

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

400A0743

## HOUSE BILL NO. 1206

Introduced by: Representatives Napoli, Duniphan, and Fitzgerald and Senators Shoener and Kleven

1 FOR AN ACT ENTITLED, An Act to authorize the sale of the state-owned facilities and land  
2 in Rapid City, commonly known as the Coal Gasification Plant, and to provide for the  
3 deposit of the proceeds.

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

5 Section 1. The Legislature hereby finds it to be in the best interest of the state to sell and  
6 dispose of, in whole or in part, the following real property commonly known as the Coal  
7 Gasification Plant:

8 Block Two (2) of Lot Three (3) in the Southwest Quarter of the Northwest Quarter  
9 (SW 1/4 NW 1/2) of Section Seventeen (17), Township One (1) North, Range Eight  
10 (8) East of the Black Hills Meridian, Pennington County, South Dakota.

11 Section 2. The State of South Dakota, through the commissioner of school and public lands,  
12 may sell all or any part of the real property described in section 1 of this Act, together with any  
13 existing improvements located on the property. The property shall be sold in accordance with  
14 the procedures provided in chapter 5-9. If no bid at or in excess of the appraised value is  
15 received, the commissioner may sell the property at a private sale at such price as may be

1 approved by the Governor.

2 Section 3. The proceeds of the sale shall be distributed as follows:

3 (1) Reimburse the commissioner of school and public lands for expenses incurred in  
4 conducting the sale;

5 (2) The next three hundred sixty-five thousand four hundred seventy-eight dollars  
6 (\$365,478), or so much thereof as may be necessary shall be deposited in the state  
7 engineer revolving fund to reimburse the Bureau of Administration for costs incurred  
8 in managing the property which have not previously been reimbursed; and

9 (3) Any remaining proceeds, up to eight hundred thousand dollars (\$800,000) shall be  
10 transferred to the state general fund.

11 Any sale proceeds in excess of eight hundred thousand dollars (\$800,000) shall be held in  
12 trust for, and shall be transmitted to, the Real Property Group, Office of Management, United  
13 States Department of Education pursuant to the Abrogation and Release of Restrictions  
14 Agreement signed and dated December 14, 1994.