

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

400Q0302

SENATE APPROPRIATIONS ENGROSSED NO. **SB 66** - 1/30/2009

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

1 FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to construct an addition
2 to the Northern State University Joseph H. Barnett Center and to accept donations for such
3 purpose and to make an appropriation thereof.

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

5 Section 1. The Board of Regents may contract for the construction, completion, furnishing,
6 equipping, and maintaining of, including heating, air conditioning, plumbing, water, sewer,
7 electric facilities, sidewalks, parking, landscaping, architectural and engineering services, and
8 such other services or actions as may be required to construct an addition, not to exceed four
9 thousand two hundred twenty-eight gross square feet, to the Northern State University Joseph
10 H. Barnett Center, in Aberdeen, South Dakota.

11 Section 2. The Board of Regents is hereby appropriated the sum of five hundred fifty-seven
12 thousand dollars (\$557,000) of other fund expenditure authority, payable from funds donated
13 for the purposes of this Act, for the total project cost authorized by this Act.

14 Section 3. Expenditure authority may be increased based on the receipt of grants or
15 donations received pursuant to this Act. However, no adjustment to any cost estimate may



1 exceed one hundred twenty-five percent of the authorized expenditure authority stated in section
2 2 of this Act. No increase in gross square footage authorized by section 1 of this Act may exceed
3 ten percent. Any increase in gross square footage may only be made to accommodate design
4 changes needed to comply with building code requirements, to address unforeseeable structural,
5 subsoil, or environmental conditions.

6 Section 4. The design and construction of the addition authorized in this Act shall be under
7 the general supervision of the Bureau of Administration as provided in chapter 5-14. The
8 commissioner of the Bureau of Administration and the executive director of the Board of
9 Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures
10 authorized by this Act. No contract for construction shall be issued until the donated funds
11 referred to in section 2 of this Act have been accumulated sufficient to pay for the construction,
12 completion, furnishing, equipping, including heating, air conditioning, plumbing, water, sewer,
13 electric facilities, sidewalks, parking, landscaping, and architectural and engineering services
14 required to construct the addition.

15 Section 5. For the purposes of this Act, the term, gross square footage, means the sum of all
16 areas on all floors of a building included within the outside faces of the building's exterior walls,
17 including floor penetration areas, however insignificant, for circulation and shaft areas that
18 connect one floor to another as computed by physically measuring or scaling measurements
19 from the outside faces of exterior walls, disregarding cornices, pilaster, buttresses, etc., which
20 extend beyond the wall faces. The term includes excavated basement area; mezzanines,
21 penthouses, and attics; garages; multiple floor parking structures; enclosed porches, inner or
22 outer balconies whether walled or not, if the balconies are utilized for operational functions; and
23 corridors whether walled or not, if the corridors are within the outside face lines of the building,
24 to the extent of the roof drip line and the footprints of stairways, elevator shafts, and ducts on

1 each floor through which the corridors pass. The term does not include open areas such as
2 unenclosed parking lots, playing fields, courts, and light wells, clear span areas not exceeding
3 three feet in height, or portions of upper floors eliminated by rooms or lobbies that rise above
4 single-floor height.