

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

400P0337

HOUSE BILL NO. 1085

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 to
2 provide for the construction, reconstruction, renovation, and modernization of science
3 facilities and laboratories at public universities and to make an appropriation therefor.

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

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

14 Section 2. The projects to be financed, in whole or in part, through the issuance of revenue
15 bonds by the South Dakota Building Authority, are the following:



- 1 (1) The science building at Black Hills State University in Spearfish, South Dakota, for
2 an estimated cost of eight million seventy-eight thousand four hundred dollars;
- 3 (2) The chemistry building replacement at the South Dakota School of Mines and
4 Technology in Rapid City, South Dakota, for an estimated cost of seventeen million
5 nine hundred fifty-seven thousand seven hundred dollars of which ten million dollars
6 shall be provided from proceeds of bonds issued pursuant to subdivision (4) of
7 section 3 of chapter 110 of the 2005 Session Laws;
- 8 (3) The paleontology building at the South Dakota School of Mines and Technology in
9 Rapid City, South Dakota, for an estimated cost of seven million sixty-three thousand
10 nine hundred sixty-three dollars;
- 11 (4) The Agricultural Hall renovation at South Dakota State University in Brookings,
12 South Dakota, for an estimated cost of eight million six thousand two hundred
13 seventy-five dollars;
- 14 (5) The Arthur M. Pardee Laboratory renovation at the University of South Dakota, in
15 Vermillion, South Dakota, for an estimated cost of three million seven hundred
16 ninety-two thousand one hundred four dollars;
- 17 (6) The Churchill-Haines renovation at the University of South Dakota, in Vermillion,
18 South Dakota, for an estimated cost of six million seven hundred fifty-one thousand
19 one hundred forty-five dollars;
- 20 (7) The Akeley Lawrence Science Center renovation at the University of South Dakota,
21 in Vermillion, South Dakota, for an estimated cost of five million two hundred fifty-
22 six thousand seven hundred fifty-one dollars;
- 23 (8) The Habeger Science Center renovation at Dakota State University in Madison,
24 South Dakota, for an estimated cost of six million thirty-eight thousand six hundred

1 seventy dollars;

2 (9) The Dairy Microbiology Building upgrade at South Dakota State University in
3 Brookings, South Dakota, for an estimated cost of eight million two hundred fifty-
4 nine thousand two hundred fifty dollars;

5 (10) The MeWaldt-Jensen Hall science renovation and the Krikac Administration
6 Building science construction at Northern State University in Aberdeen, South
7 Dakota, for an estimated cost of two million seven hundred one thousand nine
8 hundred dollars; and

9 (11) The health sciences simulation center and the science laboratory facilities
10 construction at the University Center in Sioux Falls, South Dakota, for an estimated
11 cost of ten million five hundred ninety-three thousand eight hundred forty-two
12 dollars.

13 Section 3. The authorizations granted by this Act and all necessary appropriations required
14 to finance and to complete the projects remain effective through June 30, 2015.

15 Section 4. All cost estimates contained in this Act are stated in terms of 2007 values. The
16 Building Authority and the Board of Regents may adjust the cost estimates to reflect inflation
17 as measured by the Building Cost Index reported by the Engineering News Record, any
18 additional expenditure required to comply with regulations adopted after the effective date of
19 this Act, or any grant or donation received pursuant to section 6 of this Act. The amount of
20 bonded indebtedness authorized in section 1 of this Act is not subject to such adjustment.

21 Section 5. No indebtedness, bond, or obligation incurred or created under the authority of
22 this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor
23 against the property or funds of the State of South Dakota within the meaning of the
24 Constitution or statutes of the state.

1 Section 6. The Building Authority and the Board of Regents may accept, transfer, and
2 expend any property or funds obtained for these purposes from federal sources, gifts,
3 contributions, or any other source, all of which shall comprise a special fund for the benefitted
4 project and all moneys deposited into that fund are hereby appropriated to the projects
5 authorized by this Act.

6 Section 7. The design and construction of the projects authorized in this Act shall be under
7 the general supervision of the Bureau of Administration as provided in chapter 5-14. The
8 executive director of the Board of Regents and the executive secretary of the Building Authority
9 shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized
10 by this Act.

11 Section 8. The Board of Regents may make and enter into a lease agreement with the
12 Building Authority and make rental payments under the terms thereof, pursuant to chapter 5-12,
13 for the purposes of this Act.

14 Section 9. Rental payments under the terms of the lease authorized in section 8 of this Act
15 shall be paid from appropriations to be made by the Legislature for the payment of such rent to
16 support the purpose and the payment of bonds issued to cover up to forty-two million dollars
17 of construction costs authorized in section 1 of this Act. Rental payments under the terms of
18 the lease authorized in section 8 of this Act shall be paid from special student fees assessed by
19 the Board of Regents for the payment of bonds issued to cover up to thirty-two million five
20 hundred thousand dollars of construction costs authorized in section 1 of this Act.