

AUTHORIZATION OF EXPENDITURE  
FROM THE EMERGENCY BUILDING FUND  
BY THE DEPARTMENT OF MILITARY AFFAIRS


WHEREAS, a severe hail storm in the Mitchell area on July 14, 1951, damaged property of the State of South Dakota, namely the South Dakota National Guard Field Maintenance Shop and Armory located at the Mitchell Airport at Mitchell, South Dakota, which is estimated as follows: window breakage the actual cost of the repair and re-installation of windows being the sum of \$922.12; and

WHEREAS, it was necessary to immediately have said windows repaired and re-installed to provide security for the equipment in these buildings belonging to the Department of Military Affairs; and

WHEREAS, the Department of Military Affairs has requested that the sum of not to exceed Nine Hundred Twenty-Two and 12/100 (\$922.12) dollars be made available from the Emergency Building Fund, for the necessary restoration and replacement of said destroyed property.

NOW, THEREFORE, the said Department of Military Affairs is hereby authorized to make proper requisition for restoration and replacement of said destroyed property and the cost thereof, in not to exceed the sum of Nine Hundred Twenty-Two and 12/100 (\$922.12) Dollars be paid in accordance with S.D. 55, 2206 and pursuant to the provisions of Chapter 314, Session Laws of 1951. Such payment to be made on vouchers itemized, verified and certified as provided by law, and approved by the Adjutant General, the Governor, and the Comptroller General.

Dated at Pierre, South Dakota, this 17 day of August, 1951.

  
GOVERNOR

Executed in duplicate:  
State Auditor  
State Engineer  
State Comptroller  
State Fair Board  
Attorney General  
Governor

  
ATTORNEY GENERAL

STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR

EXECUTIVE ORDER

WHEREAS, the Governor is authorized, by SDC 1960 Supp 41.01005 and prior legislation, to allocate state funds for special emergencies and disasters, under Civil Defense;

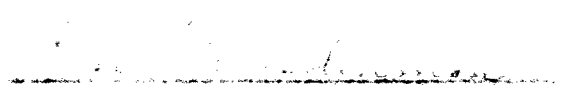
AND WHEREAS, the current world situation indicates a need for increased Civil Defense activities for which regular appropriated funds for this purpose are inadequate;

IT IS, THEREFORE, it is hereby ordered that the sum of Seven Thousand Five Hundred dollars (\$7,500.00) is hereby allocated, released and authorized withdrawn and paid from the Special Emergency and Disaster Fund, created by Chapter 236, of the Session Laws of 1955, (now SDC 1960 Supp 41.01015), as an emergency measure for the payment of salary and expenses in conducting training on Civil Defense emergency hospitals.

IN TESTIMONY WHEREOF, I have caused my signature to be hereto affixed this 9<sup>th</sup> day of January 1962, and have hereto attached the GREAT SEAL of the State of South Dakota.

  
Governor

ATTEST

  
Secretary of State

AUTHORIZATION OF EXPENDITURE  
FROM THE EMERGENCY BUILDING FUND  
BY THE STATE FAIR BOARD

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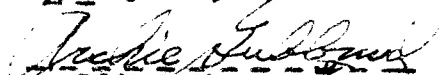
WHEREAS, a severe and heavy snowfall in February and March 1962 at Huron, South Dakota damaged property of the State of South Dakota, namely Cattle Barn #13 on the State Fair Grounds at Huron, South Dakota which is estimated as follows: Restoration of twisted cattle barn due to heavy snowfall in the sum of \$600.00; and

WHEREAS, it was necessary to immediately repair said twisted Cattle Barn #13 to restore it to its previous condition on the State Fair Grounds; and

WHEREAS, the State Fair Board has requested that the sum of not to exceed Six Hundred Dollars (\$600.00) be made available from the Emergency Building Fund, for the necessary restoration and replacement of said destroyed property.

NOW, THEREFORE, the said South Dakota State Fair Board is hereby authorized to make proper requisition for restoration and replacement of said destroyed property and the cost thereof, in not to exceed the sum of Six Hundred Dollars (\$600.00) be paid in accordance with SDC 53.2206 and pursuant to the provisions of Chapter 314, Session Laws of 1961. Such payment to be made on vouchers itemized, verified and certified as provided by law, and approved by the State Fair Board, the Governor and the Attorney General.

Dated at Pierre, South Dakota this 13 day of April, 1962.

  
GOVERNOR

Executed in sextuplet:  
State Auditor  
State Engineer  
State Comptroller  
State Fair Board  
Attorney General  
Governor

ATTORNEY GENERAL --

AUTHORIZATION OF EXPENDITURE  
FROM THE EMERGENCY BUILDING FUND  
BY THE BOARD OF CHARITIES AND CORRECTIONS

WHEREAS, The South Dakota State Penitentiary farm buildings sustained damage as a result of a wind storm on the night of May 12, 1962, which is estimated as follows: Restoration of West Prison Farm, \$806.00; Restoration of Machine Shed, estimated cost \$191.40; Restoration of Corn crib, estimated cost \$207.60; total estimated cost \$1,005.00; and

AND WHEREAS, it was necessary to immediately repair said South Dakota State Penitentiary farm buildings to restore them to their previous condition; and

AND WHEREAS, the State Board of Charities and Corrections has requested that the sum of not to exceed One Thousand Six Hundred Thirty-Nine dollars (\$1,639.00) be made available from the Emergency Building Fund, for the necessary restoration and replacement of said destroyed property;.

BEFORE ME, the undersigned, the said South Dakota State Board of Charities and Corrections, has been authorized to make proper requisition for restoration and replacement of said destroyed property; and the cost thereof, in and to exceed the sum of One Thousand Six Hundred Thirty-Nine dollars (\$1,639.00) be paid in accordance with the Act of June 22, 1906 and pursuant to the provisions of Chapter 614, Session Laws of 1961. Each payment to be made on vouchers itemized, verified and certified as provided by law, and approved by the State Board of Charities and Corrections, the Governor and the Attorney General.

Dated at Pierre, South Dakota this 22 day of June 1962.

Executed in testület:  
State Auditor  
State Engineer  
State Comptroller  
State Bd. of Charities & Corrections  
Attorney General  
Governor

  
GOVERNOR

  
ATTORNEY GENERAL



# State of South Dakota

## Executive Department



### EXECUTIVE ORDER

WHEREAS, the Thirty-eighth Session of the Legislature of South Dakota passed Senate Bill 89, now Chapter 125 of the Session Laws of South Dakota for the year 1963 relating to varying periods of ineligibility for claimants filing for benefits under the Employment Security Law, and;

WHEREAS, Section 3 of Chapter 125 of the South Dakota Session Laws of 1963 provided as follows:

"Saving clause. If the United States Secretary of Labor, prior to January 8, 1964, finds that the provisions of this Act do not meet the requirements of Title 111 of the Social Security Act and the Unemployment Tax Act of the Internal Revenue Code, the provisions of subsection (9) of this Act shall thereupon become inoperative, null and void."

WHEREAS, the Thirty-ninth Session of the Legislature of the State of South Dakota did pass Senate Bill 179, now Chapter 71 of the Session Laws of South Dakota for the year of 1964, which chapter contained in Section 2 the following language;

"From and after July 1, 1964, the provisions of Chapter 125 of the Session Laws of 1963 shall be inoperative unless the Governor of the State of South Dakota, on or before December 31, 1964, declares the same to be inoperative by certifying such declaration to the Secretary of State and the Commissioner and Counsel of Employment Security."  
And;

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CREDIT FILE OF AUTHENTICITY  
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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel

WHEREAS, The Secretary of Labor for the United States of America, W. Willard Wirtz, did on the 25th day of September, 1964, after a hearing before a hearing examiner of the Department of Labor, did render his decision adopting the Findings and Conclusions in the recommended decision of the hearing examiner holding and adjudging that Chapter 125 of the Session Laws of 1963 was not in conformity and did not meet the requirements of Title 111 of the Social Security Act and the Unemployment Tax Act of the Internal Revenue Code;

NOW THEREFORE, I, Archie Gubbrud, the duly elected, qualified and acting Governor of the State of South Dakota, do hereby DECLARE and ORDER that Chapter 125 of the Session Laws of 1963 is null and void and of no force and effect in fixing varying periods of ineligibility for claimants filing for benefits under the Unemployment Security Law of the State of South Dakota.

