



# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

400P0380

## SENATE APPROPRIATIONS ENGROSSED NO. **SB** **49** - 1/25/2008

Introduced by: The Committee on Appropriations at the request of the Bureau of Finance and  
Management

1 FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to suppression  
2 of wildfires in the state and to declare an emergency.

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

4 Section 1. There is hereby appropriated from the general fund the sum of four million fifty-  
5 six thousand two hundred seventy-eight dollars (\$4,056,278), or so much thereof as may be  
6 necessary, to the state fire suppression special revenue fund for costs related to the suppression  
7 of wildfires in South Dakota.

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

10 Section 3. Any amounts appropriated in this Act not lawfully expended or obligated shall  
11 revert in accordance with § 4-8-21.

12 Section 4. Whereas, this Act is necessary for the support of the state government and its  
13 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
14 full force and effect from and after its passage and approval.



# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

400P0342

## SENATE APPROPRIATIONS ENGROSSED NO. **SB** **57** - 1/25/2008

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 construct a roadway  
2 on the campus of the South Dakota School of Mines and Technology, to make an  
3 appropriation therefor, and to declare an emergency.

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

5 Section 1. The Board of Regents may contract for the design, construction, completion, and  
6 such other services and improvements as may be required to place a roadway on the campus of  
7 the South Dakota School of Mines and Technology in Rapid City, Pennington County, and to  
8 connect it to municipal street and utility systems for an estimated cost of two million five  
9 hundred thousand dollars.

10 Section 2. There is hereby appropriated the sum of two million five hundred thousand  
11 dollars (\$2,500,000), or so much thereof as may be necessary, of other fund expenditure  
12 authority, payable from funds to be provided, in part, by the City of Rapid City, from federal  
13 sources, or from parking fees assessed by the School of Mines and Technology, for the  
14 construction authorized by this Act.



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

6       Section 4. Whereas, this Act is necessary for the support of the state government and its  
7 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
8 full force and effect from and after its passage and approval.

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

555P0441

## SENATE ENGROSSED NO. **SB 151** - 1/28/2008

Introduced by: Senators Hansen (Tom), Abdallah, Albers, Koetzle, Lintz, McCracken, Napoli, and Schmidt (Dennis) and Representatives Cutler, Brunner, Dennert, Elliott, Halverson, Moore, Novstrup (Al), and Novstrup (David)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the purchase price  
2 and determining just compensation for electric facilities in areas annexed by municipalities.

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

4 Section 1. That § 49-34A-50 be amended to read as follows:

5 49-34A-50. If a municipality described by § 49-34A-49 elects to purchase the property of  
6 an electric utility, the municipality shall, within one year following annexation, offer to purchase  
7 the electric distribution properties of the utility located within the annexed area, together with  
8 all of the utility's rights to serve within ~~such~~ the annexed area, for ~~a cash~~ no less than the  
9 following consideration:

10 (1) Cash consideration ~~which shall consist~~ consisting of the present-day reproduction  
11 cost, new, of the facilities being acquired, less depreciation computed on a  
12 straight-line basis; ~~plus an~~

13 (2) An amount equal to the cost, on a nonbetterment basis, of constructing any necessary  
14 facilities to reintegrate the system of the utility outside the annexed area after



1           detaching the portion to be sold; ~~plus as compensation and~~  
2       (3)   Compensation for service rights, ~~an annual amount, payable each year for a period~~  
3       ~~of seven years, equal to~~ consisting of the sum of twenty-five percent of the gross  
4       revenues received from power sales to consumers of electric power within the  
5       annexed area ~~during said seven-year period, payable annually for a period of seven~~  
6       years. Gross revenues received shall be determined by applying the rate in effect by  
7       the utility whose territory is being purchased at the time of purchase. The  
8       compensation for service rights shall commence upon provision of service to each  
9       existing customer and new primary service connection within the annexed area and  
10       shall continue for seven years thereafter. However, no compensation for service  
11       rights within the area annexed may extend more than seventeen years from the date  
12       compensation is initially paid to the displaced utility.

13       Section 2. An electric utility and a municipality may agree to a negotiated cash consideration  
14       in lieu of the compensation formula provided in subdivisions 49-34A-50(1), (2), and (3). The  
15       agreement shall be filed with the Public Utilities Commission as evidence of the negotiated  
16       consideration. Any agreement reached pursuant to this section may only be applied to the  
17       annexed area identified in the agreement and may not be considered as evidence of a master  
18       agreement applying to any past or future annexation unless so designated in the agreement.