

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

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SENATE APPROPRIATIONS COMMITTEE ENGROSSED NO. **HB 1068** - 02/27/2001

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

1 FOR AN ACT ENTITLED, An Act to authorize the South Dakota Building Authority and the
2 Board of Regents to implement the long-term capital project request of the Board of
3 Regents, providing for the construction, remodeling, or renovation of various structures on
4 the campuses of the state's universities and to make appropriations therefor.

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

6 Section 1. It is in the public interest that the South Dakota Building Authority contract for
7 the construction, completion, furnishing, equipping, and maintaining of, including heating, air
8 conditioning, plumbing, water, sewer, electric facilities, architectural and engineering services,
9 asbestos abatement, removal of existing roofing and structures, and such other services as may
10 be required to accomplish the projects enumerated in section 3 of this Act, all at the estimated
11 cost of seventy-one million seven hundred ninety-one thousand dollars. The South Dakota
12 Building Authority may finance up to thirty-eight million three hundred forty-one thousand
13 dollars of the construction costs through the issuance of revenue bonds, in accordance with this
14 Act and chapter 5-12.

15 Section 2. In addition to those projects approved in section 1 of this Act, the Board of

1 Regents may contract for the construction, completion, furnishing, equipping, and maintaining
2 of, including heating, air conditioning, plumbing, water, sewer, electric facilities, architectural
3 and engineering services, asbestos abatement, removal of existing roofing and structures, and
4 such other services as may be required to accomplish the projects enumerated in section 4 of this
5 Act, all at the estimated cost of thirty million two hundred seventy thousand dollars.

6 Section 3. The projects authorized in section 1 of this Act, to be financed through the
7 issuance of revenue bonds by the South Dakota Building Authority, include the following:

- 8 (1) The Cook classroom renovation or replacement space at Black Hills State University
9 in Spearfish, South Dakota, for an estimated cost of eight million two hundred fifty
10 thousand dollars provided that, in no event, may the building authority issue bonds for
11 more than two million five hundred thousand dollars, for the Cook classroom
12 renovation or replacement space;
- 13 (2) The technology classroom building renovation or replacement space at Dakota State
14 University in Madison, South Dakota, for an estimated cost of two million five
15 hundred thousand dollars;
- 16 (3) The library remodeling at the South Dakota School of Mines and Technology in
17 Rapid City, South Dakota, for an estimated cost of eight hundred eighty-one thousand
18 dollars;
- 19 (4) The primary electrical distribution system upgrade at the South Dakota School of
20 Mines and Technology in Rapid City, South Dakota, for an estimated cost of seven
21 hundred eighty-four thousand dollars;
- 22 (5) The mechanical building air conditioning project at the South Dakota School of Mines
23 and Technology in Rapid City, South Dakota, for an estimated cost of three hundred
24 seventy-six thousand dollars;

- 1 (6) The Seymour Hall – Technology Center remodeling or replacement space at Northern
2 State University in Aberdeen, South Dakota, for an estimated cost of three million
3 five hundred thousand dollars;
- 4 (7) The Mewaldt–Jensen Classroom Building renovation at Northern State University in
5 Aberdeen, South Dakota, for an estimated cost of three million five hundred thousand
6 dollars;
- 7 (8) The Lee Medicine and Science Hall renovation or replacement space at the University
8 of South Dakota in Vermillion, South Dakota, for an estimated cost of thirty-two
9 million dollars of which no more than twelve million five hundred thousand dollars
10 may be financed through the issuance of revenue bonds; and
- 11 (9) The Shepard Hall renovation or replacement space at the South Dakota State
12 University in Brookings, South Dakota, for an estimated cost of twenty million dollars
13 of which no more than eleven million eight hundred thousand dollars may be financed
14 for the Shepard Hall renovation or replacement space through the issuance of revenue
15 bonds;

16 Section 4. The projects authorized in section 2 of this Act include the following:

- 17 (1) The Solberg Hall renovation at the South Dakota State University in Brookings,
18 South Dakota, for an estimated cost of seven million five hundred seventy thousand
19 dollars which may be undertaken as provided in section 5 of this Act;
- 20 (2) The new business school at the University of South Dakota in Vermillion, South
21 Dakota, for an estimated cost of twelve million eight hundred thousand dollars which
22 may be funded from federal sources and private donations;
- 23 (3) The Old Armory renovation at the University of South Dakota in Vermillion, South
24 Dakota, for an estimated cost of two million two hundred thousand dollars which may