DATED at Pierre, South Dakota this 16th day of November, 1964.



*Archie Gubbrud*  
ARCHIE GUBBRUD, GOVERNOR  
THE STATE OF SOUTH DAKOTA

ATTEST:

*James Chapman*  
SECRETARY OF STATE

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA LAWS 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1

DATE MICROFILMED Dec. 3, 1985

CAMERA OPERATOR *Mike Long*

P R O C L A M A T I O N  
DESIGNATING A MAJOR DISASTER AREA

WHEREAS, as a result of recent heavy snows, followed by severe rains, flood waters, commencing on April 14, 1965, have caused great and extensive damage to public and private property in the counties of Lawrence and Meade, South Dakota, and particularly in the cities of Deadwood, Spearfish and Sturgis, located therein; and,

WHEREAS, serious and extraordinary damage has resulted and is being caused to highways and bridges on the Federal-Aid systems, as well as to forest highways, forest development roads and trails, and fire roads, located in the said area, to such an extent and magnitude as to create an emergency; and,

WHEREAS, an immediate danger and threat to the health, welfare and well-being of the residents in the above described area exist; and,

WHEREAS, the loss to public and private property has been so widespread, burdensome, and excessive as to properly require financial assistance in the reconstruction, rebuilding and rehabilitation of this stricken area;

NOW, THEREFORE, I, NILS A. BOE, Governor of the state of South Dakota, do hereby proclaim and declare the counties of Lawrence and Meade, South Dakota, and specifically, but not exclusively, the cities of Deadwood, Spearfish and Sturgis, located therein, major disaster areas.

IT IS HEREBY FURTHER DECLARED that with respect to said areas above described, an emergency exists.

IN TESTIMONY WHEREOF, I have caused my signature to be affixed this 18th day of May, 1965, and have attached thereto the GREAT SEAL of the State of South Dakota.

ATTEST.

  
NILS A. BOE, GOVERNOR

  
ALMA LARSON, SECRETARY OF STATE

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REDUCTION 25:1 ROLL NO. 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Hilde Vogel

Receipt No.

Title No. 65-2

Box No.

GOVERNOR'S ORDER

Declaring a Major Disaster Area  
in Lawrence and Meade Counties.

State of South Dakota

Office of Secretary of State

ss.

Filed in the office of the Secretary of  
State on the 19th day of May  
1965.

*Alvin Larson*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received:

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION  
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REPRODUCTIONS. REDUCTION 35:1 ROLL NO. 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Logg

STATE OF SOUTH DAKOTA  
Office of the Governor

EXECUTIVE ORDER ESTABLISHING A COOPERATIVE AREA  
MANPOWER PLANNING SYSTEM FOR THE STATE OF SOUTH DAKOTA

WHEREAS, State and Federal legislation enacted in recent years has established numerous programs to improve the employability of unemployed, underemployed, and disadvantaged persons; and

WHEREAS, experience has demonstrated that close cooperation of the operating programs at the local, State, and Federal levels is essential to their successful, effective, and economical interpretation;

IT IS THEREFORE BY EXECUTIVE ORDER directed that the South Dakota Cooperative Area Manpower Planning System shall be established within the State Planning Agency. The System shall consist of State and Area Manpower Planning Committees.

Section 1. Functions

The State Committee shall plan, coordinate, review, and approve manpower programs which are operated and shall be operated by state agencies, and shall recommend to the Governor measures for their more effective and economical operation. The Committee shall encourage the utilization, to the extent permissible by law, of common staff and facilities to achieve common objectives. The Committee is assigned and shall carry out advisory responsibilities necessary under various federal manpower programs. Area Committees shall operate under the direction of the State Committee.

Section 2. Membership

The Governor shall appoint the Chairman of the State Committee, and members to represent the Legislature, employees, employers, client groups, private social welfare organizations, and the general public. In addition, the executive heads of the following agencies are directed to designate a representative to the State Committee:

1. Commission of Indian Affairs
2. Department of Public Welfare
3. Division of Adult Basic Education
4. Division of Indian Education
5. Division of Vocational Education
6. Division of Vocational Rehabilitation
7. Industrial Development Expansion Agency
8. Office of Comprehensive Health Planning
9. Service to the Visually Impaired
10. South Dakota Employment Security Department
11. State Economic Opportunity Office
12. State Extension Service
13. State Planning Agency

The Chairman shall establish the membership of Area Committees. All State agencies shall have membership on appropriate Area Committees. Representatives of such agencies as the Federal government designates shall serve as ex officio members of the State and appropriate Area Committees.

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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel

NOW, THEREFORE, I, Frank L. Farrar, Governor of the State of South Dakota, by virtue of the authority invested in me by the constitution and the statutes of this state, do hereby order and direct that this, the South Dakota Cooperative Area Manpower Planning System, shall be established.

Dated at Pierre, the Capitol, this 17th of October, 1969.



Frank L. Farrar  
Governor of South Dakota

ATTEST:

Alvin Larson  
Secretary of State

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - UNIT FILED OF AUTHENTICATION  
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LAW 1-17-4. IT IS FURTHER CERTIFIED THAT THE MICROPHOTGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
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CAMERA OPERATOR

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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Filed at request of—

Receipt No.

File No. 69-2

EXECUTIVE ORDER

ESTABLISHING A COOPERATIVE AREA  
MANPOWER PLANNING SYSTEM FOR  
THE STATE OF SOUTH DAKOTA

State of South Dakota

Office of Secretary of State

} ss.

Filed in the office of the Secretary of

State on the.....20th.....day of...October....

19.69.....

Alma Peterson  
Secretary of State

By .....  
Assistant Secretary of State

Fee received:

STATE OF SOUTH DAKOTA

Office of the Governor

EXECUTIVE ORDER ESTABLISHING A COOPERATIVE AREA  
MANPOWER PLANNING SYSTEM FOR THE STATE OF SOUTH DAKOTA

(Amendment to Executive Order of October 17, 1969)

WHEREAS, State and Federal legislation enacted in recent years, has established numerous programs to improve the employability of unemployed, underemployed, and disadvantaged persons; and

WHEREAS, experience has demonstrated that close cooperation of the operating programs at the local, State, and Federal levels is essential to their successful, effective, and economical interpretation;

IT IS THEREFORE BY EXECUTIVE ORDER directed that the South Dakota Cooperative Area Manpower Planning System shall be established within the State Planning Agency. The System shall consist of State and Area Manpower Planning Committees.

The principle of cooperative manpower planning by area is the policy of the State of South Dakota. The cooperative area manpower planning system shall be the system through which all State agencies shall cooperatively plan and implement their related training programs.

In implementing this policy each participating state agency shall, to the maximum extent consistent with law, exercise its authority and use the full measure of its influence to further cooperative manpower planning and to persuade local governments and private organizations with which it maintains grant-in-aid or contractual relationships to participate in and support activities undertaken in furtherance of this principle.

In order to facilitate a coordinated state manpower planning system, all state agencies developing training programs designed to improve the quality and employability of the South Dakota work force are directed to present their programs and proposals to the cooperative area manpower planning system for approval and inclusion in the annual state plan prior to implementation.

Section 1. Functions

The State Committee shall plan, coordinate, review, and approve manpower programs which are operated and shall be operated by State agencies, and shall recommend to the Governor measures for their more effective and economical operation. The Committee shall encourage the utilization, to the extent permissible by law, of common staff and facilities to achieve common objectives. The Committee is assigned and shall carry out advisory responsibilities necessary under various federal manpower programs. Area Committees shall operate under the direction of the State Committee.

