

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

398Z0641

SENATE ENGROSSED NO. **SB 91** - 2/28/2018

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

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 Minnehaha
3 County, to create a veterans cemetery fund, to make an appropriation therefor, and to declare
4 an emergency.

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

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

7 There is hereby created in the state treasury the South Dakota State Veterans Cemetery
8 operating fund, into which shall be deposited disbursements from the endowment fund created



1 in section 2 of this Act, and revenues generated by the South Dakota State Veterans Cemetery.

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

3 The South Dakota State Veterans Cemetery endowment fund may be established within the
4 South Dakota Community Foundation. The purpose of the endowment fund is to provide a fund
5 for any person who wishes to contribute to the endowment fund to fund the construction and
6 operation of the South Dakota State Veterans Cemetery. This fund shall be administered by the
7 South Dakota Community Foundation. Any disbursements from this endowment fund shall be
8 deposited into the fund created in section 1 of this Act.

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

10 Donations to the South Dakota State Veterans Cemetery endowment fund shall be deposited
11 into the fund to reach a minimum principle balance of three million dollars (\$3,000,000) by
12 July 1, 2023. Notwithstanding the minimum principle balance under this section, expenditures
13 may be made prior to July 1, 2023. If the minimum principle balance is reached prior to July 1,
14 2023, no expenditures may reduce the principle balance below three million dollars
15 (\$3,000,000).

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

17 The South Dakota Veterans Council shall report annually to the Joint Committee on
18 Appropriations on the balance of the South Dakota Veterans Cemetery endowment fund.

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

20 The State of South Dakota may accept the donation of a suitable amount of land from the
21 city of Sioux Falls, South Dakota, for the purposes of establishing and maintaining a state
22 veterans' cemetery in Minnehaha County.

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

24 The secretary of veterans affairs shall submit a state cemetery pre-application to the National

1 Cemetery Administration as provided in 38 CFR 39.31 prior to July 1, 2018.

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

3 The secretary of veterans affairs shall submit a state cemetery grant application to the
4 National Cemetery Administration as provided in 38 CFR 39.31 and to contract for the design,
5 construction, equipping, and any other action that may be required to provide for a state veterans
6 cemetery in Minnehaha County, South Dakota, at an estimated cost of six million dollars.

7 Section 8. There is hereby appropriated from the general fund the sum of four hundred fifty
8 thousand dollars (\$450,000), or so much thereof as may be necessary, to the Department of
9 Veterans' Affairs to provide for the design and planning work necessary for a state veterans
10 cemetery. Expenditures for such design and planning work may only be completed upon
11 approval by the National Cemetery Administration of the grant application allowed under
12 section 5 of this Act. Upon reimbursement of these funds from the federal government these
13 funds shall be deposited in the operating fund created under section 1 of this Act.

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

15 There is hereby appropriated the sum of six million dollars (\$6,000,000), or so much thereof
16 as may be necessary, in federal fund expenditure authority to the Department of Veterans Affairs
17 for the purposes of this Act.

18 Section 10. The secretary of veterans affairs shall approve vouchers and the state auditor
19 shall draw warrants to pay expenditures authorized by this Act.

20 Section 11. Any amounts appropriated in this Act not lawfully expended or obligated shall
21 revert in accordance with the procedures prescribed in chapter 4-8.

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