

AN ACT

ENTITLED, An Act to authorize the Board of Regents to construct phase II of the Electrical Engineering and Computer Science Building on the campus of South Dakota State University, to accept donations for such purpose, to acquire land incidental thereto, and to make appropriations therefor.

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

Section 1. The Board of Regents may contract for the construction, completion, furnishing, equipping, and maintaining of, including heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering services, and such other services or actions as may be required to construct, phase II of the Electrical Engineering and Computer Science Building, not to exceed twenty-nine thousand gross square feet, on the campus of South Dakota State University in Brookings, South Dakota.

Section 2. There is hereby appropriated from other fund expenditure authority the sum of five million one hundred twenty-five thousand dollars (\$5,125,000), for the total project cost authorized by this Act.

Of that sum:

- (1) Four million four hundred thousand dollars (\$4,400,000) shall be payable from funds donated for the purposes of this Act, and are appropriated for project costs other than those authorized in subdivision (2) of this section or section 6 of this Act;
- (2) Four hundred fifty thousand dollars (\$450,000) in other funds arising from sponsored program indirect receipts are appropriated to construct and to equip a photovoltaic laboratory within the facility; and
- (3) Two hundred seventy-five thousand dollars (\$275,000) from the grant and contract indirect recovery, plant, and royalty funds, are appropriated for the purpose of purchase

of the property described in section 6 of this Act.

Section 3. Expenditure authority may be increased based on the receipt of grants or donations received pursuant to this Act. However, no adjustment to any cost estimate may exceed one hundred twenty-five percent of the authorized expenditure authority stated in section 2 of this Act. No increase in gross square footage authorized by section 1 of this Act may exceed ten percent. Any increase in gross square footage may only be made to accommodate design changes needed to comply with building code requirements and to address unforeseeable structural, subsoil, or environmental conditions.

Section 4. The design and construction of the facility authorized in this Act shall be under the general supervision of the Bureau of Administration as provided in chapter 5-14. The commissioner of the Bureau of Administration and 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. No contract for construction may be issued until the donated funds referred to in section 2 of this Act have been accumulated sufficient to pay for the construction, completion, furnishing, equipping, including heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, and architectural and engineering services, required to construct the facility.

Section 5. For the purposes of this Act, the term, gross square footage, means the sum of all areas on all floors of a building included within the outside faces of the building's exterior walls, including floor penetration areas, however insignificant, for circulation and shaft areas that connect one floor to another as computed by physically measuring or scaling measurements from the outside faces of exterior walls, disregarding cornices, pilaster, buttresses, etc., which extend beyond the wall faces. The term includes excavated basement area; mezzanines and attics; garages; multiple floor parking structures; enclosed porches, inner or outer balconies whether walled or not, if the balconies are utilized for operational functions; and corridors whether walled or not, if the corridors are within the

outside face lines of the building, to the extent of the roof drip line and the footprints of stairways, elevator shafts, and ducts on each floor through which the corridors pass. The term does not include open areas such as unenclosed parking lots, playing fields, courts, and light wells, clear span areas not exceeding three feet in height, or portions of upper floors eliminated by rooms or lobbies that rise above single-floor height.

Section 6. In order to secure regular dimensions for the site of the construction authorized in this Act, the Board of Regents may purchase improved real property adjacent to the campus of South Dakota State University at a cost not to exceed two hundred seventy-five thousand dollars. The parcel of real property is described as follows:

W 85' of Lots 1, 2 and 3, Block 1, Wheaton's addition, City of Brookings, Brookings County, South Dakota.

Section 7. The Board of Regents may sell, dismantle, or otherwise dispose of any improvements on the property described in section 6 of this Act.

Section 8. The Board of Regents shall file its plan to provide for the operation and the maintenance and repair expenses related to the project authorized in this Act with the Executive Board of the Legislative Research Council no later than November 1, 2010.

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I certify that the attached Act originated in the

HOUSE as Bill No. 1026

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. 1026
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