

## AN ACT

ENTITLED, An Act to make an appropriation for maintenance and repair projects of the Board of Regents deemed critical to facility safety and function, and to declare an emergency.

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 complete maintenance and repair projects selected by the Board of Regents as critical to facility safety and function at academic and support facilities on the university campuses, all at the estimated cost of eight million six hundred thousand dollars (\$8,600,000). The South Dakota Building Authority may finance the project costs, together with any related costs of financing, through the issuance of revenue bonds, in accordance with this Act and chapter 5-12.

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

the lease to the Board of Regents pursuant to § 5-12-15.

Section 3. No indebtedness, bond, or obligation included 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 4. 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 5. 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 6. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to make an appropriation for maintenance and repair projects of the Board of Regents deemed critical to facility safety and function, and to declare an emergency.

I certify that the attached Act  
originated in the

HOUSE as Bill No. 1101

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1101

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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