STATE OF SOUTH DAKOTA - DIVISION OF ADMINISTRATION  
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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Dwyer



## Section 2. Membership

The executive officers of the following agencies are directed to designate a representative to the State Committee:

1. Department of Public Welfare
2. Division of Adult Basic Education
3. Division of Vocational Education
4. Division of Vocational Rehabilitation
5. Service to the Visually Impaired
6. South Dakota Employment Security Department
7. State Planning Agency

Representatives of such agencies as the Federal Government designates shall serve as ex-officio members of the State and appropriate Area Committees. The United Sioux Tribes of South Dakota, the South Dakota Community Action Program Directors Association, and the Dakota Community Action Directors Association are requested to designate a representative to the State Committee. The Governor shall appoint members to represent employers, employees, private social welfare agencies, and the general public. The Assistant Director of the State Planning Agency shall serve as the chairman of the State Committee and shall establish the membership of Area Committees.

NOW, THEREFORE, I, FRANK L. FARRAR Governor of the State of South Dakota, by virtue of the authority invested in me by the constitution and the statutes of this state, do hereby order and direct that this, the South Dakota Cooperative Area Manpower Planning System, shall be established.

Dated at Pierre, the Capitol, this 31 <sup>day</sup> of Dec., 1970



Frank L. Farrar  
Governor of South Dakota

ATTEST:

Chas. Larson  
Secretary of State

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Bela Uegle

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CIVIL SERVICE DIVISION  
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DATE MICROFILMED Dec. 3 1985  
CAMERA OPERATOR Helen V. Gabel

Filed at request of—

Receipt No.

File No. 70-11

EXECUTIVE ORDER

ESTABLISHING A COOPERATIVE AREA  
MANPOWER PLANNING SYSTEM FOR  
THE STATE OF SOUTH DAKOTA

(Amendment to Executive Order of  
October 17, 1969)

State of South Dakota }  
Office of Secretary of State } ss

Filed in the office of the Secretary of  
State on the 31st day of December  
19 70

Secretary of State  
By *John H. Gabel*  
Assistant Secretary of State

Fee received:

EXECUTIVE ORDER NO. 71-SDCD-1

TO: All Departments of State Government  
FROM: Governor Richard F. Kneip  
SUBJECT: South Dakota State Emergency Planning and State Emergency Operations Plan

WHEREAS, the laws of this state direct that the Governor prepare a comprehensive plan and program for the civilian defense requirements of the state; and

WHEREAS, the operations planned for are mainly those operations which government provides for our people under normal conditions; and

WHEREAS, it is the duty of all state officials to assume active leadership in civil defense and disaster preparedness; and

WHEREAS, the development of realistic plans prior to an emergency are necessary to cope with the effects of either enemy attack or natural disaster; and

WHEREAS, current operational concepts and new techniques in emergency planning necessitate changes in established plans; and

WHEREAS, we in state government have an obligation both legally and morally to organize, plan for, and mobilize resources for, direct and support the pre-attack and post-attack operations of the state, necessary for the survival and well being of the population affected by a national emergency or war-caused disaster; and

WHEREAS, the South Dakota Compiled Laws of 1967, Chapter 33-15, establish a Civil Defense Division in the Department of Military Affairs responsible to me as Governor for the establishment and coordination of comprehensive plans and programs for the civil defense of this state;

NOW, THEREFORE, I, Richard F. Kneip, Governor of the State of South Dakota, by virtue of the powers and authority vested in me by the constitution and laws of this state, hereby direct that all matters of civil defense relationship between the federal government and the government of the State of South Dakota, regardless of where they originate in the federal government, will be handled through the regular civil defense channels, so far as the government of this state is concerned and I do hereby issue this Order to become effective immediately;

I FURTHER DIRECT, that all departments, independent divisions, boards, commissions and independent institutions of South Dakota State Government herein-after referred to as agencies, cooperate fully in the development of operating procedures to be a part of the State Emergency Operations Plan, by those departments comprising the "South Dakota Emergency Government Organization" in accordance with guidelines furnished by the State Civil Defense Division and that the responsibility for emergency planning shall rest with the head of each agency. Draft copies of agency emergency operating procedures shall be submitted to the State Civil Defense Office, for review and coordination. Plans shall be reviewed and tested as frequently as is necessary to maintain an operational readiness capability, and revised as necessary.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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REDUCTION 35:1  
ROLL NO. 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel

I FURTHER DIRECT, in addition to the responsibilities imposed above, each agency may be assigned additional specific civil defense responsibilities consonant with its capabilities by the State Civil Defense Office, as mutually agreed by the head of each agency concerned and the State Civil Defense Office and approved by the Governor. Included shall be the assignment of competent personnel of each agency to serve as the emergency staff: (1) during a state of extreme emergency, (2) as appropriate during a state of disaster, and (3) as liaison officers on a day-to-day basis and prior to a disaster declaration. Such staff personnel shall be made available for test exercises.

I FURTHER ASSIGN emergency responsibilities to the following agencies of state government for the purpose of developing plans for the carrying out of functions of emergency government operations, as indicated below:

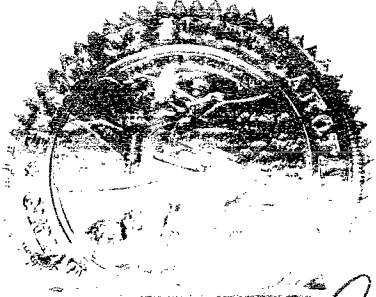
<u>Emergency Assignment</u>	<u>Primary State Government Agency</u>	<u>Support Area Assignment</u>
Coordination Administration	State Civil Defense Office Division of Personnel	State Civil Defense Employment Security Department
Legal	Attorney General's Office	Attorney General's Office
Headquarters Service	Physical Plant	
Fiscal	State Auditor's Office	Audits & Accounts
Intelligence	State Civil Defense Office	Highway Districts
Radiological	South Dakota State Health Department	South Dakota State Health Department
Communications	Attorney General Radio	Attorney General Radio
Law Enforcement	Highway Patrol	Highway Patrol
Health, Chemical & Biological	South Dakota State Health Department	South Dakota State Health Department
Welfare & Shelter	State Welfare Department	State Welfare Department
Transportation	State Aeronautics Department	State Aeronautics Department
Engineering	State Engineer's Office	State Engineer's Office
Highways	State Highway Department	State Highway Department
Supply	Division of Purchasing and Printing	Division of Purchasing and Printing
Fire & Rescue	State Fire Marshal Department	State Fire Marshal Department
Institutions	Board of Regents	Board of Regents
Training	Department of Public Instruction	Department of Public Instruction
Military Support	Department of Military Affairs	Department of Military Affairs
Public Information	Office of the Governor	State Civil Defense Office
Manpower	Employment Security Department	Employment Security Dept

THIS EXECUTIVE ORDER cancels any prior Executive Order issued individually to any department of state government which might be contrary to policies contained in the State Emergency Operations Plan approved by the Governor of this State.

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Dated at Pierre, South Dakota, this 23rd day of April 1971.



Arvid Larson  
SECRETARY OF STATE

Richard F. Krueger  
GOVERNOR

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DATE MICROFILMED Aug. 3, 1985 CAMERA OPERATOR John L. Gail

Filed at request of—

Receipt No.

File No. 71-5

EXECUTIVE ORDER NO.  
71-SDCD-1

SOUTH DAKOTA STATE EMERGENCY  
PLANNING AND STATE EMERGENCY  
OPERATIONS PLAN


(SOUTH DAKOTA CIVIL DEFENSE)

State of South Dakota

Office of Secretary of State

Filed in the office of the Secretary of  
State on the 27th day of April

19 71

  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received:

STATE OF SOUTH DAKOTA

Office of the Governor

EXECUTIVE ORDER

WHEREAS, the ideals of democracy require that government be responsive to the needs of the people; and,

WHEREAS, reorganization of the executive branch of South Dakota government is essential to achieving the goal of responsive government; and,

WHEREAS, the complexity of modern society requires that government possess a manageable and flexible structure that can launch coordinated programs to meet changing public needs; and,

WHEREAS, economy in government dictates that duplication of effort be eliminated; and,

WHEREAS, plans for reorganizing the executive branch can best be drawn by a knowledgeable and expert group with an independent and objective viewpoint:

IT IS THEREFORE BY EXECUTIVE ORDER DIRECTED that a Citizens' Commission on Executive Reorganization be established to prepare a plan for executive branch reorganization to be recommended to the Governor for submission to the 47th session of the South Dakota Legislature.

