans  
8 cemetery in Sioux Falls, South Dakota, at an estimated cost of six million dollars.

9 Section 2. That the code be amended by adding a NEW SECTION to read:



1       The State of South Dakota may accept the donation of fifty-six acres of land from the city  
2 of Sioux Falls, South Dakota, for the purposes of establishing and maintaining a state veterans  
3 cemetery.

4       Section 3. That the code be amended by adding a NEW SECTION to read:

5       The secretary of veterans affairs is hereby authorized to submit, prior to July 1, 2018, a state  
6 cemetery pre-application to the National Cemetery Administration as provided in 38 CFR 39.31  
7 as amended to January 1, 2018, and to apply for a veterans cemetery grant.

8       Section 4. There is hereby appropriated from the general fund the sum of six hundred  
9 thousand dollars (\$600,000), or so much thereof as may be necessary, to the Department of  
10 Veterans Affairs to provide for the design and planning work necessary for a state veterans  
11 cemetery.

12       Section 5. The secretary of veterans affairs shall approve vouchers and the state auditor shall  
13 draw warrants to pay expenditures authorized by this Act.

14       Section 6. Any amounts appropriated in this Act not lawfully expended or obligated by  
15 June 30, 2019, shall revert in accordance with the procedures prescribed in chapter 4-8.

16       Section 7. That the code be amended by adding a NEW SECTION to read:

17       Once the application submitted pursuant to section 3 of this Act is approved, the entire  
18 amount appropriated pursuant to section 4 of this Act shall be repaid with grant funds received  
19 from the United States Department of Veterans Affairs.

20       Section 8. That the code be amended by adding a NEW SECTION to read:

21       No indebtedness or obligation incurred or created under the authority of this Act may be or  
22 may become a lien, charge, or liability against the State of South Dakota, nor against the  
23 property or funds of the State of South Dakota within the meaning of the Constitution or statutes  
24 of the state.

1 Section 9. That the code be amended by adding a NEW SECTION to read:

2 The Department of Veterans Affairs may accept, transfer, and expend any property or funds  
3 obtained for these purposes from federal sources, gifts, contributions, or any other source, all  
4 of which shall be appropriated to the project authorized by this Act in addition to the amounts  
5 otherwise authorized by this Act.

6 Section 10. That the code be amended by adding a NEW SECTION to read:

7 The administration of the design and construction of the project authorized by this Act shall  
8 be under the general charge and supervision of the Bureau of Administration as provided in  
9 chapter 5-14.

10 Section 11. Whereas, this Act is necessary for the support of the state government and its  
11 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
12 full force and effect from and after its passage and approval.