1 be funded from federal sources and private donations;

2 (4) The Al Neuharth Media Center renovation at the University of South Dakota in
3 Vermillion, South Dakota, for an estimated cost of four million two hundred thousand
4 dollars which may be funded from federal sources and private donations; and

5 (5) The Slagle Auditorium renovation at the University of South Dakota in Vermillion,
6 South Dakota, for an estimated cost of three million five hundred thousand dollars
7 which may be funded from federal sources and private donations.

8 Section 5. The Board of Regents may lease Solberg Hall, and such portions of its
9 surrounding grounds as may be needed to conduct renovation activities, to the South Dakota
10 State University Foundation to permit the foundation to renovate the structure and to donate all
11 improvements to the State of South Dakota for the use and benefit of South Dakota State
12 University. The Board of Regents may accept such donation if all improvements are designed
13 and specified in accordance with the requirements stated in §§ 5-14-11 to 5-14-13, inclusive; if
14 all plans, specifications, and construction documents are delivered to the Board of Regents in the
15 formats that the State Engineer requires for the keeping of such records; and if the foundation
16 secures the approval of a building committee appointed by the Board of Regents for the project
17 as provided in § 5-14-3 for the initial designs, plans, and specifications, and for any subsequent
18 modifications of the same that may affect the use, operating costs or long-term maintenance of
19 the renovated facility.

20 Section 6. There is hereby appropriated to the Board of Regents six hundred fifty-nine
21 thousand two hundred forty dollars, or so much thereof as may be needed, to construct an
22 addition to the Donald E. Young Sports and Fitness Center. The monies appropriated by this Act
23 shall include one hundred fifty thousand dollars from other funds appropriated to Black Hills
24 State University and five hundred nine thousand two hundred forty dollars from monies available

1 to the South Dakota National Guard.

2 Section 7. There is hereby appropriated from the higher education facilities fund established
3 in § 13-51-2 the sum of five million seven hundred fifty thousand dollars for the Cook classroom
4 renovation or replacement space.

5 Section 8. The authorizations granted under section 1 of this Act, and all necessary
6 appropriations required to finance and to complete such projects, remain effective through
7 June 30, 2009. However, no bonds may be issued under the authority of this Act if such issuance
8 would violate the restriction established in § 13-51-2.

9 Section 9. The authorizations granted under section 2 of this Act, and all necessary
10 appropriations required to finance and to complete such projects, remain effective through
11 June 30, 2013.

12 Section 10. All cost estimates contained in this Act have been stated in terms of 2001 values.
13 The Board of Regents may adjust such cost estimates to reflect inflation as measured by the
14 Building Cost Index reported by the Engineering News Record. The limitations on the amount
15 of bonded indebtedness stated in section 3 of this Act are not subject to such adjustment.

16 Section 11. No indebtedness, bond, or obligation incurred or created under the authority of
17 this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor
18 against the property or funds of the State of South Dakota within the meaning of the
19 Constitution or statutes of the state.

20 Section 12. The Building Authority and the Board of Regents may accept, transfer, and
21 expend any funds obtained for these purposes from federal sources, gifts, contributions, or any
22 other source, all of which shall be deemed appropriated to the project authorized by this Act.

23 Section 13. The administration of the design and construction of the projects authorized in
24 sections 3 and 4 of this Act shall be under the general charge and supervision of the Bureau of

1 Administration as provided in chapter 5-14, except as otherwise provided in section 5 of this Act.
2 The executive director of the Board of Regents and the executive secretary of the Building
3 Authority, or their designees, shall approve vouchers and the state auditor shall draw warrants
4 to pay expenditures authorized by section 3 of this Act. The executive director of the Board of
5 Regents, or a designee, shall approve vouchers and the state auditor shall draw warrants to pay
6 expenditures authorized by section 4 of this Act, except as otherwise provided in section 5 of this
7 Act.

8 Section 14. The Board of Regents may make and enter into a lease agreement with the
9 Building Authority and make rental payments under the terms thereof, pursuant to chapter 5-12,
10 from the higher education facilities fund for the purposes of this Act.