SECTION I. MEMBERSHIP

The Citizens' Commission on Executive Reorganization shall be comprised of nineteen (19) members appointed by the Governor from among legislators, governmental experts, and knowledgeable members of the public. Such members shall serve from the time of their appointment until the completion of the work of their commission.

SECTION II. GOALS OF REORGANIZATION

The Citizens' Commission on Executive Reorganization shall prepare such recommendations for reorganization that will promote the following goals:

1. The structure of government should be responsive to the needs of the public, readily understandable by the citizenry, and subject to easy access by the average citizen.
2. The executive branch should be flexible and manageable to allow the Governor and Legislature to execute its policies effectively and to enable the implementation of comprehensive and coordinated programs of public service.

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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Legg

3. The structure of government should promote economy and discourage duplication of effort.
4. Quasi-judicial functions performed within the executive branch should be structured to promote the ideals of fairness and objectivity in the adjudication of disputes.
5. The structure and procedures of government should allow and encourage continuing reorganization to adapt government to the changing needs of the future.

### SECTION III. REIMBURSEMENT OF EXPENSES.

Members of the commission shall be reimbursed for their actual expenses incurred in the discharge of their duties in accordance with the appropriate rules governing such matters.

NOW, THEREFORE, I, RICHARD F. KNEIP, Governor of the State of South Dakota, by virtue of the authority vested in me by the constitution and statutes of this state, do hereby order and direct that the Citizens' Commission of Executive Reorganization shall be established; and

BE IT FURTHER ORDERED AND DIRECTED that all units of the executive branch responsible to the Governor cooperate fully with and supply all information necessary for reorganization to the commission and its staff; and

BE IT FURTHER ORDERED AND DIRECTED that those units of the executive branch that are independent of the office of the Governor are encouraged to cooperate with the commission and its staff to insure the successful conclusion of the reorganization project; and

BE IT FURTHER ORDERED AND DIRECTED that the Executive Order, dated April 20, 1970, establishing the Governor's Committee on Administrative Reorganization be repealed.

Dated this 10th day of June, 1971.



*Alma Larson*

ALMA LARSON, SECRETARY OF STATE  
STATE OF SOUTH DAKOTA

*Richard F. Kneip*

RICHARD F. KNEIP, GOVERNOR  
STATE OF SOUTH DAKOTA

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Filed at request of—

Receipt No.

File No. 71-9

EXECUTIVE ORDER

CITIZENS' COMMISSION ON  
EXECUTIVE REORGANIZATION

State of South Dakota

Office of Secretary of State

} ss

Filed in the office of the Secretary of  
State on the 11th day of June  
19 71.

Secretary of State

By

Alma Sultman  
Assistant Secretary of State

Fee received:

Receipt No.

File No. 71-10

Filed at request of—

EXECUTIVE ORDER

EXECUTIVE ORDER ESTABLISHING  
THE GOVERNOR'S ACADEMIC  
RESOURCES COUNCIL

State of South Dakota

Office of Secretary of State

} ss

Filed in the office of the Secretary of

State on the 25th day of June

19 71

*Alma Larson*  
Secretary of State

By Assistant Secretary of State

Fee received:

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STATE OF SOUTH DAKOTA  
Office of the Governor

Executive Order establishing the Governor's Academic Resources Council.

WHEREAS, The South Dakota State Planning Agency is required to formulate and maintain a statewide comprehensive plan, advise the Governor on critical state problems, provide technical assistance to state and local government, and review all planning activities operating within the state; and

WHEREAS, the aforementioned activities require the use of a variety of information and expertise which is readily available to institutions of higher learning; and

WHEREAS; there exists no administrative mechanism nor general procedure by which the array of knowledge and talent available within the colleges and universities in South Dakota can be utilized to provide input into state government;

IT IS THEREFORE BY EXECUTIVE ORDER directed that the South Dakota Academic Resources Council be established and act pursuant to the following design:

Section I Membership

The Academic Resources Council shall consist of two representatives from each of the following institutions of higher learning.

- a. Augustana College
- b. Black Hills State College
- c. Dakota State College
- d. Dakota Wesleyan University
- e. Freeman Junior College
- f. Huron College
- g. Mount Marty College
- h. Northern State College
- i. Presentation College
- j. Sioux Falls College
- k. South Dakota School of Mines and Technology
- l. South Dakota State University
- m. Southern State College
- n. The University of South Dakota
- o. Yankton College

The presidents of each respective institution shall select the two representatives.

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CAMERA OPERATOR H. H. H. H.

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DATE MICROFILMED Aug. 3, 1985  
CAMERA OPERATOR Julia Lloyd

## Section II Responsibility

1. The Academic Resources Council shall be responsible for
  - a. Recommending to appropriate state officials methods by which the South Dakota Academic community can be utilized as an effective source of counsel, information, and research relevant to major areas of state policy.
  - b. Coordinating programs involving student interns so as to provide maximum utilization of their talents pursuant to the needs, goals, and objectives of state and local government.
  - c. Keeping officials in government informed about studies and research being done in fields directly or indirectly related to their basic operations and areas of concern.
  - d. Other such areas of concern relevant to the intents of the foundation of the council as determined by its Governor or the Council itself.
2. The State Planning Agency shall be responsible for coordinating all efforts of the Academic Resources Council with the other state and local units of government.

NOW, I THEREFORE, I, RICHARD F. KNEIP, Governor of the State of South Dakota, by virtue of the authority vested in me by the constitution and the statutes of this state, do hereby order and direct that the Governor's Academic Resources Council be established.

Dated in Pierre, the Capitol, this the 25 Day of June, 1971.



ATTEST:

Alma Larson

SECRETARY OF STATE

Richard F. Kneip  
GOVERNOR OF SOUTH DAKOTA

Receipt No.

Filed at request of—

File No. 71-11

EXECUTIVE ORDER

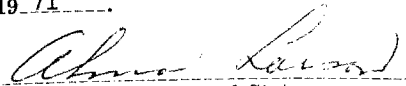
ESTABLISHING A COOPERATIVE  
AREA MANPOWER PLANNING  
SYSTEM FOR THE STATE OF  
SOUTH DAKOTA

(Amendment to Executive  
Order of December 31,  
1970)

State of South Dakota

Office of Secretary of State

Filed in the office of the Secretary of  
State on the 18th day of August  
19 71.

  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel

STATE OF SOUTH DAKOTA

Office of the Governor

EXECUTIVE ORDER ESTABLISHING A COOPERATIVE AREA MANPOWER  
PLANNING SYSTEM FOR THE STATE OF SOUTH DAKOTA

(Amendment to Executive Order of December 31, 1970)

WHEREAS, State and Federal legislation enacted in recent years has established numerous programs designed to improve the employability of unemployed, underemployed, and disadvantaged persons; and

WHEREAS, experience has demonstrated that close cooperation in operating programs at the local, state, and Federal levels is essential to their successful, effective and economical operation;

IT IS THEREFORE BY EXECUTIVE ORDER directed that the South Dakota Cooperative Area Manpower Planning System shall be established within the State Planning Agency. The system shall consist of a State Manpower Planning Council and Ancillary Manpower Planning Boards for each of the six Multi-County Planning and Development Districts.

The principle of Cooperative Manpower Planning by district shall be the policy of the State of South Dakota. The Cooperative Area Manpower Planning System shall be the system through which all state agencies shall cooperatively plan and implement their manpower training and supportive manpower service programs.

In implementing this policy, each participating State agency shall, to the maximum extent consistent with the law, exercise its authority and use the full measure of its influence to further Cooperative Manpower Planning by district and to persuade local governments and private organizations with which it maintains grant-in-aid or contractual relationships to participate in and support activities undertaken in furtherance of this principle.

In order to facilitate a coordinated State manpower planning system, all state agencies developing training programs designed to improve the quality and employability of the South Dakota work force are directed to present their programs and proposals to the Cooperative Area Manpower Planning System for approval and inclusion in the annual State Plan prior to implementation.

