



## 2020 South Dakota Legislature

# House Bill 1046

SENATE 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 Devereaux Library and to provide funding for the Mineral**  
 3 **Industries Building on the campus of the South Dakota School of Mines and**  
 4 **Technology, to make an appropriation therefor, and to declare an emergency.**

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

6 **Section 1.** The Board of Regents may contract for the design, renovation of, and construction  
 7 of an addition to, the Devereaux Library, on the campus of South Dakota School of Mines and  
 8 Technology, with furnishings and equipment including heating, air conditioning, plumbing,  
 9 water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering  
 10 services, asbestos abatement, and other services or actions as may be required to accomplish  
 11 the project for an estimated cost not to exceed five million dollars, subject to any adjustments  
 12 authorized in section 3 of this Act.

13 **Section 2.** There is hereby appropriated from the higher education facilities fund allocable  
 14 to the South Dakota School of Mines and Technology for the purposes of maintenance and  
 15 repair the sum of four million dollars (\$4,000,000), or so much thereof as may be necessary;  
 16 and the sum of one million dollars (\$1,000,000), or so much thereof as may be necessary, in  
 17 other fund expenditure authority, to the Board of Regents, for the purposes of authorized in  
 18 section 1 of this Act and any adjustments authorized in section 3 of this Act.

19 **Section 3.** The cost estimates contained in this Act have been stated in terms of 2019 values.  
 20 The Board of Regents may adjust the cost estimates to reflect inflation as measured by the  
 21 Building Cost Index, reported by the Engineering News Record and additional expenditures  
 22 required to comply with regulations adopted after the effective date of this Act. Any  
 23 adjustments to construction cost estimates for the project may not exceed one hundred  
 24 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 Devereaux Library by the Building Authority being in the public interest, the South  
3 Dakota Building Authority may finance up to four million dollars of the design and construction  
4 costs of the Devereaux Library project through the issuance of revenue bonds, in accordance  
5 with this Act and chapter 5-12.

6 **Section 5.** There is hereby appropriated from the general fund the sum of one million five  
7 hundred thousand dollars (\$1,500,000), or so much thereof as may be necessary, to the  
8 Board of Regents for the purpose of providing funding for the mineral industries building which  
9 is to be located on the campus of the South Dakota School of Mines and Technology.

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

12 **Section 7.** Any amounts appropriated in this Act not lawfully expended or obligated shall  
13 revert in accordance with the procedures prescribed in chapter 4-8.

14 **Section 8.** No indebtedness, bond, or obligation incurred or created under the authority of  
15 this Act may be or may become a lien, charge, or liability against the State of South Dakota,  
16 nor against the property or funds of the State of South Dakota within the meaning of the  
17 Constitution or laws of the state.

18 **Section 9.** The Board of Regents may make and enter into a lease agreement with the  
19 Building Authority and make rental payments under the terms thereof, pursuant to chapter  
20 5-12, from the higher education facilities fund or any other available funds authorized  
21 pursuant to this Act or any other law.

22 **Section 10.** Whereas, this Act is necessary for the support of the state government and its  
23 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
24 full force and effect from and after its passage and approval.