

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

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HOUSE BILL NO. 1068

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 sixty-nine million seven hundred ninety-one thousand dollars. The South Dakota Building
12 Authority may finance up to forty-four million ninety-one thousand dollars of the construction
13 costs through the issuance of revenue bonds, in accordance with this Act and chapter 5-12.

14 Section 2. In addition to those projects approved in section 1 of this Act, the Board of
15 Regents may contract for the construction, completion, furnishing, equipping, and maintaining

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

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

- 7 (1) The Cook classroom renovation at Black Hills State University in Spearfish, South
8 Dakota, for an estimated cost of eight million two hundred fifty thousand dollars;
- 9 (2) The technology classroom building renovation at Dakota State University in Madison,
10 South Dakota, for an estimated cost of two million five hundred thousand dollars;
- 11 (3) The library remodeling at the South Dakota School of Mines and Technology in
12 Rapid City, South Dakota, for an estimated cost of eight hundred eighty-one thousand
13 dollars;
- 14 (4) The primary electrical distribution system upgrade at the South Dakota School of
15 Mines and Technology in Rapid City, South Dakota, for an estimated cost of seven
16 hundred eighty-four thousand dollars;
- 17 (5) The mechanical building air conditioning project at the South Dakota School of Mines
18 and Technology in Rapid City, South Dakota, for an estimated cost of three hundred
19 seventy-six thousand dollars;
- 20 (6) The Seymour Hall – Technology Center remodeling at Northern State University in
21 Aberdeen, South Dakota, for an estimated cost of three million five hundred thousand
22 dollars;
- 23 (7) The Mewaldt–Jensen Classroom Building renovation at Northern State University in
24 Aberdeen, South Dakota, for an estimated cost of three million five hundred thousand

1 dollars;

2 (8) The Lee Medicine and Science Hall renovation at the University of South Dakota in
3 Vermillion, South Dakota, for an estimated cost of thirty million dollars of which no
4 more than twelve million five hundred thousand dollars may be financed through the
5 issuance of revenue bonds; and

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

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

11 (1) The Solberg Hall renovation at the South Dakota State University in Brookings,
12 South Dakota, for an estimated cost of seven million five hundred seventy thousand
13 dollars which may be undertaken as provided in section 5 of this Act;

14 (2) The new business school at the University of South Dakota in Vermillion, South
15 Dakota, for an estimated cost of twelve million eight hundred thousand dollars which
16 may be funded from federal sources and private donations;

17 (3) The Old Armory renovation at the University of South Dakota in Vermillion, South
18 Dakota, for an estimated cost of two million two hundred thousand dollars which may
19 be funded from federal sources and private donations;

20 (4) The E.O. Lawrence Telecommunications Building renovation at the University of
21 South Dakota in Vermillion, South Dakota, for an estimated cost of four million two
22 hundred thousand dollars which may be funded from federal sources and private
23 donations; and

24 (5) The Slagle Auditorium renovation at the University of South Dakota in Vermillion,

1 South Dakota, for an estimated cost of three million five hundred thousand dollars
2 which may be funded from federal sources and private donations.

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

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

18 Section 7. The authorizations granted under section 3 of this Act, and all necessary
19 appropriations required to finance and to complete such projects, remain effective through
20 June 30, 2013.

21 Section 8. All cost estimates contained in this Act have been stated in terms of 2001 values.
22 The Board of Regents may adjust such cost estimates to reflect inflation as measured by the
23 Building Cost Index reported by the Engineering News Record, if the limitations on the amount
24 of bonded indebtedness stated in section 3 of this Act are not subject to such adjustment.

1 Section 9. No indebtedness, bond, or obligation incurred or created under the authority of
2 this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor
3 against the property or funds of the State of South Dakota within the meaning of the
4 Constitution or statutes of the state.

5 Section 10. The Building Authority and the Board of Regents may accept, transfer, and
6 expend any funds obtained for these purposes from federal sources, gifts, contributions, or any
7 other source, all of which shall be deemed appropriated to the project authorized by this Act.

8 Section 11. The administration of the design and construction of the projects authorized in
9 sections 3 and 4 of this Act shall be under the general charge and supervision of the Bureau of
10 Administration as provided in chapter 5-14, except as otherwise provided in section 5 of this Act.
11 The executive director of the Board of Regents and the executive secretary of the Building
12 Authority shall approve vouchers and the state auditor shall draw warrants to pay expenditures
13 authorized by section 3 of this Act. The executive director of the Board of Regents shall approve
14 vouchers and the state auditor shall draw warrants to pay expenditures authorized by section 4
15 of this Act, except as otherwise provided in section 5 of this Act.

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