Section 1. Functions

The State Manpower Planning Council shall recommend the State Manpower Plan to the Governor. The Plan shall include an assessment of needs, establishment of priorities among services to meet the needs, and the development of a recommended funding plan. The Council shall review, on a continuing basis, the operation of manpower training and supportive manpower service programs, and shall encourage the utilization, to the extent permissible by law, of common staff and facilities to achieve common objectives. The Council is assigned and shall carry out advisory responsibilities necessary under various Federal manpower programs. The State Council shall also provide technical assistance to Ancillary Manpower Planning Boards.

Ancillary Manpower Planning Boards shall assess needs, recommend priorities among services, and recommend funding levels to the State Manpower Planning Council. The Boards shall also periodically evaluate program operations within each of the six Multi-County Planning and Development Districts.

The State Manpower Planning Council and the Ancillary Manpower Planning Boards may utilize task forces, sub-councils, and work groups to deal with special areas of interest.

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CAMERA OPERATOR Mike Legg

## Section 2. Membership

The executive officers of the following agencies are directed to assume membership or designate a representative with decision-making authority to the State Manpower Planning Council:

1. State Planning Agency (Chairman)
2. Department of Public Welfare
3. Division of Adult Basic Education
4. Division of Vocational Education
5. Division of Vocational Rehabilitation
6. Service to the Visually Impaired
7. South Dakota Employment Security Department
8. State Economic Opportunity Office

The Bureau of Apprenticeship and Training, Bureau of Indian Affairs and the Farmer's Home Administration are requested to designate a representative to the State Manpower Planning Council. The United Sioux Tribes of South Dakota, the State Low-Income Council, the South Dakota Community Action Directors' Association, the Dakota Community Action Agency Director's Association and the Support Committee for Vocational-Technical Education and Apprenticeship are requested to designate a representative to the State Manpower Planning Council. The Governor shall appoint members to represent business, labor, the general public, and social welfare organizations.

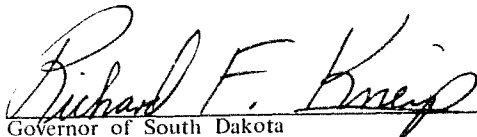
Agencies directed to designate a representative to the State Manpower Planning Council shall, where applicable, also designate a representative to each of the Ancillary Manpower Planning Boards. Community Action Agencies and State Low-Income Councils organized in each of the six Multi-County Planning and Development Districts are requested to designate a representative to the District Ancillary Manpower Planning Boards. Multi-County District Planning and Development Committees are requested to designate members to their Ancillary Manpower Planning Boards to represent business, labor, the general public, and client groups. The Chairman of the State Manpower Planning Council shall designate members to represent business, labor, the general public, and social welfare organizations to each of the Ancillary Manpower Planning Boards for which such appointments are not made by the District Planning and Development Committee.

Ancillary Manpower Planning Boards shall constitute sub-committees of District Planning and Development Committees.

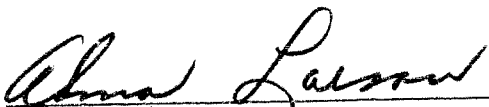
NOW, THEREFORE, I, RICHARD F. KNEIP, Governor of the State of South Dakota, by virtue of authority vested in me by the constitution and statutes of this state, do hereby order and direct that this, the South Dakota Cooperative Area Manpower Planning System, shall be established.

Dated at Pierre, the Capitol, this 18<sup>TH</sup> day of AUGUST, 1971.



  
Governor of South Dakota

ATTEST:

  
Secretary of State

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DATE MICROFILMED Dec. 3, 1983 CAMERA OPERATOR W. J. [illegible]

Receipt No.

File No. 71-18

Box No.

EXECUTIVE ORDER

REMOVING THE SOUTH DAKOTA STATE  
ECONOMIC OPPORTUNITY OFFICE FROM THE  
SOUTH DAKOTA STATE PLANNING AGENCY AND  
ESTABLISHING THE SOUTH DAKOTA ECONOMIC  
OPPORTUNITY OFFICE AS AN INDEPENDENT  
ENTITY RESPONSIBLE TO THE GOVERNOR

State of South Dakota

Office of Secretary of State

Filed in the office of the Secretary of  
State on the 28th day of December

1971

Alvin K. Larson  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received:



STATE OF SOUTH DAKOTA

Office of the Governor

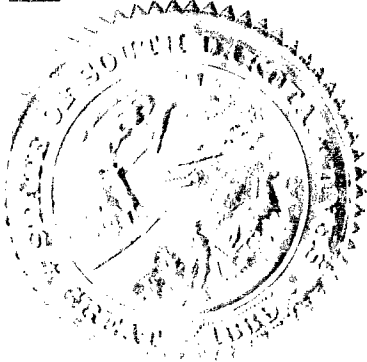
EXECUTIVE ORDER REMOVING THE SOUTH DAKOTA STATE ECONOMIC  
OPPORTUNITY OFFICE FROM THE SOUTH DAKOTA STATE PLANNING  
AGENCY AND ESTABLISHING THE SOUTH DAKOTA STATE ECONOMIC OPPORTUNITY  
OFFICE AS AN INDEPENDENT ENTITY RESPONSIBLE TO THE GOVERNOR

WHEREAS, the Governor of the State of South Dakota deems it to be in the best interests of the South Dakota State Economic Opportunity Office and the State of South Dakota, and the low-income residents of South Dakota to remove the South Dakota State Economic Opportunity Office from the South Dakota State Planning Agency and establish the South Dakota State Economic Opportunity Office as an independent agency responsible and reporting directly to the Governor;

IT IS THEREFORE BY EXECUTIVE ORDER directed that the South Dakota State Economic Opportunity Office together with its monies and properties be removed from the South Dakota State Planning Agency and be established as an independent agency responsible and reporting directly to the Governor on January 1, 1972.

NOW, THEREFORE, I, RICHARD F. KNEIP, Governor of the State of South Dakota, by virtue of the authority vested in me by the constitution and statutes of the state, do hereby order and direct that the South Dakota State Economic Opportunity Office shall be removed from the South Dakota State Planning Agency and shall be established as an independent agency responsible and reporting directly to the Governor on January 1, 1972.

Dated in Pierre, the Capital, this the 27th day of December, 1971.



Richard F. Kneip  
Governor of South Dakota

ATTEST:

Anna Larson  
Secretary of State

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REPRODUCTIONS. REDUCTION 35:1 ROLL NO. 1 DATE MICROFILMED Oct. 3, 1985 CAMERA OPERATOR John L. Leland

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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REPRODUCTIONS. REDUCTION 35:1 ROLL NO 1 DATE MICROFILMED Dec. 3 1985 CAMERA OPERATOR W. H. H. 1-386

Filed at request of—

Receipt No.

File No. 72-3

EXECUTIVE ORDER EXPANDING THE  
AREA DAMAGED BY THE WESTERN  
SOUTH DAKOTA COMMUNITY ACTION  
PROGRAM, INC.

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary of  
State on the 14th day of June  
19 72

.....  
Secretary of State  
By Alma L. Peterson  
Assistant Secretary of State

Fee received:

STATE OF SOUTH DAKOTA

Office of the Governor

EXECUTIVE ORDER EXPANDING THE AREA DAMAGED BY THE  
WESTERN SOUTH DAKOTA COMMUNITY ACTION PROGRAM, INC.

WHEREAS, the damage from the flood disaster which struck the Black Hills area on June 10 and 11, 1972, is not confined to Pennington County, but extends to other counties, particularly Meade, Lawrence, Custer counties; and

WHEREAS, the Western South Dakota Community Action Program, Inc., is currently confined to serving Pennington County; and

WHEREAS, the Western South Dakota Community Action Program, Inc., can provide valuable resources and services for reconstruction of the entire Black Hills area;

NOW, THEREFORE, I, RICHARD F. KNEIP, Governor of the State of South Dakota, by virtue of the authority vested in me by the Constitution and the statutes of the State of South Dakota, do hereby order and direct that the Western South Dakota Community Action Program, Inc., shall henceforth serve the counties of Pennington, Meade, Lawrence and Custer.

Dated in Pierre, the Capitol, on this the 14th day of June, 1972.

