

# State of South Dakota

EIGHTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 2007

914N0392

SENATE APPROPRIATIONS COMMITTEE

ENGROSSED NO. **HB 1101** - 02/27/2007

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Representatives Juhnke, Deadrick, and Putnam and Senator Garnos

1 FOR AN ACT ENTITLED, An Act to make an appropriation for maintenance and repair  
2 projects of the Board of Regents deemed critical to facility safety and function.

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

4 Section 1. It is in the public interest that the South Dakota Building Authority contract for  
5 the construction, completion, furnishing, equipping, and maintaining of, including heating, air  
6 conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping,  
7 architectural and engineering services, asbestos abatement, removal of existing roofing and  
8 structures, and such other services or actions as may be required to complete maintenance and  
9 repair projects selected by the Board of Regents as critical to facility safety and function at  
10 academic and support facilities on the university campuses, all at the estimated cost of eight  
11 million six hundred thousand dollars (\$8,600,000). The South Dakota Building Authority may  
12 finance the project costs, together with any related costs of financing, through the issuance of  
13 revenue bonds, in accordance with this Act and chapter 5-12.

14 Section 2. The Board of Regents may make and enter into a lease agreement with the  
15 Building Authority relating to any projects described in section 1 of this Act and make rental



1 payments under the terms thereof pursuant to chapter 5-12 from appropriations to be made by  
2 the Legislature pursuant to chapter 5-12. In addition, the Board of Regents may assess and  
3 collect special maintenance and repair fees from students and use such fees to pay or supplement  
4 any rental payments, or reduce the amount of appropriations otherwise required, for such rental  
5 payments. Such fees shall be deposited in a special fund established for the purposes of this Act  
6 and used to reduce the amount of appropriations required to pay rentals under the lease with the  
7 Building Authority. Upon receipt of payment of the balance of rental payments made under the  
8 terms of any lease entered into pursuant to section 2 of this Act, the Building Authority shall  
9 convey the property leased under the lease to the Board of Regents pursuant to § 5-12-15.

10 Section 3. No indebtedness, bond, or obligation included or created under the authority of  
11 this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor  
12 against the property or funds of the State of South Dakota within the meaning of the  
13 Constitution or statutes of the state.

14 Section 4. The Building Authority and the Board of Regents may accept, transfer, and  
15 expend any property or funds obtained for these purposes from federal sources, gifts,  
16 contributions, or any other source, all of which shall be deemed appropriated to the projects  
17 authorized by this Act in addition to the amounts otherwise authorized by this Act.

18 Section 5. The administration of the design and construction of the projects authorized in  
19 this Act shall be under the general charge and supervision of the Bureau of Administration as  
20 provided in chapter 5-14. The executive director of the Board of Regents and the executive  
21 secretary of the Building Authority, or their designees, shall approve vouchers and the state  
22 auditor shall draw warrants to pay expenditures authorized by this Act.