

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

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HOUSE BILL NO. 1017

Introduced by: The Committee on Appropriations at the request of the Board of Regents

1 FOR AN ACT ENTITLED, An Act to authorize the South Dakota Building Authority and the
2 Board of Regents to provide for the construction of a science and mathematics building on
3 the campus of Northern State University and to make appropriations therefor.

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

5 Section 1. The South Dakota Building Authority may contract for the construction,
6 completion, furnishing, equipping, and maintaining of, including heating, air conditioning,
7 plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and
8 engineering services, asbestos abatement, removal of existing roofing and structures, and other
9 services or actions as may be required, to construct a science and mathematics building on the
10 campus of Northern State University in Aberdeen at the estimated project construction cost of
11 thirty-five million dollars. The South Dakota Building Authority may finance a sum not to
12 exceed thirty-five million dollars of the construction costs through the issuance of revenue
13 bonds in accordance with this Act and chapter 5-12.

14 Section 2. The Board of Regents may finance and complete the project described in section
15 1 of this Act without the issuance of bonds pursuant to section 1 of this Act with funds obtained



1 pursuant to section 5 of this Act.

2 Section 3. All cost estimates contained in this Act have been stated in terms of 2015 values.
3 The estimated project cost may be adjusted to reflect inflation as measured by the Building Cost
4 Index reported by the Engineering News Record. Cost estimates may be adjusted to reflect
5 additional expenditures required to comply with regulations adopted after the effective date of
6 this Act, or donations, federal funds, or other funds received pursuant to section 5 of this Act,
7 if the adjustments to the cost estimates for any given project do not exceed one hundred twenty-
8 five percent of the estimated project construction cost stated in section 1 of this Act.

9 Section 4. No indebtedness, bond, or obligation incurred or created under the authority of
10 this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor
11 against the property or funds of the State of South Dakota within the meaning of the
12 Constitution or statutes of the state.

13 Section 5. The South Dakota Building Authority and the Board of Regents may accept,
14 transfer, and expend any funds obtained for the projects authorized in this Act from federal
15 sources, donations, or any other external source, all of which comprise a special fund for the
16 benefitted project; and all money deposited into that fund are hereby appropriated to the projects
17 authorized by this Act in addition to the amounts otherwise authorized by this Act. However,
18 the aggregate increases to the estimated project funds from such sources may not exceed one
19 hundred twenty-five percent of the estimated project construction cost stated in section 1 of this
20 Act.

21 Section 6. The administration of the design and construction of the project authorized in this
22 Act shall be under the general charge and supervision of the Bureau of Administration as
23 provided in chapter 5-14. The executive director of the Board of Regents and the executive
24 secretary of the South Dakota Building Authority shall approve vouchers and the state auditor

1 shall draw warrants to pay expenditures authorized by this Act.

2 Section 7. If the project proceeds under section 1 of this Act, the Board of Regents may
3 make and enter into a lease agreement with the South Dakota Building Authority and make
4 rental payments under the terms thereof, pursuant to chapter 5-12, from the higher education
5 facilities fund for the purposes of this Act.

6 Section 8. Notwithstanding any other restriction in this Act to the contrary, the total project
7 cost may be increased based on the receipts of grants or donations received pursuant to this Act.
8 However, no adjustment to any cost estimates authorized by this Act may exceed one hundred
9 twenty-five percent of the authorized expenditure authority stated in section 1 of this Act.