

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 the School for the Deaf, to make appropriations therefor, and to repeal certain previous capital project authorizations.

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, sidewalks, parking, landscaping, architectural and engineering services, asbestos abatement, removal of existing roofing and structures, and such other services or actions as may be required to accomplish the projects enumerated in section 3 of this Act, all at the estimated cost of one hundred million eight hundred thousand dollars. The South Dakota Building Authority may finance up to sixty-five million one hundred 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 one million sixty-eight thousand eight hundred and nine dollars.

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

- (1) The Woodburn Hall renovation at Black Hills State University in Spearfish, South Dakota, for an estimated cost of five million four hundred thousand dollars;
- (2) The utility infrastructure renovation at Dakota State University in Madison, South Dakota, for an estimated cost of three million dollars;
- (3) The Lincoln Hall and Graham Hall renovation at Northern State University in Aberdeen, South Dakota, for an estimated cost of three million dollars;
- (4) The chemistry building replacement at the South Dakota School of Mines and Technology In Rapid City, South Dakota, for an estimated cost of sixteen million dollars, of which no more than ten million dollars may be financed through the issuance of revenue bonds;
- (5) The Shepard Hall renovation or replacement space at South Dakota State University in Brookings, South Dakota, for an estimated cost of thirty million dollars, of which no more than twenty-four million dollars may be financed through the issuance of revenue bonds;
- (6) The classroom building construction at USDSU in Sioux Falls, South Dakota, for an estimated cost of seven million seven hundred thousand dollars;
- (7) The graduate education and research center construction at USDSU in Sioux Falls, South Dakota, for an estimated cost of fifteen million dollars, of which no more than two million dollars may be financed through the issuance of revenue bonds;
- (8) The Slagle Hall renovation at the University of South Dakota in Vermillion, South Dakota, for an estimated cost of six million six hundred thousand dollars, of which no more than four million six hundred thousand dollars may be financed through the issuance of revenue bonds; and
- (9) The business school replacement at the University of South Dakota in Vermillion, South Dakota, for an estimated cost of fourteen million one hundred thousand dollars, of which no more than five million four hundred thousand dollars may be financed through the

issuance of revenue bonds.

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

- (1) The construction of an addition to the Pugsley Continuing Education Center at South Dakota State University in Brookings, South Dakota, for an estimated cost of five hundred two thousand two hundred eighty-nine dollars from other funds made available to the university from donations for its early childhood development program; and
- (2) The renovation of the Myklebust Recreational Center at the South Dakota School for the Deaf in Sioux Falls, South Dakota, for an estimated cost of five hundred sixty-six thousand five hundred twenty dollars, of which five hundred sixteen thousand five hundred twenty dollars (\$516,520) are appropriated from other funds available to the School for the Deaf and fifty thousand dollars (\$50,000) are appropriated from moneys allocated to this project by the Bureau of Administration from the statewide maintenance and repair fund established in § 5-14-30.

Section 5. 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, 2015. 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 6. All cost estimates contained in this Act have been stated in terms of 2004 values. The Building Authority and 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 amount of bonded indebtedness authorized in section 1 of this Act is not subject to such adjustment.

Section 7. 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 8. The Building Authority and the Board of Regents may accept, transfer, and expend any property or funds obtained for these purposes from federal sources, gifts, contributions, or any other source, all of which shall be deemed appropriated to the projects authorized by this Act in addition to the amounts otherwise authorized by this Act.

Section 9. The administration of the design and construction of the projects authorized in this Act shall be under the general charge and supervision of the Bureau of Administration as provided in chapter 5-14. 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 this Act.

Section 10. 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.

Section 11. That subdivision (9) of section 3 of chapter 95 of the 2001 Session Laws be repealed.

Section 12. That subdivision (2) of section 4 of chapter 95 of the 2001 Session Laws be repealed.

Section 13. That subdivision (5) of section 4 of chapter 95 of the 2001 Session Laws be repealed.

Section 14. Notwithstanding any other provision of state law, no money appropriated from the state general fund, nor appropriated for statewide maintenance and repair, may be used to finance the maintenance and repair of the facilities authorized in section 3 or subdivision (1) of section 4 of this Act.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1025

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. 1025
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
=====

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