

State of South Dakota

EIGHTIETH
LEGISLATIVE ASSEMBLY, 2005

400L0320 **HOUSE APPROPRIATIONS COMMITTEE ENGROSSED**
NO. HB 1051 - 02/14/2005

Introduced by: The Committee on Appropriations at the request of the Department of Game,
Fish and Parks

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 fish hatchery
3 facilities and infrastructure at Blue Dog State Fish Hatchery at Blue Dog Lake, Cleghorn
4 State Fish Hatchery at Rapid City, and McNenny Fish Hatchery at Spearfish for the
5 Department of Game, Fish and Parks.

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

7 Section 1. It is in the public interest that the South Dakota Building Authority contract for
8 the construction, reconstruction, renovation, modernization, and the furnishing, equipping, and
9 maintaining of fish hatchery facilities and related infrastructure at the Blue Dog State Fish
10 Hatchery at Blue Dog Lake, the Cleghorn State Fish Hatchery at Rapid City, and the McNenny
11 Fish Hatchery at Spearfish, including buildings, fixtures, plumbing, water, sewer, electric
12 facilities, water pumping infrastructure, domestic water treatment systems, asbestos removal,
13 electrical upgrades, upgraded and modernized fish rearing units, water handling systems,
14 architectural, engineering, and bonding services, site preparation, construction of facilities and
15 improvements to the outside of the fish hatcheries, and landscaping the grounds of the facilities.



1 The Building Authority may finance this project, including the issuance of revenue bonds not
2 to exceed ten million dollars, in accordance with this Act and chapter 5-12.

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

7 Section 3. The Building Authority may accept and expend in addition to the amount
8 specified in section 1 of this Act for the purpose stated in the section, any funds obtained from
9 gifts, contributions, or other sources for the purpose.

10 Section 4. The Department of Game, Fish and Parks may make and enter in a lease
11 agreement with the Building Authority and make rental payments under the terms thereof,
12 pursuant to chapter 5-12, from appropriations to be made by the Legislature for the payment of
13 rent to support the construction, completion, furnishing, equipping, and payment of revenue
14 bonds issued pursuant to section 1 of this Act. All amounts so appropriated shall be repaid by
15 transfers from the Department of Game, Fish and Parks fund.

16 Section 5. Upon receipt of payment of the balance of the total cost, the Building Authority
17 shall convey the fish hatcheries to the Department of Game, Fish and Parks pursuant to § 5-12-
18 15.

19 Section 6. The design and construction of such fish hatcheries shall be under the general
20 charge and supervision of the Bureau of Administration as provided in § 5-14-2. The Bureau
21 of Administration and the Department of Game, Fish and Parks shall approve vouchers and the
22 state auditor shall draw warrants to pay expenditures authorized by this Act.

23 Section 7. Notwithstanding the provisions of § 13-51-2, no money from the state general
24 fund, student tuition fees, the educational facilities fund, nor any money appropriated for

- 1 statewide maintenance and repair, may be used to finance the maintenance and repair of the
- 2 facilities specified in this Act.