

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0685

CONFERENCE COMMITTEE ENGROSSED

NO. **SB209** - 3/5/99

Introduced by: The Committee on State Affairs at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to provide certain incentives for school consolidation and
2 to require cooperative education service units to provide certain information to the
3 Department of Education and Cultural Affairs and to clarify provisions relating to the
4 transportation of certain students.

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

6 Section 1. That § 13-13-1.4 be amended to read as follows:

7 13-13-1.4. If two or more school districts consolidate, for a period of ~~three~~ four years after
8 consolidation, the adjusted average daily membership for the newly formed district shall be based
9 upon the general enrollment average daily membership as defined in § 13-13-10.1 of ~~the~~ those
10 school districts that have not previously benefited from this section as they existed prior to
11 consolidation. In years two to four, inclusive, after the consolidation, the relationship between
12 the adjusted average daily membership and general enrollment average daily membership shall
13 be proportional to the relationship that existed for the first year.

14 Section 2. That chapter 13-13 be amended by adding thereto a NEW SECTION to read as
15 follows:

16 In years five to eight, inclusive, after the consolidation of two or more school districts, the

1 adjusted average daily membership for the newly formed district shall be calculated as follows:

- 2 (1) Calculate adjusted average daily membership pursuant to § 13-13-10.1;
- 3 (2) Notwithstanding the four-year time limit, calculate adjusted average daily membership
4 pursuant to § 13-13-1.4;
- 5 (3) Subtract the results of subdivision (1) from the results of subdivision (2);
- 6 (4) Multiply the results of subdivision (3) by eighty percent in the fifth year, sixty percent
7 in the sixth year, forty percent in the seventh year, and twenty percent in the eighth
8 year;
- 9 (5) Add the results of subdivision (1) and the results of subdivision (4).

10 Section 3. That chapter 13-13 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 If two or more school districts consolidate, for a period of four years after consolidation, the
13 newly formed district may opt to have its state aid calculated based on the school districts as they
14 existed prior to consolidation. In years two to four, inclusive, after the consolidation of two or
15 more school districts, the adjusted average daily memberships and the local efforts of the former
16 districts may be based upon a pro-rata share of the adjusted average daily membership and local
17 effort of the newly formed district as compared to the adjusted average daily memberships and
18 the local efforts of the former districts in the first year. Any district that opts to benefit from this
19 section shall notify the secretary of the Department of Education and Cultural Affairs of its intent
20 to do so as part of its reorganization plan. A district that benefits from this section may not
21 benefit from § 13-13-10.1 or section 2 of this Act simultaneously, or in future years.

22 Section 4. That chapter 13-13 be amended by adding thereto a NEW SECTION to read as
23 follows:

24 In years five to eight, inclusive, after the consolidation of two or more school districts that
25 opted to benefit from section 3 of this Act, state aid shall be calculated as follows:

- 1 (1) Calculate state aid pursuant to § 13-13-73;
- 2 (2) Notwithstanding the four-year time limit, calculate state aid pursuant to section 3 of
3 this Act;
- 4 (3) Subtract the results of subdivision (1) from the results of subdivision (2);
- 5 (4) Multiply the results of subdivision (3) by eighty percent in the fifth year, sixty percent
6 in the sixth year, forty percent in the seventh year, and twenty percent in the eighth
7 year;
- 8 (5) Add the results of subdivision (1) and the results of subdivision (4).

9 Section 5. That chapter 13-5 be amended by adding thereto a NEW SECTION to read as
10 follows:

11 Cooperative education service units organized pursuant to this chapter shall file annually with
12 the Department of Education and Cultural Affairs audits of their operation and disclosure
13 statements of all funding sources.

14 Section 6. That § 13-28-45 be amended to read as follows:

15 13-28-45. The parent or guardian of a student who has been accepted for transfer is
16 responsible for transporting the student to school in the receiving district without reimbursement.
17 Either the district of residence or the receiving district may provide transportation to students
18 approved for transfer. The provisions of § 13-29-4 do not apply when transporting students
19 enrolled under the provisions of §§ 13-28-40 to 13-28-47. The receiving district may charge a
20 reasonable fee if the student elects to use the transportation services offered by the receiving
21 district.

1 **BILL HISTORY**

2 1/29/99 First read in Senate and referred to State Affairs. S.J. 254

3 2/8/99 Scheduled for Committee hearing on this date.

4 2/8/99 State Affairs Do Pass, Passed, AYES 8, NAYS 0. S.J. 362

5 2/8/99 Scheduled for Committee hearing on this date.

6 2/9/99 Senate Do Pass, Passed, AYES 34, NAYS 0. S.J. 407

7 2/10/99 First read in House and referred to Education. H.J. 473

8 2/23/99 Scheduled for Committee hearing on this date.

9 2/25/99 Scheduled for Committee hearing on this date.

10 2/25/99 Education Do Pass Amended, Passed, AYES 12, NAYS 0. H.J. 765

11 3/1/99 House of Representatives Do Pass Amended, Passed, AYES 64, NAYS 2. H.J. 821

12 3/3/99 Senate failed to concur, appoint Conference Committee. S.J. 753

13 3/4/99 Senate Conference committee report adopted Passed, AYES 30, NAYS 2. S.J. 781