

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

632D0545

HOUSE EDUCATION COMMITTEE ENGROSSED NO. **HB1210** - 2/4/00

Introduced by: Representatives Clark, Fiegen, Napoli, Putnam, and Wudel and Senators
Staggers and Bogue

1 FOR AN ACT ENTITLED, An Act to modify contract renewal provisions for school district
2 food service purchases and to declare an emergency.

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

4 Section 1. That § 5-18-18.1 be amended to read as follows:

5 5-18-18.1. The ~~purchase~~ purchases by a school district of perishable food, raw materials used
6 in construction or manufacture of products for resale, the contracts for asbestos removal in
7 emergency response actions, and the contracts for services provided by individuals or firms for
8 consultants, audits, legal services, architectural services and engineering, insurance, real estate
9 services, auction services, or transportation of students are exempt from the provisions of this
10 chapter.

11 No contract for the transportation of students may exceed five years. Specific provisions of
12 the contract may be renegotiated during the term of the contract provided that guidelines for
13 making changes are in the contract. Any change made during the term of the contract shall be
14 reported in the school board minutes.

15 No contract for the services of a food service management company may exceed one year.

16 An original contract for the services of a school food service management company may be

1 renewed annually no more than four times consecutively following the original contract. Both
2 bid and contract shall specify that the contract can be renewed, but the local school is not
3 required to renew the contract. Specific provisions of the original contract may be renegotiated
4 prior to renewal provided that guidelines for making changes are in the original contract. The
5 school board shall record in its minutes any changes made during the term of a food service
6 management contract or renewal.

7 Section 2. Whereas, this Act is necessary for the support of the state government and its
8 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full
9 force and effect from and after its passage and approval.

1 **BILL HISTORY**

2 1/19/00 First read in House and referred to committee assignment waived. H.J. 143

3 1/20/00 Referred to Education.

4 2/3/00 Scheduled for Committee hearing on this date.

5 2/3/00 Education Do Pass Amended, Passed, AYES 11, NAYS 1. H.J. 382