

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

400E0787

HOUSE ENGROSSED NO. **SB 229** - 02/28/2001

Introduced by: Senator McCracken and Representative McCoy

1 FOR AN ACT ENTITLED, An Act to provide direction to the South Dakota Investment
2 Council in the investment of the net proceeds derived from the sale of state cement
3 enterprises and to declare an emergency.

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

5 Section 1. The provisions of this Act apply only upon adoption by the people of Senate Joint
6 Resolution No. 1 adopted by the Seventy-fifth Legislature meeting in special session amending
7 Article XIII of the State Constitution relating to creation and administration of a trust fund to
8 contain net proceeds from the sale of state cement enterprises.

9 Section 2. That § 4-5-26 be amended to read as follows:

10 4-5-26. Money made available for investment may be invested in the following classes of
11 securities and investments and, except as provided by § 3-12-117, chapter 3-13, ~~and~~ the South
12 Dakota Cement Plant retirement fund, and the permanent trust fund containing the net proceeds
13 from the sale of state cement enterprises, not otherwise:

- 14 (1) Direct and indirect obligations of the United States government;
15 (2) Agencies and instrumentalities of the United States government;

- 1 (3) Direct obligations of the State of South Dakota and any of its political subdivisions;
- 2 (4) Obligations consisting of notes, bonds, debentures, and certificates which are direct
- 3 obligations of a solvent corporation or trust existing under the laws of the United
- 4 States or any state thereof, provided that such investments shall be rated in the four
- 5 highest classifications established by at least two standard rating services; or
- 6 (5) Savings accounts, share accounts, certificates of deposit of banks, savings and loan
- 7 associations, building and loan associations, and bankers' acceptances.

8 Section 3. That chapter 5-17 be amended by adding thereto a NEW SECTION to read as

9 follows:

10 The State Investment Council as provided in § 4-5-12 is responsible for the investment of

11 the trust fund containing the net proceeds from the sale of state cement enterprises. The

12 investment of such funds is not restricted by the provisions of § 4-5-26, but is governed by the

13 provisions of § 4-5-27.

14 Section 4. Whereas, this Act is necessary for the support of the state government and its

15 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full

16 force and effect from and after the date provided for in section 1 of this Act.