

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

400Q0301

## HOUSE BILL NO. 1074

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

1 FOR AN ACT ENTITLED, An Act to increase certain expenditure authority previously granted  
2 to the Board of Regents, to designate circumstances in which such authority may be used,  
3 to appropriate funds therefor, and to declare an emergency.

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

5 Section 1. That section 2 of chapter 29 of the 2008 Session Laws be amended to read as  
6 follows:

7 Section 2. The projects to be financed, in whole or in part, through the issuance of revenue  
8 bonds by the South Dakota Building Authority, are the following:

9 (1) The science building at Black Hills State University in Spearfish, South Dakota, for  
10 an estimated cost of eight million seventy-eight thousand four hundred dollars and  
11 not to exceed thirty-one thousand nine hundred fifty-eight gross square feet;

12 (2) The chemistry building replacement at the South Dakota School of Mines and  
13 Technology in Rapid City, South Dakota, for an estimated cost of seventeen million  
14 nine hundred fifty-seven thousand seven hundred dollars of which ten million dollars  
15 shall be provided from proceeds of bonds issued pursuant to subdivision (4) of



1 section 3 of chapter 110 of the 2005 Session Laws and not to exceed forty-eight  
2 thousand two hundred fifty-two gross square feet;

3 (3) The paleontology building at the South Dakota School of Mines and Technology in  
4 Rapid City, South Dakota, for an estimated cost of seven million sixty-three thousand  
5 nine hundred sixty-three dollars and not to exceed thirty-five thousand gross square  
6 feet;

7 (4) The Agricultural Hall renovation at South Dakota State University in Brookings,  
8 South Dakota, for an estimated cost of eight million six thousand two hundred  
9 seventy-five dollars and not to exceed thirty-two thousand six hundred six gross  
10 square feet;

11 (5) The Arthur M. Pardee Laboratory renovation at the University of South Dakota, in  
12 Vermillion, South Dakota, for an estimated cost of three million seven hundred  
13 ninety-two thousand one hundred four dollars and not to exceed twenty-two thousand  
14 nine hundred nine gross square feet;

15 (6) The Churchill-Haines renovation at the University of South Dakota, in Vermillion,  
16 South Dakota, for an estimated cost of six million seven hundred fifty-one thousand  
17 one hundred forty-five dollars and not to exceed seventy-four thousand two hundred  
18 seventy-three gross square feet;

19 (7) The Akeley Lawrence Science Center renovation at the University of South Dakota,  
20 in Vermillion, South Dakota, for an estimated cost of five million two hundred fifty-  
21 six thousand seven hundred fifty-one dollars and not to exceed forty thousand six  
22 hundred sixty-two gross square feet;

23 (8) The Habeger Science Center renovation at Dakota State University in Madison,  
24 South Dakota, for an estimated cost of six million thirty-eight thousand six hundred

1           seventy dollars and not to exceed thirty-five thousand seven hundred eight gross  
2           square feet;

3       (9)    The Dairy Microbiology Building upgrade at South Dakota State University in  
4           Brookings, South Dakota, for an estimated cost of eight million two hundred fifty-  
5           nine thousand two hundred fifty dollars and not to exceed thirty-eight thousand three  
6           hundred seventy-three gross square feet;

7       (10) The MeWaldt-Jensen Hall science renovation and the Krikac Administration  
8           Building science construction at Northern State University in Aberdeen, South  
9           Dakota, for an estimated cost of two million seven hundred one thousand nine  
10          hundred dollars and not to exceed eleven thousand one hundred twenty-two gross  
11          square feet; and

12       (11) The health sciences simulation center and the science laboratory facilities  
13          construction at the University Center in Sioux Falls, South Dakota, for an estimated  
14          cost of ten million five hundred ninety-three thousand eight hundred forty-two  
15          dollars.

