

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

539T0649

SENATE ENGROSSED NO. **HB 1137** - 2/28/2012

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representative Cronin and Senators Brown and Haverly

1 FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for fiscal year
2 2012 and to declare an emergency.

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

4 Section 1. The funds in section 8 of this Act are provided for the purpose of making a
5 one-time payment to active, permanent employees hired before March 24, 2011, not including
6 the Governor, lieutenant governor, attorney general, secretary of state, state auditor, state
7 treasurer, commissioner of school and public lands, or public utilities commissioners, for the
8 purpose of encouraging public service and for continued service in the state government
9 workforce. This payment will be made on March 30, 2012, and will be calculated as a
10 percentage of the employees' annualized salary effective as of March 23, 2012. This percentage
11 shall be five percent for an employee hired before March 24, 2009; three and four-tenths percent
12 for an employee hired March 24, 2009 to March 23, 2010, inclusive; and one and seven-tenths
13 percent for an employee hired March 24, 2010 to March 23, 2011, inclusive.

14 Section 2. For the purposes of this Act, annualized salary means an employee's hourly wage
15 times the number of hours in the fiscal year in which the payment is made times the percent of



1 time the employee is regularly scheduled to work, or the employee's annual salary times the
2 percent of time the employee is regularly scheduled to work. If a full-time employee's annual
3 salary is less than forty-six thousand dollars, the calculation shall be based on forty-six thousand
4 dollars times the percent of time the employee is regularly scheduled to work. If a full-time
5 employee's annual salary is more than one hundred fifty thousand dollars, the calculation shall
6 be based on one hundred fifty thousand dollars times the percent of time the employee is
7 regularly scheduled to work.

8 Section 3. Any payment pursuant to this Act is not to be considered as part of the employee's
9 base compensation or regular rate of pay, nor is the payment compensation for any past
10 performance or future action.

11 Section 4. The amount necessary to fund the one-time payment to employees may be
12 transferred to the appropriate budget units by the Bureau of Finance and Management. If there
13 is not enough funding to provide the required payments to the workforce in place at the time of
14 calculation, the bureau may reduce and prorate the amount of the one-time payments.

15 Section 5. The funds in section 7 of this Act are provided to enhance the military value of
16 Ellsworth Air Force Base, gain efficiencies for Ellsworth Air Force Base, mitigate encroachment
17 issues, and other actions as necessary to promote and facilitate the retention and possible
18 expansion of Ellsworth Air Force Base.

19 Section 6. The funds in section 7 of this Act which are unspent at the end of fiscal year 2012
20 may be carried over to the next fiscal year.

21 Section 7. That section 2 of chapter 23 of the 2011 Session Laws be amended to read as
22 follows:

23 DEPARTMENT OF EXECUTIVE MANAGEMENT

24 (3) Governor's Office of Economic Development

1 Operating Expenses, General Funds, delete "\$5,829,298" and insert "\$6,329,298"

2 Adjust all totals accordingly.

3 Section 8. That section 2 of chapter 23 of the 2011 Session Laws be amended to read as
4 follows:

5 DEPARTMENT OF EXECUTIVE MANAGEMENT

6 (17) delete "State Government Energy Program" and insert "Employee Compensation"

7 Personal Services, General Funds, delete "\$0" and insert "\$12,296,256"

8 Personal Services, Federal Funds, delete "\$0" and insert "\$5,692,174"

9 Personal Services, Other Funds, delete "\$0" and insert "\$13,210,064"

10 Operating Expenses, General Funds, delete "\$0" and insert "\$193,023"

11 Adjust all totals accordingly.

12 Section 9. That section 17 of chapter 23 of the 2011 Session Laws be amended to read as
13 follows:

14 DEPARTMENT OF CORRECTIONS

15 (8) Juvenile Community Corrections

16 Operating Expenses, General Funds, delete "\$11,373,512" and insert "\$11,623,005"

17 Operating Expenses, Federal Funds, delete "\$8,150,915" and insert "\$8,358,592"

18 Adjust all totals accordingly.

19 Section 10. That section 18 of chapter 23 of the 2011 Session Laws be amended to read as
20 follows:

21 DEPARTMENT OF HUMAN SERVICES

22 (2) Developmental Disabilities

23 Operating Expenses, General Funds, delete "\$39,928,174" and insert "\$41,093,167"

24 Operating Expenses, Federal Funds, delete "\$67,595,659" and insert "\$69,208,823"

1 Adjust all totals accordingly.

2 Section 11. That section 18 of chapter 23 of the 2011 Session Laws be amended to read as
3 follows:

4 DEPARTMENT OF HUMAN SERVICES

5 (4) Rehabilitation Services

6 Operating Expenses, General Funds, delete "\$2,985,153" and insert "\$3,052,457"

7 Operating Expenses, Federal Funds, delete "\$11,888,314" and insert "\$11,939,743"

8 Adjust all totals accordingly.

9 Section 12. That section 21 of chapter 23 of the 2011 Session Laws be amended to read as
10 follows:

11 UNIFIED JUDICIAL SYSTEM

12 (2) Unified Judicial System

13 Operating Expenses, General Funds, delete "\$2,367,181" and insert "\$2,387,161"

14 Adjust all totals accordingly.

15 Section 13. The Department of Social Services shall utilize \$4,030,039 in general funds and
16 \$4,204,303 in federal fund expenditure authority appropriated in section 8, chapter 23 of the
17 2011 Session Laws for the purposes of providing a one-time increase to various providers.

18 Section 14. That section 12 of chapter 23 of the 2011 Session Laws be amended to read as
19 follows:

20 DEPARTMENT OF EDUCATION

21 (2A) Nonrecurring State Aid to General Education Formula Allocation

22	Personal Services	\$0	\$0	\$0	\$0
23	Operating Expenses	\$8,689,359	\$0	\$0	\$8,689,359
24	Total	\$8,689,359	\$0	\$0	\$8,689,359

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2 The funding appropriated by this subsection shall be distributed to the school districts through
3 the existing distribution formula on a nonrecurring basis.

4 Adjust all totals accordingly.

5 Section 15. That section 12 of chapter 23 of the 2011 Session Laws be amended to read as
6 follows:

7 DEPARTMENT OF EDUCATION

8 (11) Education Resources

9 Operating Expenses, General Funds, delete "\$4,778,181" and insert "\$5,028,181"

10 Adjust all totals accordingly.

11 Section 16. That chapter 23 of the 2011 Session Laws be amended by adding thereto a NEW
12 SECTION to read as follows:

13 Section 36. The state treasurer shall transfer to the cement plant retirement fund one million
14 dollars (\$1,000,000) from the state general fund.

15 Section 17. The Governor and the Chief Justice shall approve vouchers and the state auditor
16 shall draw warrants to pay expenditures authorized by this Act.

17 Section 18. 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.