

# State of South Dakota

EIGHTY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2006

128M0418

SENATE APPROPRIATIONS COMMITTEE

ENGROSSED NO. **HB 1090** - 02/22/2006

Introduced by: Representatives Klaudt, Davis, Dennert, Glenski, Haverly, Hennies, Hills, Hunhoff, Jerke, Lange, McLaughlin, Peters, Putnam, Rausch, Street, Tidemann, Turbiville, and Willadsen and Senators Bogue, Apa, Bartling, Duniphan, Earley, Gant, Greenfield, Hanson (Gary), Koetzle, McNenny, Napoli, Smidt, and Sutton (Duane)

1 FOR AN ACT ENTITLED, An Act to appropriate money for compensatory payments to certain  
2 school districts and to revise provisions related to certain school district entitlements.

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

4 Section 1. There is hereby appropriated from the state general fund the sum of seventy  
5 thousand dollars (\$70,000), or so much thereof as may be necessary, to the Department of  
6 Education for a one-time payment to the Lemmon School District of fifty thousand dollars and  
7 a one-time payment to the McIntosh School District of twenty thousand dollars to replace a loss  
8 in revenue related to the provisions of chapter 13-28A.

9 Section 2. The secretary of the Department of Education shall approve vouchers and the  
10 state auditor shall draw warrants to pay expenditures authorized by this Act.

11 Section 3. Any amounts appropriated in this Act not lawfully expended or obligated by  
12 June 30, 2007, shall revert in accordance with § 4-8-21.

13 Section 4. That chapter 13-28A be amended by adding thereto a NEW SECTION to read



1 as follows:

2 Other than funding provided through chapters 13-13 and 13-37, no South Dakota school  
3 district is entitled to any compensation for any student attending a South Dakota school district  
4 under the provisions of this chapter.

5 Section 5. That § 13-28A-11 be repealed.

6 ~~—13-28A-11. For fiscal years 2006, 2007, and 2008, any school district contiguous to the  
7 North Dakota border that receives students from North Dakota and that receives less revenue  
8 under the terms of this chapter than it would have otherwise received is entitled to a payment  
9 from the Department of Education to compensate for the difference. For fiscal year 2006, the  
10 payment shall equal seventy-five percent of the difference; for fiscal year 2007, the payment  
11 shall equal fifty percent of the difference; and for fiscal year 2008, the payment shall equal  
12 twenty-five percent of the difference. For fiscal years 2006, 2007, and 2008 the department shall  
13 calculate the affected district's difference in state aid general foundation support after  
14 determining any change in state aid funding to the district that is attributable to the graduating  
15 seniors.~~