

## AN ACT

ENTITLED, An Act to authorize the Board of Regents to purchase certain real property for the sole purpose of providing a site for the operation of instructional, research and service programs delivered through institutions established by the Legislature and governed by the Board of Regents, to make an appropriation therefor, to require the Board of Regents to submit a comprehensive plan and to make certain reports, and to declare an emergency.

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

Section 1. The Board of Regents may purchase real property, approximately two hundred sixty-three acres more or less, located in Minnehaha County from the Department of Transportation at the value at which it was appraised no more than eighteen months prior to the effective date of this Act. The real property being described as follows: the NW1/4 of Section 36, Township 102 North, Range 50 West, 5<sup>th</sup> P.M., less Lots H2, H3, H4, H5, H6 and H7 thereof, and Lot A in the NE1/4 of Section 36, Township 102 North, Range 50 West, 5<sup>th</sup> P.M., all located in Minnehaha County, South Dakota; Lot C, in the NE1/4 of Section 36, Township 102 North, Range 50 West, 5<sup>th</sup> P.M., Minnehaha County, South Dakota; Lot D, in the NE1/4 of Section 36, Township 102 North, Range 50 West, 5<sup>th</sup> P.M., Minnehaha County, South Dakota.

Section 2. There is hereby appropriated the sum of five million eight hundred seventy thousand dollars (\$5,870,000) of other fund expenditure authority, payable from funds donated and accepted for the purposes of this Act, or so much thereof as may be necessary, to the Board of Regents for the purchase of the land specified in section 1 of this Act.

Section 3. The expenditures authorized by this Act shall be solely for the purposes of providing a site for the operation of instructional, research and service programs delivered through institutions established by the Legislature and governed by the Board of Regents. The Board of Regents may only use the property for the primary purpose of education or research. It is the intent of the Board

of Regents and the Eighty-first Legislature that the Board of Regents may not without express legislative authorization:

- (1) Organize the programs delivered at this site into a separate degree-granting institution;
- (2) Erect student residence facilities on the site;
- (3) Construct facilities on the site for use as intercollegiate athletic practice or competition;
- (4) Establish intercollegiate athletic teams at the site;
- (5) Sell any portion of the property acquired pursuant to this Act unless the property is appraised and advertised and offered for sale at public auction. No portion of the property may be sold except at public sale and for an amount less than the appraised value;
- (6) Offer courses taught on the property at any rate other than the self-support tuition rate;
- (7) Lease for nonagricultural purposes more than ten percent of the surface area of the property to third parties;
- (8) Lease to third parties more than ten percent of the useable space within any building constructed with state funds appropriated by the Legislature; or
- (9) Permit any free-standing commercial facility to be constructed on the property or any commercial facility to be located within any building constructed with state funds unless the commercial facility is reasonably needed to meet the convenience and needs of the students and instructors using the building.

Section 4. Commencing in 2016 and every ten years thereafter, the provisions of section 3 of this Act shall be reviewed by a special legislative task force consisting of the speaker of the House of Representatives and four other members of the House of Representatives appointed by the speaker of the House of Representatives and the president pro-tempore of the Senate and four other members of the Senate appointed by the president pro-tempore of the Senate. Not all of the members from the House of Representatives or the Senate may be of the same party. The special legislative task force

shall review the appropriateness of the provisions of section 3 of this Act and make recommendation to the Legislature regarding any revisions, additions, or deletions to the various conditions contained in section 3 of this Act.

Section 5. The executive director of the Board of Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

Section 6. The Board of Regents shall prepare a comprehensive plan for the instructional and research missions of the public universities. The plan shall address the time frame of the first quarter of the twenty-first century. The plan shall include the following elements:

- (1) Demographic patterns of the different populations sectors served by postsecondary education including:
  - (a) Dual enrollment of high school students;
  - (b) Traditional age students eighteen to twenty-three years of age, inclusive;
  - (c) Nontraditional students twenty-four years of age and over; and
  - (d) Continuing education of the workforce;
- (2) Access to higher education through different approaches including:
  - (a) Residential campuses--Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines and Technology, South Dakota State University, and University of South Dakota;
  - (b) Satellite campuses--Rapid City, Sioux Falls, Pierre;
  - (c) Distance education--Electronic University Consortium;
  - (d) Technical institute partnerships; and
  - (e) Relationships with other accredited institutions--Native American, independent, and proprietary institutions;
- (3) Activities and responses to the goals of the Governor's 2010 Economic Development and

2010 Education Initiatives;

- (4) Comparative information on state higher education policy; and
- (5) Recommendations for changes necessary to respond to demographic patterns and access to instructional and research mission opportunities.

The Board of Regents shall submit the plan and report to the Governor and Legislature no later than November 15, 2006.

Section 7. The Board of Regents shall prepare a report containing the mission, function, and activities of the Cooperative Extension Service to the Legislature no later than November 15, 2006.

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

An Act to authorize the Board of Regents to purchase certain real property for the sole purpose of providing a site for the operation of instructional, research and service programs delivered through institutions established by the Legislature and governed by the Board of Regents, to make an appropriation therefor, to require the Board of Regents to submit a comprehensive plan and to make certain reports, and to declare an emergency.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1238

\_\_\_\_\_  
Chief Clerk

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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1238  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_ , 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State

