



2021 South Dakota Legislature

Senate Bill 156

Introduced by: **Senator** David Johnson

1 **An Act to authorize the Board of Regents to contract for the construction of a Mineral**
2 **Industry Building and the demolition of the old Mineral Industry Building on**
3 **the campus of South Dakota School of Mines and Technology, to make an**
4 **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 is hereby authorized to contract for the planning, site
7 preparation, construction, furnishing, and equipping of an up to ninety thousand square foot
8 Mineral Industry Building on the campus of South Dakota School of Mines and Technology,
9 including any heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks,
10 parking, landscaping, architectural and engineering services, and such other services or
11 actions as may be required to accomplish the project, for an estimated cost of \$34,000,000,
12 subject to the permitted adjustments pursuant to section 4 of this Act.

13 **Section 2.** The Board of Regents may demolish, remove, and dispose of the structure
14 currently known as the Mineral Industry Building, consisting of approximately fifty-seven
15 thousand six hundred eighty-nine square feet on the campus of South Dakota School of Mines
16 and Technology, for an estimated cost of \$1,000,000, subject to the permitted adjustments
17 pursuant to section 4 of this Act. This project includes demolition, abatement of asbestos or
18 other such hazardous materials, lawful disposal of the fixtures or rubble, and any other action
19 reasonably necessary to prepare, landscape or otherwise restore the lot.

20 **Section 3.** There is hereby appropriated to the Board of Regents for the purposes authorized
21 in this Act, the sum of \$19,000,000 in general funds; and the sum of \$16,000,000 in other
22 fund expenditure authority.

23 **Section 4.** The cost estimates contained in this Act have been stated in terms of 2020 values.
24 The Board of Regents may adjust such cost estimates to reflect inflation as measured by the
25 Building Cost Index, reported by the Engineering News Record and additional expenditures

1 required to comply with regulations adopted after the effective date of this Act, or additional
2 sums received pursuant to section 6 of this Act. However, any adjustments to construction
3 cost estimates for the project may not exceed one hundred twenty-five percent of the
4 estimated project construction cost stated in sections 1 and 2 of this Act.

5 **Section 5.** The acquisition, construction, completion, maintenance, and equipping of the
6 Mineral Industry Building by the Building Authority being in the public interest, the South
7 Dakota Building Authority may finance up to thirty-four million dollars of the design and
8 construction costs of the Mineral Industry Building through the issuance of revenue bonds, in
9 accordance with this Act and chapter 5-12.

10 **Section 6.** The Board of Regents may accept, transfer, and expend any funds obtained for
11 the projects authorized in this Act from federal sources, donations, or any other external
12 sources, all of which comprise a special fund for the benefitted project.

13 **Section 7.** The administration of the design and construction of the project authorized in this
14 Act shall be under the general charge and supervision of the Bureau of Administration as
15 provided in chapter 5-14.

16 **Section 8.** The executive director of the Board of Regents shall approve vouchers and the
17 state auditor shall draw warrants to pay expenditures authorized by this Act.

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

20 **Section 10.** No indebtedness, bond, or obligation incurred or created under the authority of
21 this Act may be or may become a lien, charge, or liability against the state, nor against the
22 property or funds of the state within the meaning of the constitution or laws of the state.

23 **Section 11.** The Board of Regents may make and enter into a lease agreement with the
24 Building Authority and make rental payments under the terms thereof, pursuant to chapter
25 5-12, from the higher education facilities fund or any other available funds authorizes
26 pursuant to this Act or any other law.

27 **Section 12.** Whereas, this Act is necessary for the support of the state government and its
28 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
29 full force and effect from and after its passage and approval.