



2021 South Dakota Legislature
Senate Bill 156
ENROLLED

AN ACT

ENTITLED An Act to authorize the Board of Regents to contract for the construction of a Mineral Industry Building and the demolition of the old Mineral Industry Building on the campus of South Dakota School of Mines and Technology, to make an appropriation therefor, and to declare an emergency.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

An Act to authorize the Board of Regents to contract for the construction of a Mineral Industry Building and the demolition of the old Mineral Industry Building on the campus of South Dakota School of Mines and Technology, to make an appropriation therefor, and to declare an emergency.

I certify that the attached Act originated in
the:

Senate as Bill No. 156

Received at this Executive Office
this ____ day of _____,

2021 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this _____ day of
_____, A.D., 2021

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2021
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 156
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State