

# State of South Dakota

EIGHTY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2006

527M0321

SENATE APPROPRIATIONS COMMITTEE  
ENGROSSED NO. **HB 1015** - 02/14/2006

Introduced by: The Committee on Appropriations at the request of the Board of Regents

1 FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to acquire an equestrian  
2 facility for South Dakota State University and to declare an emergency.

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

4 Section 1. The Board of Regents shall select a site for equestrian facilities including  
5 approximately fifty-seven thousand square feet of buildings, ninety-five thousand square feet  
6 of site improvements, and approximately fifteen acres of pasture development from within the  
7 lands acquired pursuant to section 3, chapter 96, of the 2001 Session Laws. The board shall  
8 lease that site, together with such portions of surrounding grounds as may be needed for  
9 construction purposes, to the South Dakota State University Foundation to permit the foundation  
10 to construct the structures to house the equestrian facilities.

11 Section 2. In consideration for the lease authorized in section 1 of this Act, the foundation  
12 shall construct the project in accordance with the requirements of chapters 5-14 and 5-18 just  
13 as though the structures and improvements comprising the equestrian facilities were constructed  
14 by the Board of Regents. However, the foundation shall enter into all contracts for the  
15 construction of the facility and make all payments therefor, once the payments have been duly



1 authorized by the Bureau of Administration and the executive director of the Board of Regents.

2 Section 3. The term of the lease authorized in section 1 of this Act may not exceed the time  
3 required for site preparation and construction through project acceptance plus ten years from the  
4 date of acceptance.

5 Section 4. The Board of Regents shall lease the equestrian facilities constructed pursuant to  
6 this Act from the foundation for a period of ten years from the date of acceptance at an annual  
7 lease payment of one hundred sixty-five thousand dollars.

8 Section 5. The South Dakota State University Foundation shall maintain and repair the  
9 equestrian facilities during the term of the leaseback.

10 Section 6. Upon termination of the lease and leaseback authorized by the Act, the foundation  
11 shall donate the facility and all right or interest that it may have in the equestrian facilities to the  
12 Board of Regents, on behalf of the State of South Dakota, for the use and benefit of South  
13 Dakota State University and the Board of Regents may accept the equestrian facilities on behalf  
14 of the State of South Dakota, for the use and benefit of South Dakota State University.

15 Section 7. No general fund dollars may be used for the maintenance and repair or lease  
16 payments of the facility authorized by this Act.

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