

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

400N0232

HOUSE BILL NO. 1014

Introduced by: The Committee on State Affairs at the request of the Bureau of
Administration

1 FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding the Bureau of
2 Administration's evaluation of costs of projects in the facility construction plan, the
3 submission of proposed capital improvements, the responsibility to request legislative
4 appropriations for facility construction, and the funding of emergency capital improvement
5 projects.

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

7 Section 1. That § 5-14-25 be repealed.

8 ~~5-14-25. Upon authorization and prior to the legislative session, if the Bureau of~~
9 ~~Administration determines that it is necessary to carry out any of the projects in the state facility~~
10 ~~construction plan, the bureau shall, in cooperation with such federal, state, and local agencies~~
11 ~~or entities, or private interests as may be concerned, prepare preliminary cost estimates,~~
12 ~~resources, if any, to be contributed from all other sources in aid thereof, and estimates of the~~
13 ~~revenues which might be anticipated from the facility from all purposes and functions. The~~
14 ~~bureau shall make a comprehensive evaluation and allocation of the costs of all projects~~
15 ~~contained in the state facility construction plan among the various levels of government and~~



1 ~~private interests. The bureau's recommendations shall include with respect to each such project~~
2 ~~the amount or amounts to be shared by each and every level of user and may provide that the~~
3 ~~state's share will be apportioned over a period of years and may be funded by appropriations or~~
4 ~~as may otherwise be provided. The bureau shall formulate and determine the priority or~~
5 ~~priorities of any or all such projects and the sufficient financing thereof.~~

6 Section 2. That § 5-14-26 be repealed.

7 ~~—5-14-26. The Bureau of Administration shall submit by September first of each year a list~~
8 ~~of all proposed capital improvement projects of one million five hundred thousand dollars or~~
9 ~~more to the Governor. Any proposed capital improvement projects to be funded in whole or in~~
10 ~~part from the capital construction fund established in chapter 5-27 shall be submitted by the~~
11 ~~Governor to the Legislature for its authorization as set forth in § 5-14-25.~~

12 Section 3. That § 5-14-27 be repealed.

13 ~~—5-14-27. The Bureau of Administration shall present the findings of benefits, costs,~~
14 ~~cost-sharing, and other pertinent factors to the Governor and the Legislature subsequent to the~~
15 ~~legislative session, and shall request legislative appropriations or other means of financing state~~
16 ~~government's share of the costs of the facility construction projects as may be authorized by the~~
17 ~~Legislature for construction.~~

18 Section 4. That § 5-14-28 be repealed.

19 ~~—5-14-28. If an emergency affecting the public health and safety of the state arises for an~~
20 ~~immediate capital improvement project, the Bureau of Administration may present the project~~
21 ~~to the Governor for authorization and evaluation. A written determination made by the Bureau~~
22 ~~of Administration of the basis for the emergency capital improvement project shall be included~~
23 ~~with the request to the Governor.~~

24 Section 5. That § 5-14-29 be repealed.

1 ~~5-14-29. A state facility construction proposal subject to the provisions of this chapter is a~~
2 ~~capital improvement project as defined in § 5-14-1 except any capital improvement project~~
3 ~~proposed or initiated by the Board of Regents pursuant to chapter 13-49, 13-51, or 13-51A.~~
4 ~~However, the Board of Regents may request that a project be reviewed by the Bureau of~~
5 ~~Administration as provided in §§ 5-14-4 and 5-14-25 for inclusion on the state facility~~
6 ~~construction plan.~~