

# State of South Dakota

EIGHTY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2006

400M0641      **HOUSE APPROPRIATIONS COMMITTEE ENGROSSED**  
**NO. HB 1244 - 02/08/2006**

Introduced by: The Committee on Appropriations at the request of the Governor

1    FOR AN ACT ENTITLED, An Act to transfer funds from the railroad trust fund, to make an  
2        appropriation to construct instructional classrooms, and to declare an emergency.

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

4        Section 1. There is hereby transferred one dollar (\$1) from the railroad trust fund established  
5    in § 49-16C-1 to the Board of Regents.

6        Section 2. There is hereby appropriated the sum of one dollar (\$1), or so much thereof as  
7    may be necessary, of other fund expenditure authority to the Board of Regents to build an  
8    instructional classroom building in Sioux Falls to provide the physical resources needed for  
9    classrooms, offices, student support services, and labs for undergraduate and graduate programs.

10       Section 3. The design and construction of the facility approved by this Act shall be under  
11    the general supervision of the Bureau of Administration as provided in § 5-14-2. The  
12    commissioner of the Bureau of Administration and the executive director of the Board of  
13    Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures  
14    authorized by section 2 of this Act.

15       Section 4. The construction of the instructional classroom building pursuant to this Act is



1 contingent on the purchase of land located in Minnehaha County by the Board of Regents.

2 Section 5. That § 13-39-70 be amended to read as follows:

3 13-39-70. There is hereby created within the vocational education facilities fund ~~of the~~  
4 ~~secretary of education~~ a tuition subaccount. The secretary may determine and require that all or  
5 any portion of the tuition and other student fees payable to an LEA shall be deposited in the  
6 subaccount. No moneys may be disbursed from the tuition subaccount for any purpose other  
7 than to pay lease rentals or other amounts due and owing in connection with ~~any~~;

8 (1) Any facility originally leased to the board of regents but now utilized for vocational  
9 education so long as such facility is on the campus of a postsecondary technical  
10 institute; and

11 (2) Any lease-purchase agreement authorized under §§ 13-39-66 and 13-39-67 unless  
12 and until the health and educational facilities authority files with the state treasurer  
13 a certification that it has on deposit or there has otherwise been appropriated  
14 sufficient moneys to pay all amounts due or to become due within the next three  
15 months on all such lease-purchase agreements.

16 No lease rentals on facilities described in subsection (1) shall be paid unless the secretary  
17 of education has approved the assumption of the former board of regents' lease obligations by  
18 the tuition subaccount. Thereafter, the state treasurer shall retain in the vocational education  
19 facilities fund for future repair and improvement as authorized by the Legislature such amounts,  
20 not to exceed ten percent thereof, as the secretary shall direct.

21 Section 6. Whereas, this Act is necessary for the support of the state government and its  
22 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
23 full force and effect from and after its passage and approval.