  
Governor of South Dakota



ATTEST:

  
Secretary of State

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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REDUCTION 25:1 ROLL NO. 1  
DATE MICROFILMED May 3, 1985  
CAMERA OPERATOR John D. [illegible]

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICATION  
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REPRODUCTIONS. REDUCTION 25:1 ROLL NO 1  
DATE MICROFILMED Dec. 3, 1985 FILED 1985  
CAMERA OPERATOR W. J. [illegible]

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 73-10

Establishing the Department of  
Manpower Affairs as prime sponsor  
for manpower programs and  
establishing a cooperative  
area manpower planning system

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary of  
State on the 29th day of June  
19 73

Lena B. Nuseeth  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR

EXECUTIVE ORDER 73-10 ESTABLISHING THE DEPARTMENT OF MANPOWER  
AFFAIRS AS PRIME SPONSOR FOR MANPOWER PROGRAMS AND  
ESTABLISHING A COOPERATIVE AREA MANPOWER  
PLANNING SYSTEM

(Amendment to Executive Order of August 18, 1971)

WHEREAS, State and Federal legislation has established the responsibility of improving the employability of unemployed, underemployed, and disadvantaged persons; and

WHEREAS, Executive Order 73-1 has established the Department of Manpower Affairs,

IT IS THEREFORE BY EXECUTIVE ORDER directed that the Department of Manpower Affairs be the Prime Sponsor for manpower programs within the State of South Dakota (with the exception of those programs funded directly by the United States Department of Labor on Indian reservations) and shall receive funds disbursed by the Federal Government to such Prime Sponsors and shall in turn disburse those funds, according to a comprehensive plan, to such state and local manpower program sponsors who are capable of effectively delivering manpower services. The Department of Manpower Affairs, as Prime Sponsor, shall also discharge such other duties as specified in South Dakota and Federal law.

It is also directed that the South Dakota Cooperative Area Manpower Planning System shall be established within the Department of Manpower Affairs and shall consist of the State Manpower Planning Council and six Ancillary Manpower Planning Boards, one for each of the multi-county Planning and Development Districts established by an executive order filed with the Secretary of State on December 4, 1970.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1  
DATE MICROFILMED Aug. 3, 1985  
CAMERA OPERATOR Hilda Vogel

## Section 1. Functions

The State Manpower Planning Council shall recommend the State Manpower Plan to the Governor. The Plan shall include an assessment of needs, establishment of priorities among services to meet the needs, and the development of a recommended funding plan. The Council shall review, on a continuing basis, the operation of manpower training and supportive manpower service programs, and shall encourage the utilization, to the extent permissible by law, of common staff and facilities to achieve common objectives. The Council is assigned and shall carry out advisory responsibilities necessary under various Federal manpower programs. The State Council shall also provide technical assistance to Ancillary Manpower Planning Boards.

Each Ancillary Manpower Planning Boards has the responsibility of submitting to the State Manpower Planning Council a plan including recommendations for programming in its area of planning responsibility based on an assessment of the needs in that area.

The State Manpower Planning Council and the Ancillary Manpower Planning Boards may utilize task forces, sub-councils, and work groups to deal with special areas of interest.

## Section 2. Membership

The Chairman of the State Manpower Planning Council shall be the Secretary of Manpower Affairs. The executive officers of the following agencies are directed to assume membership or designate a representative with decision-making authority to the State Manpower Planning Council:

1. Department of Social Services
2. Division of Vocational Education
3. State Economic Opportunity Office
4. Department of Economic & Tourism Development
5. Office of the Secretary of Education and Cultural Affairs
6. State Planning Bureau

The United Sioux Tribes of South Dakota are requested to designate a representative to the State Manpower Planning Council. The Governor shall appoint members to represent business, labor, the general public, and client groups and such members shall serve at the pleasure of the Governor.

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DATE MICROFILMED Apr. 3, 1985

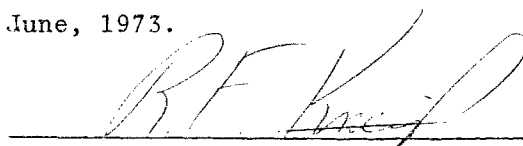
CAMERA OPERATOR Mike Legg

Agencies directed to designate a representative to the State Manpower Planning Council shall, where applicable, also designate a representative to each of the Ancillary Manpower Planning Boards. Community Action Agencies are requested to designate a representative to the Ancillary Manpower Planning Boards. Multi-County District Planning and Development Committees are requested to designate members to their Ancillary Manpower Planning Boards to represent elected officials, business, labor, the general public, and client groups. The Chairman of the State Manpower Planning Council shall designate members to represent elected officials, business, labor, the general public, and client groups to each of the Ancillary Manpower Planning Boards for which such appointments are not made by the Multi-County District Planning and Development Committee.

Ancillary Manpower Planning Boards shall constitute sub-committees of District Planning and Development Committees.

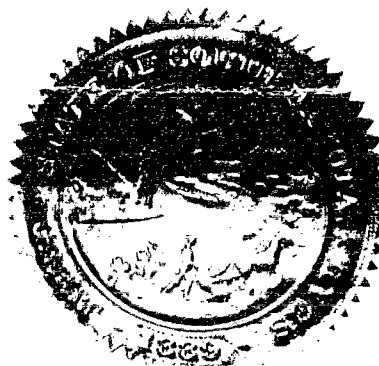
NOW, THEREFORE, I, Richard F. Kneip, Governor of the State of South Dakota, by virtue of the authority vested in me by the Constitution and the statutes of this State, do hereby order and direct that the Department of Manpower Affairs be established as Prime Sponsor and that the Cooperative Area Manpower Planning System be established.

Dated at Pierre, the Capitol City, this 29<sup>th</sup> day of June, 1973.

  
RICHARD F. KNEIP, GOVERNOR

ATTEST:

  
LORNA B. HERSETH, SECRETARY OF STATE



THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Phila. Vogel

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 25:1

ROLL NO 1

DATE MICROFILMED Dec. 3, 1985

CAMERA OPERATOR W. L. Legg

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 73-12

RESCINDING THE ESTABLISHMENT OF A  
STATE ECONOMIC STABILIZATION  
BOARD FOR THE STATE OF SOUTH  
DAKOTA AND TRANSFERRING THE CORRESPONDING  
DUTIES AND RESPONSIBILITIES TO THE  
BUREAU OF PERSONNEL

State of South Dakota

Office of Secretary of State

} ss.

Filed in the office of the Secretary of  
State on the 13th day of July  
19. 73

Lynne B. Haseeth  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received



STATE OF SOUTH DAKOTA

Office of the Governor  
No. 73-12

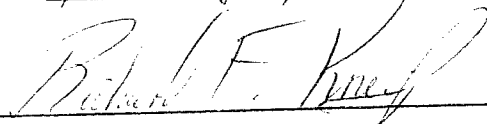
EXECUTIVE ORDER RESCINDING THE ESTABLISHMENT OF A  
STATE ECONOMIC STABILIZATION BOARD FOR THE STATE  
OF SOUTH DAKOTA AND TRANSFERRING THE CORRESPOND-  
ING DUTIES AND RESPONSIBILITIES TO THE BUREAU OF  
PERSONNEL

In order to more efficiently carry out the guidelines of the  
National Economic Stabilization Board as it applies to state  
government;

To provide the means for complying with the various phases  
of the National Economic Stabilization Program and administering  
the various phases of that program;


It is now, therefore, by Executive Order directed that the  
duties, responsibilities, and functions of the State Economic  
Stabilization Board created under THE EXECUTIVE ORDER  
ESTABLISHING A STATE ECONOMIC STABILIZATION BOARD  
FOR THE STATE OF SOUTH DAKOTA dated the 6th of December,  
1971, be transferred to the Commissioner of the Bureau of Personnel  
in the Office of Executive Management and further that the State  
Economic Stabilization Board for the state of South Dakota be  
abolished.

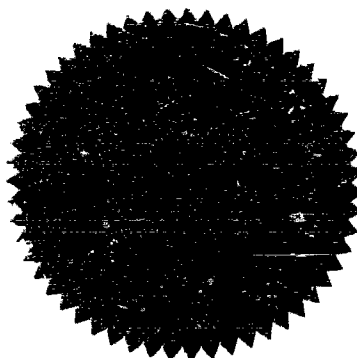
Dated at Pierre, the Capitol, this 12<sup>th</sup> of July, 1973.



