



2020 South Dakota Legislature

House Bill 1045

JOINT APPROPRIATIONS ENGROSSED

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

1 **An Act to authorize the Board of Regents to contract for the design, renovation of,**
 2 **and addition to, the E.Y. Berry Library on the campus of Black Hills State**
 3 **University and to make an appropriation therefor.**

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

5 **Section 1.** The Board of Regents may contract for the design, renovation of, and construction
 6 of an addition to the E.Y. Berry Library, on the campus of Black Hills State University, with
 7 furnishings and equipment including heating, air conditioning, plumbing, water, sewer,
 8 electric facilities, sidewalks, parking, landscaping, architectural and engineering services,
 9 asbestos abatement, and other services or actions required to accomplish the project for an
 10 estimated cost not to exceed nine million three hundred seventy-two thousand two hundred
 11 forty-five dollars, subject to any adjustments authorized in section 3 of this Act.

12 **Section 2.** There is hereby appropriated from the higher education facilities fund allocable
 13 to Black Hills State University for the purposes of maintenance and repair the sum of six
 14 million three hundred seventeen thousand two hundred forty-five dollars (\$6,317,245), or so
 15 much thereof as may be necessary; the sum of three million dollars (\$3,000,000), or so much
 16 thereof as may be necessary, from revenue bonds authorized by subdivision (1) of section 2
 17 of chapter 107 of the 2012 Session Laws; and the sum of fifty-five thousand dollars (\$55,000),
 18 or so much thereof as may be necessary, in other fund expenditure authority, to the Board
 19 of Regents, for the purposes authorized in section 1 of this Act and any adjustments
 20 authorized in section 3 of this Act.

21 **Section 3.** The cost estimates contained in this Act are stated in terms of 2019 values. The
 22 Board of Regents may adjust the cost estimates to reflect inflation as measured by the
 23 Building Cost Index, reported by the Engineering News Record and additional expenditures
 24 required to comply with regulations adopted after the effective date of this Act. Any
 25 adjustments to construction cost estimates for the project may not exceed one hundred
 26 twenty-five percent of the estimated project construction cost stated in section 1 of this Act.

1 **Section 4.** The acquisition, construction, completion, remodeling, maintenance and equipping
2 of the E.Y. Berry Library by the Building Authority being in the public interest, the South
3 Dakota Building Authority may finance up to five million four hundred thousand dollars of the
4 design and construction costs of the E.Y. Berry Library project through the issuance of revenue
5 bonds, in accordance with this Act and chapter 5-12.

6 **Section 5.** 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 6.** Any amounts appropriated in this Act not lawfully expended or obligated shall
9 revert in accordance with the procedures prescribed in chapter 4-8.

10 **Section 7.** No indebtedness, bond, or obligation incurred or created under the authority of
11 this Act may be or may become a lien, charge, or liability against the State of South Dakota,
12 nor against the property or funds of the State of South Dakota within the meaning of the
13 Constitution or laws of the state.

14 **Section 8.** The Board of Regents may make and enter into a lease agreement with the
15 Building Authority and make rental payments under the terms thereof, pursuant to chapter
16 5-12, from the higher education facilities fund or any other available funds authorized
17 pursuant to this Act or any other law.