16       Section 2. That chapter 29 of the 2008 Session Laws be amended by adding thereto a NEW  
17       SECTION to read as follows:

18       The total project cost authorized for the projects identified in section 2 of this Act may be  
19       increased by donations and grants received by the Board of Regents for the purposes of this Act,  
20       and the Building Authority and the Board of Regents are hereby authorized to expend such  
21       grants and donations for the construction, completion, furnishing, equipping, and maintaining  
22       of, including heating, air conditioning, plumbing, water, sewer, electric facilities, architectural  
23       and engineering services, asbestos abatement, removal of existing roofing and structures, and  
24       such other services and improvements as may be required to erect. However, no adjustments to

1 any cost estimate may exceed one hundred twenty-five percent of the authorized expenditure  
2 authority stated in section 2 of this Act or the gross square footage authorized by section 2 of  
3 this Act.

4 Section 3. That section 1 of chapter 99 of the 2008 Session Laws be amended to read as  
5 follows:

6 Section 1. The Board of Regents may contract for the construction, completion, furnishing,  
7 equipping, and maintaining of, including heating, air conditioning, plumbing, water, sewer,  
8 electric facilities, architectural and engineering services, asbestos abatement, removal of existing  
9 roofing and structures, and such other services and improvements as may be required to erect,  
10 a student athlete development center, not to exceed thirty thousand gross square feet, on the  
11 campus of South Dakota State University in Brookings, in Brookings County, at an estimated  
12 cost of six million dollars.

13 Section 4. That section 2 of chapter 99 of the 2008 Session Laws be amended to read as  
14 follows:

15 Section 2. ~~There is hereby appropriated~~ The Board of Regents is hereby authorized to  
16 expend the sum of six million dollars (\$6,000,000), or so much thereof as may be necessary, of  
17 other fund expenditure authority, payable from funds donated for the purposes of this Act, ~~to~~  
18 ~~the Board of Regents~~ for the ~~construction~~ total project cost authorized by this Act.

19 Section 5. That chapter 99 of the 2008 Session Laws be amended by adding thereto a NEW  
20 SECTION to read as follows:

21 The total project cost may be increased based on the receipts of grants or donations received  
22 pursuant to this Act. However, no adjustment to any cost estimates authorized by this Act may  
23 exceed one hundred twenty-five percent of the authorized expenditure authority stated in section  
24 2 of this Act or the gross square footage authorized by this Act.

1 Section 6. For the purposes of this Act, the term, gross square footage, means the sum of all  
2 areas on all floors of a building included within the outside faces of the building's exterior walls,  
3 including floor penetration areas, however insignificant, for circulation and shaft areas that  
4 connect one floor to another as computed by physically measuring or scaling measurements  
5 from the outside faces of exterior walls, disregarding cornices, pilaster, buttresses, etc., which  
6 extend beyond the wall faces. The term includes excavated basement area; mezzanines,  
7 penthouses, and attics; garages; multiple floor parking structures; enclosed porches, inner or  
8 outer balconies whether walled or not, if the balconies are utilized for operational functions; and  
9 corridors whether walled or not, if the corridors are within the outside face lines of the building,  
10 to the extent of the roof drip line and the footprints of stairways, elevator shafts, and ducts on  
11 each floor through which the corridors pass. The term does not include open areas such as  
12 unenclosed parking lots, playing fields, courts, and light wells, clear span areas not exceeding  
13 three feet in height, or portions of upper floors eliminated by rooms or lobbies that rise above  
14 single-floor height.

15 Section 7. Gross square footage estimates for new construction or total renovation may be  
16 increased by up to ten percent to accommodate design changes needed to comply with building  
17 code requirements, to address unforeseeable structural, subsoil, or environmental conditions,  
18 or to accommodate building program changes in the facility design plan. Routine renovation  
19 projects, which ordinarily do not increase existing gross square footage of the renovated  
20 structure, may increase the gross square footage by up to ten percent to accommodate design  
21 changes needed to comply with building code requirements, for external mechanical rooms,  
22 elevator shafts or stairwells, or to address unforeseeable structural, subsoil, or environmental  
23 conditions.

24 Section 8. Whereas, this Act is necessary for the support of the state government and its

- 1 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
- 2 full force and effect from and after its passage and approval.