GOVERNOR OF SOUTH DAKOTA

ATTESTED:

  
LORNA B. HERSETH  
SECRETARY OF STATE



THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE  
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REPRODUCTIONS. REDUCTION 35:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 FILED Legal  
CAMERA OPERATOR

Receipt No.

Filed at Request of

File No.

EXECUTIVE ORDER 73-21

ESTABLISHING A STATE  
COMMUNITY ACTION AGENCY

State of South Dakota

Office of Secretary of State

} ss.

Filed in the office of the Secretary of  
State on the 16th day of Nov.  
1973

*Lorna B. Henseth*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

THIS IS TO CERTIFY THAT THE PHOTODUPLICATIONS WERE OBTAINED IN ACCORDANCE WITH THE PROVISIONS OF SOUTH DAKOTA COMPILLED  
ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED  
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REPRODUCTIONS. REDUCTION 35:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Bela Vogel

STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR

EXECUTIVE ORDER 73-21 ESTABLISHING A STATE COMMUNITY ACTION AGENCY

WHEREAS, the problem of poverty imposes serious consequences on many people in South Dakota; and

WHEREAS, the solutions to such problems require resources and initiative from all levels of government and sectors of society; and

WHEREAS, the efforts initiated by private Community Action Agencies in South Dakota have resulted in significant achievements which, in the best interests of all citizens, should be maintained and supported; and

WHEREAS, to reconfirm and provide a necessary mechanism which shall enforce the State's commitment to provide greater opportunities to low-income and disadvantaged citizens;


NOW, THEREFORE, I, RICHARD F. KNEIP, GOVERNOR OF SOUTH DAKOTA, under authority of Section 210 of the Economic Opportunity Act of 1964, as amended, do hereby designate the South Dakota State Economic Opportunity Office as the official Community Action Agency for the State of South Dakota, excepting the areas covered by Indian Reservations, to administer all programs established under the Economic Opportunity Act.

FURTHER, an administering board complying with Section 211 (b) of the Economic Opportunity Act, as amended, shall be established to perform the responsibilities and duties as prescribed by the Governor of South Dakota.

Dated at Pierre, the Capitol City, this 13th day of November, 1973.

  
RICHARD F. KNEIP  
GOVERNOR

ATTEST:

  
LORNA B. HERSETH  
SECRETARY OF STATE

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Lloyd

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REDUCTION 25:1

ROLL NO 1

Dec. 3, 1985

FILED

DATE MICROFILMED

CAMERA OPERATOR

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 74-4

Continuing the Task Force on  
Indian-State Relations, and  
repealing Executive Order 73-8.

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary of  
State on the 29th day of July  
1974

*Lynn B. Herseth*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

STATE OF SOUTH DAKOTA

OFFICE OF THE GOVERNOR

Executive Order 74-4 Continuing the Task Force on Indian-State Relations, and repealing Executive Order 73-8.

WHEREAS, the State of South Dakota recognizes and respects Indian tribal governments as political structures independent of South Dakota state government and encourages a mutual policy which will facilitate, not frustrate, their goal of self-determination, and

WHEREAS, the relations between state government and tribal governments would be improved by consistent application of coherent, positive and mutually acceptable attitudes of cooperation on problems of joint concern; and

WHEREAS, improvement of relations and progressive state attitudes toward reservation governments depends first upon an adequate understanding of the problems, and

WHEREAS, the Legislature has recognized the need for action in this area and has requested the creation of this Task Force through the passage of Senate Concurrent Resolution Number 7 in 1973 and has provided for the continuation of this Task Force:

IT IS THEREFORE BY EXECUTIVE ORDER directed that there be continued a Task Force on Indian-State Relations.

SECTION I. Membership

The Task Force on Indian-State Relations shall be composed of eighteen members to be appointed as follows:

One by each of the nine reservation tribal chairman, five by the Governor, two members of the South Dakota Senate to be appointed by the President of the Senate, and two members of the House of Representatives to be appointed by the Speaker of the House of Representatives.

Of the four legislative members of the Task Force, no more than two shall be of the same political party and of the five members appointed by the Governor, no more than three shall be of the same political party. All appointments shall terminate on July 1, 1975.

Should any tribal chairman cease to hold that office during the life of the Task Force, the member appointed by him shall resign and the new tribal chairman shall make a new appointment to the Task Force.

THIS IS TO CERTIFY THAT THE MICROPHOTGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTGRAPHIC REPRODUCTIONS. REDUCTION 35:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Kula Logg

## SECTION II. Topics of Investigation

The Task Force shall continue to investigate those areas of common concern to the nine reservation governments and to the state government which it deems appropriate for study at this time. The Task Force shall follow as much as possible the legislative direction set forth in Senate Concurrent Resolution Number 7.

## SECTION III. Powers and funding of the Task Force on Indian-State Relations

The Task Force on Indian-State Relations is hereby empowered to accept monies, hire staff and undertake all other activities commonly incident to special studies of this nature. Pursuant to Senate Bill 177 as passed by the 1974 Legislature, the Task Force shall receive the appropriation made in Senate Bill 177 and shall follow the procedures for the expenditure of funds as set forth therein.

## SECTION IV. Reports

The Task Force shall issue to the Governor, the Legislature, the tribal governments, and the public a final report on June 30, 1975. In addition, the Task Force may issue such other interim reports as it deems appropriate.

## SECTION V. Task Force on Indian-State Relations attached to the Commission on Indian Affairs

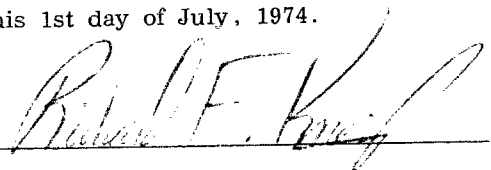
For administrative purposes only the Task Force on Indian-State Relations shall be attached to the Commission on Indian Affairs.

NOW, THEREFORE, I, RICHARD F. KNEIP, Governor of the State of South Dakota, by virtue of the authority vested in me by the Constitution and statutes of this state, do hereby order and direct that the Task Force on Indian-State Relations shall be and the same is hereby created and established; and

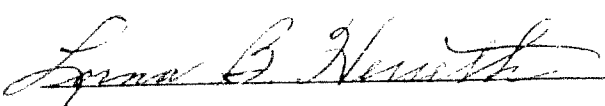
BE IT FURTHER ORDERED AND DIRECTED that all units of the Executive Branch responsible to the Governor continue to cooperate fully with the Task Force.

Dated at Pierre, South Dakota, this 1st day of July, 1974.



  
RICHARD F. KNEIP, GOVERNOR

ATTEST:

  
LORNA B. HERSETH, SECRETARY OF STATE

THIS IS TO CERTIFY THAT THE MICROFILMED COPY OF THIS DOCUMENT IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AID ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROFILMOGRAPHIC REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Dwyer

Receipt No. ✓

Filed at Request of

File No.

EXECUTIVE ORDER 74-7  
STATE EMERGENCY OPERATIONS  
PLAN

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary of  
State on the 26th day of August  
1974

Lynn B. Herath  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

THIS IS TO CERTIFY THAT THE PHOTOGRAPHIC IMAGE ATTACHING ON THIS SLIDE OR FILM MEETS THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 35:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Lloyd

STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR

Executive Order 74-7 relating to South Dakota State Emergency Planning and the State Emergency Operations Plan and hereby repealing Executive Order 73-11.

