

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

385A0295

HOUSE BILL NO. 1109

Introduced by: Representatives DeMersseman, Derby, Duniphan, Hagg, Madden, Napoli, Pederson (Gordon), and Wetz and Senators Shoener, Aker, Dunn (Jim), and Whiting

1 FOR AN ACT ENTITLED, An Act to revise the minerals and materials that may be mined
2 under a mining license, to revise certain cement plant reporting requirements, and to revise
3 the requirements for signatures on certain cement plant leases and conveyances.

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

5 Section 1. That § 45-6-65 be amended to read as follows:

6 45-6-65. An operator shall obtain a license to mine for sand, gravel, rock to be crushed and
7 used in construction, pegmatite minerals or for limestone, iron ore, sand, gypsum, ~~or~~ shale,
8 pozzolan, or other materials used in the process of making cement or lime. The operator shall
9 comply with the requirements of §§ 45-6-68, 45-6-69, 45-6-71, and 45-6-72 for each site to be
10 mined. Failure to comply with these requirements for each site mined constitutes mining without
11 a valid license.

12 The fee for the license is an annual fee of one hundred dollars, which shall be deposited in
13 the environment and natural resources fee fund established in § 1-40-30 by the department.

14 Section 2. That § 5-17-11 be repealed.

15 ~~5-17-11. The cement plant shall at the close of each calendar quarter report to the state~~

1 ~~director of old age and survivor's insurance the amount of employer's tax upon the employees~~
2 ~~of the state cement plant, and shall remit to the director of old age and survivor's insurance a sum~~
3 ~~of money which equals such amount with the report.~~

4 Section 3. That § 5-17-17 be amended to read as follows:

5 5-17-17. The money received from the sale or lease of such real property shall be deposited
6 by the secretary of the Cement Plant Commission in the State Cement Plant Fund. On the
7 approval of the sale, lease or exchange of any such real property by the ~~state~~ Cement Plant
8 Commission the conveyance or lease of ~~said~~ the real property shall be made in the name of the
9 state of South Dakota by and through the ~~state~~ Cement Plant Commission and shall be executed
10 by the chairman of the commission and attested by the secretary-treasurer ~~thereof and approved~~
11 ~~in writing thereon by the Governor.~~

12 Section 4. That § 5-17-32 be repealed.

13 ~~5-17-32. Such cement plant commission or its designees shall file in the office of the~~
14 ~~secretary of state every three months a statement showing the financial condition of the business~~
15 ~~conducted under authority of this chapter and such other information as may be of public~~
16 ~~interest.~~