

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

707Z0568

CONFERENCE COMMITTEE

ENGROSSED NO. **HB 1264** - 3/9/2018

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

Introduced by: Representatives Qualm, Anderson, Bartels, Barthel, Bartling, Glanzer, Hawley, Holmes, Hunhoff, Kettwig, Mills, Otten (Herman), Peterson (Kent), Reed, and Tulson and Senators Cammack, Frerichs, Greenfield (Brock), Heinert, Klumb, Kolbeck, Langer, Nesiba, Sutton, Tidemann, White, Wiik, and Youngberg

1 FOR AN ACT ENTITLED, An Act to authorize the construction of the precision agriculture  
2 building and certain renovations at South Dakota State University, to make an appropriation  
3 therefor, and to declare an emergency.

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

5 Section 1. The Board of Regents is hereby authorized to contract for the demolition of  
6 existing facilities, removal of rubbish, site preparation, construction, furnishing, and equipping  
7 of a precision agriculture classroom and laboratory building and renovation of the first and  
8 second floors of Berg Agriculture Hall at South Dakota State University, together with  
9 furnishings and equipment, including heating, air conditioning, plumbing, water, sewer, electric  
10 facilities, sidewalks, parking, landscaping, architectural and engineering services, asbestos  
11 abatement, and such other services or actions as may be required to accomplish the project for  
12 an estimated cost of fifty-five million dollars, subject to permitted adjustments pursuant to



1 section 3 of this Act.

2 Section 2. There is hereby appropriated for the purposes authorized in this Act the sum of  
3 fifty-five million dollars (\$55,000,000), or so much thereof as may be necessary, in other fund  
4 expenditure authority and two million dollars (\$2,000,000), or so much thereof as may be  
5 necessary, from the general fund, together with any additional sums received pursuant to section  
6 5 of this Act, and permitted adjustments pursuant to section 3 of this Act. Two hundred fifty  
7 thousand dollars in the General Appropriations Act was reduced from the cooperative extension  
8 service at South Dakota State University to be applied for the purposes authorized in this Act.  
9 Any general funds appropriated in this section shall be transferred to the precision agriculture  
10 fund.

11 Section 3. The cost estimates contained in this Act have been stated in terms of 2017 values.  
12 The Board of Regents may adjust such cost estimates to reflect the inflation as measured by the  
13 Building Cost Index, reported by the Engineering News Record, and additional expenditures  
14 required to comply with regulations adopted after the effective date of this Act, or additional  
15 sums received pursuant to section 5 of this Act. However, any adjustments to construction cost  
16 estimates for the project may not exceed one hundred twenty-five percent of the estimated  
17 project construction cost stated in section 1 of this Act.

18 Section 4. The South Dakota Building Authority may finance the precision agriculture  
19 classroom and laboratory building, including the issuance of revenue bonds not to exceed twenty  
20 million dollars, in accordance with this Act and chapter 5-12.

21 Section 5. The Board of Regents may accept, transfer, and expend any funds obtained for  
22 the projects authorized in this Act from federal sources, South Dakota State University,  
23 donations, or any other sources, all of which comprise a special fund for the benefitted project.  
24 All moneys deposited into that precision agriculture fund are hereby appropriated to the projects

1 authorized by this Act, subject to limitations stated in sections 1 to 3, inclusive, of this Act.

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3 Section 6. The administration of the design and construction of the project authorized in this  
4 Act shall be under the general charge and supervision of the Bureau of Administration as  
5 provided in chapter 5-14.

6 Section 7. The executive director of the Board of Regents shall approve vouchers and the  
7 state auditor shall draw warrants to pay expenditures authorized by this Act.

8 Section 8. There is hereby created the precision agriculture fund. Money in the fund may be  
9 used for the construction and renovation of the precision agriculture classroom and laboratory  
10 building and Berg Agriculture Hall; bond redemption; and the annual maintenance, operations,  
11 and repair of the buildings. Interest earned on money in the fund shall be deposited in the fund.  
12 The fund shall be administered by the Board of Regents.

13 Section 9. That chapter 38-19 be amended by adding a NEW SECTION to read:

14 In addition to the fee imposed by § 38-19-10, each licensed distributor of commercial  
15 fertilizer shall pay to the secretary of agriculture for all commercial fertilizer distributed in this  
16 state an inspection fee of twenty-five cents per ton in accordance with the provisions of  
17 § 38-19-12. Notwithstanding the provisions of § 38-19-14, the fee imposed by this section shall  
18 be deposited in the precision agriculture fund created pursuant to section 8 of this Act.

19 Section 10. Section 9 of this Act is effective on July 1, 2018.

20 Section 11. Section 9 of this Act is repealed on the first day of the fiscal year following a  
21 determination by the Board of Regents that the bonds authorized pursuant to section 4 of this  
22 Act are satisfied and paid in full.

23 Section 12. Whereas, this Act is necessary for the support of the state government and its  
24 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in

1 full force and effect from and after its passage and approval.