

# State of South Dakota

NINETY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2019

952B0740

## HOUSE BILL NO. 1187

Introduced by: Representatives Rounds, Beal, and Duvall and Senators Monroe and Steinhauer

1 FOR AN ACT ENTITLED, An Act to authorize the Bureau of Administration to conduct a  
2 study of the Flaming Fountain on Capitol Lake, to make an appropriation therefor, and to  
3 declare an emergency.

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

5 Section 1. The Bureau of Administration shall contract with a professional firm to determine  
6 the gas and water flow problems at the Flaming Fountain on Capitol Lake on the South Dakota  
7 Capitol grounds.

8 Section 2. The firm contracted under section 1 of this Act shall determine the precise cause  
9 of the diminished water flow, diminished natural gas flow, assess the risk of potential sinkhole  
10 development adjacent to the existing Flaming Fountain and other nearby state property, prepare  
11 a detailed plan for repair or replacement of the existing well including the removal of and extent  
12 of statues, granite, flagpoles, monuments and landscaping, and to prepare a detailed cost  
13 estimate and construction plans for repairs or replacement of the existing well and reinstallation  
14 of adjacent property.

15 Section 3. The firm contracted under section 1 of this Act shall submit to the Bureau of



1 Administration the study of the Flaming Fountain in written form and in a formal presentation  
2 with detailed demolition and construction plans, no later than September 1, 2019.

3 Section 4. There is hereby appropriated from the general fund the sum of fifty thousand  
4 dollars (\$50,000), or so much thereof as may be necessary, to the Bureau of Administration for  
5 the purposes authorized in sections 1 and 2 of this Act.

6 Section 5. There is hereby appropriated the sum of fifty thousand dollars (\$50,000), or so  
7 much thereof as may be necessary, in other fund expenditure authority from donations or other  
8 external sources, to the Bureau of Administration for the purposes authorized under sections 1  
9 and 2 of this Act.

10 Section 6. The Bureau of Administration may accept, transfer, and expend any funds  
11 obtained for the purposes authorized in sections 1 and 2 of this Act from donations, or any other  
12 external sources, all of which comprise a special fund for the benefitted project.

13 Section 7. The commissioner of the Bureau of Administration shall approve vouchers and  
14 the state auditor shall draw warrants to pay expenditures authorized by this Act.

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

17 Section 9. Whereas, this Act is necessary for the immediate preservation of the public peace,  
18 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and  
19 effect from and after its passage and approval.