

AN ACT

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

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

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

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

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

- (1) The Cook classroom renovation or replacement space at Black Hills State University in Spearfish, South Dakota, for an estimated cost of eight million two hundred fifty thousand

dollars provided that, in no event, may the building authority issue bonds for more than two million five hundred thousand dollars, for the Cook classroom renovation or replacement space;

- (2) The technology classroom building renovation or replacement space at Dakota State University in Madison, South Dakota, for an estimated cost of two million five hundred thousand dollars;
- (3) The library remodeling at the South Dakota School of Mines and Technology in Rapid City, South Dakota, for an estimated cost of eight hundred eighty-one thousand dollars;
- (4) The primary electrical distribution system upgrade at the South Dakota School of Mines and Technology in Rapid City, South Dakota, for an estimated cost of seven hundred eighty-four thousand dollars;
- (5) The mechanical building air conditioning project at the South Dakota School of Mines and Technology in Rapid City, South Dakota, for an estimated cost of three hundred seventy-six thousand dollars;
- (6) The Seymour Hall – Technology Center remodeling or replacement space at Northern State University in Aberdeen, South Dakota, for an estimated cost of three million five hundred thousand dollars;
- (7) The Mewaldt–Jensen Classroom Building renovation at Northern State University in Aberdeen, South Dakota, for an estimated cost of three million five hundred thousand dollars;
- (8) The Lee Medicine and Science Hall renovation or replacement space at the University of South Dakota in Vermillion, South Dakota, for an estimated cost of thirty-two million dollars of which no more than twelve million five hundred thousand dollars may be financed through the issuance of revenue bonds; and

- (9) The Shepard Hall renovation or replacement space at the South Dakota State University in Brookings, South Dakota, for an estimated cost of twenty million dollars of which no more than eleven million eight hundred thousand dollars may be financed for the Shepard Hall renovation or replacement space through the issuance of revenue bonds;

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

- (1) The Solberg Hall renovation at the South Dakota State University in Brookings, South Dakota, for an estimated cost of seven million five hundred seventy thousand dollars which may be undertaken as provided in section 5 of this Act;
- (2) The new business school at the University of South Dakota in Vermillion, South Dakota, for an estimated cost of twelve million eight hundred thousand dollars which may be funded from federal sources and private donations;
- (3) The Old Armory renovation at the University of South Dakota in Vermillion, South Dakota, for an estimated cost of two million two hundred thousand dollars which may be funded from federal sources and private donations;
- (4) The Al Neuharth Media Center renovation at the University of South Dakota in Vermillion, South Dakota, for an estimated cost of four million two hundred thousand dollars which may be funded from federal sources and private donations; and
- (5) The Slagle Auditorium renovation at the University of South Dakota in Vermillion, South Dakota, for an estimated cost of three million five hundred thousand dollars which may be funded from federal sources and private donations.

Section 5. The Board of Regents may lease Solberg Hall, and such portions of its surrounding grounds as may be needed to conduct renovation activities, to the South Dakota State University Foundation to permit the foundation to renovate the structure and to donate all improvements to the State of South Dakota for the use and benefit of South Dakota State University. The Board of

Regents may accept such donation if all improvements are designed and specified in accordance with the requirements stated in §§ 5-14-11 to 5-14-13, inclusive; if all plans, specifications, and construction documents are delivered to the Board of Regents in the formats that the State Engineer requires for the keeping of such records; and if the foundation secures the approval of a building committee appointed by the Board of Regents for the project as provided in § 5-14-3 for the initial designs, plans, and specifications, and for any subsequent modifications of the same that may affect the use, operating costs or long-term maintenance of the renovated facility.

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

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

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

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

Section 10. All cost estimates contained in this Act have been stated in terms of 2001 values. The Board of Regents may adjust such cost estimates to reflect inflation as measured by the Building Cost

Index reported by the Engineering News Record. The limitations on the amount of bonded indebtedness stated in section 3 of this Act are not subject to such adjustment.

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

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

Section 13. The administration of the design and construction of the projects authorized in sections 3 and 4 of this Act shall be under the general charge and supervision of the Bureau of Administration as provided in chapter 5-14, except as otherwise provided in section 5 of this Act. The executive director of the Board of Regents and the executive secretary of the Building Authority, or their designees, shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by section 3 of this Act. The executive director of the Board of Regents, or a designee, shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by section 4 of this Act, except as otherwise provided in section 5 of this Act.

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

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I certify that the attached Act originated in the

HOUSE as Bill No. 1068

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. 1068
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