WHEREAS, the laws of this state direct that the Governor prepare a comprehensive plan and program for the civilian defense requirements of the state; and

WHEREAS, the operations planned for are mainly those operations which government provides for our people under normal conditions; and

WHEREAS, it is the duty of all state officials to assume active leadership in civil defense and disaster preparedness planning; and

WHEREAS, the development of plans, prior to an emergency are necessary to cope with the effects of either a man-made or natural disaster; and

WHEREAS, current operational concepts and new techniques in emergency planning necessitate changes in established plans; and

WHEREAS, we in state government have an obligation both legally and morally to organize, plan for, and mobilize resources for, direct and support the pre-attack and post-attack operations of the state, necessary for the survival and well being of the population affected by a national emergency or war-caused disaster;

NOW, THEREFORE, I, Richard F. Kneip, Governor of the State of South Dakota, by virtue of the powers and authority vested in me by the constitution and laws of this state, hereby direct that all matters of civil defense between the federal government and the government of the State of South Dakota, regardless of where they originate in the federal government, will be handled through the regular civil defense channels, so far as the government of this state is concerned and I do hereby issue this Order to become effective 1 August 1974,

I FURTHER DIRECT, that all departments of South Dakota State Government cooperate fully in the development of annexes and operating procedures to be a part of the State Emergency Operations Plan, by those departments comprising the "South Dakota Emergency Government Organization" in accordance with guidelines furnished by the State Civil Defense Division, Department of Military and Veterans Affairs. Responsibility for emergency disaster planning shall rest with the secretary of each department. The secretary of each department shall designate an individual who, in addition to his regular duties, shall assist in, and be the contact for, the development and coordination of all Emergency Plans, Annexes and Operating Procedures within the department.

I FURTHER DIRECT, in addition to the responsibilities imposed above, each department may be assigned additional specific civil defense responsibilities consonant with its capabilities by the State Civil Defense Division, as mutually agreed by the secretary of each department concerned and the State Civil Defense Division and approved by the Governor. Included shall be the assignment of competent personnel of each department to serve as the emergency staff: (1) during a state of extreme emergency, (2) as appropriate during a state of disaster, man-made and/or natural, (3) as a planning and liaison officer on a day-to-day basis and prior to an emergency or disaster declaration. Such staff personnel shall be made available for test training and exercises,

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DATE MICROFILMED Aug. 3, 1985  
CAMERA OPERATOR Hilda Legel



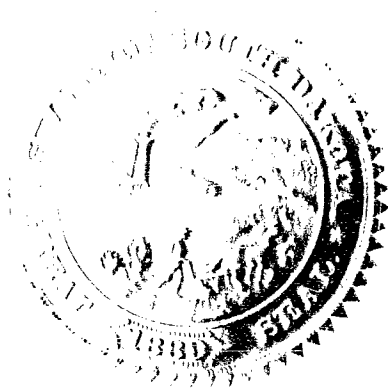
I FURTHER ASSIGN emergency responsibilities to the following departments of state government for the purpose of developing plans, annexes and standard operating procedures for the carrying out of functions of emergency government operations as indicated below:

<u>Department</u>	<u>Emergency Functions</u>
Office of Executive Management	EOC Administrative Assistance Headquarters Support Engineering
Department of Public Safety	Law Enforcement Fire and Rescue
Department of Commerce and Consumer Affairs	Regulate All Economic Aspects of Trade and Services During Disasters
Department of Social Services	Welfare Shelter
Department of Manpower Affairs	Manpower
Department of Natural Resource Development	Recommend Emergency Restoration and Repair of Waterways
Department of Environmental Protection	Inspection of Damaged or Polluted Water and Sewer Systems
Department of Outdoor Recreation	Support to Department of Public Safety
Department of Health	Radiological Chemical, Biological and Health Sanitary Inspection of Eating Establishments
Department of Agriculture	Inspection of Food Stocks and Processing Plants for Contamination
Department of Tourism and Economic Development	Public Information
Department of Transportation	Transportation Highways
Department of Military and Veterans Affairs	Coordination Military Support Intelligence
Department of Revenue	Emergency Licensing
Department of Education and Cultural Affairs	Instruction Training
Attorney General	Legal Communications Mass Body Identification
State Auditor	Fiscal
Audits and Accounts	Audit Assistance

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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR [Signature]

THIS EXECUTIVE ORDER supersedes any prior Executive Order issued individually to any department of state government which might be contrary to policies contained in the State Emergency Operations Plan approved by the Governor of this State.

Dated at Pierre, the Capital City, this 21st day of August, 1974.



*Richard F. Kneip*

RICHARD F. KNEIP, GOVERNOR

ATTEST:

*Lorna B. Herseth*

LORNA B. HERSETH, SECRETARY OF STATE

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED  
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CAMERA OPERATOR John D. Hagg

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER

75-1

"Executive Reorganization  
Order of 1975"

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary

State on the 27th day of Jan.

1975

Anna D. North  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

STATE OF SOUTH DAKOTA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NO.

75-1

WHEREAS, The Constitution of the state of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 50th Legislative Assembly on the 5th legislative day, being the 27th day of January, 1975:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

Section I.

This executive order shall be known and may be cited as the "Executive Reorganization Order of 1975".

Section II.

Sections 2 to 5, inclusive, 7 to 9, inclusive, and 287 to 295, inclusive, of executive order 73-1, being sections 2 to 5, inclusive, 7 to 9, inclusive, and 287 to 295, inclusive, of chapter 2 of the Session Laws of 1973, are hereby incorporated into and made a portion of this order by this reference thereto.

Section III.

The state plumbing board as created by chapter 222, SL 1970 as amended, being SDCL 36-25-1 et. seq., shall consist of five members appointed by the Governor. One of the members shall be selected from the state department of environmental protection. One of the members of the board shall be a plumbing contractor, one shall be a plumber with at least five years' experience, and two shall be lay persons who are not engaged primarily in the business of plumbing. Each of such members shall be a resident of this state.

Section IV.

The functions of the state department of commerce and consumer affairs provided for under section 61 of chapter 2, SL 1973 as amended, being SDCL 1-35-12(2) and 42-7-1.1 are hereby transferred to the South Dakota racing commission, as created by chapter 9, SL 1933 as amended, being SDCL 42-7-1 et. seq.

Section V.

The South Dakota racing commission is hereby transferred to the state department of commerce and consumer affairs created by chapter 2, SL 1973 as amended, being SDCL 1-35-1 et. seq. by a type 3 transfer, provided, however, that the quasi-

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Lloyd

legislative, quasi-judicial, advisory and special budgetary functions of the South Dakota racing commission are hereby transferred to the state racing commission created by this order.

#### Section VI.

There is hereby created within the state department of commerce and consumer affairs, the state racing commission. The racing commission shall consist of five members, each appointed by the Governor for a term of five years or until his successor is appointed and qualified, except that of members first appointed after the effective date of this order, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years, such initial terms to be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term. The commission shall annually elect such officers as it deems necessary. No more than three members of the commission shall be of the same political party and the members shall be removable only upon show of cause.

#### Section VII.

The functions of the division of human development of the state department of social services provided for under section 83 of chapter 2, SL 1973 as amended, being SDCL 1-36-16(1) and 26-3-1.1 are hereby transferred to the Governor's committee on children and youth as created by chapter 324, SL 1961 as amended, being SDCL 26-3-1 et. seq.

#### Section VIII.

The committee on children and youth is hereby transferred to the division of human development of the state department of social services as created by chapter 2, SL 1973 as amended, being SDCL 1-36-1 et. seq., by a type 3 transfer, provided, however, that the quasi-legislative, quasi-judicial, advisory and special budgetary functions of the committee are hereby transferred to the commission on children and youth created by this order.

#### Section IX.

There is hereby created within the division of human development of the state department of social services the commission on children and youth. The commission on children and youth shall consist of fifteen members appointed by the Governor from citizens of South Dakota especially interested in the children and youth of this state. The term of office of each member of the commission shall be three years or until his successor is appointed and qualified. Terms shall expire on the thirty-first day of December. Of those members first appointed after the effective date of this order, five shall be for a term of one year, five shall be for a term of two years, and five shall be for a term of three years, such initial terms to be designated by the Governor. Members of the commission shall serve at the pleasure of the Governor. Any member appointed to fill a vacancy arising other than from the natural expiration of the term shall be appointed for the unexpired portion of the term only. The commission shall annually elect such officers as it deems necessary.

#### Section X.

The service administration of the division of social welfare of the state department of social services, created by chapter 219, SL 1937 as amended, being SDCL 26-4-1 et. seq., shall be known as community services and shall be organized within the state department of social services as the secretary of the state department of social services with the approval of the Governor may designate.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATION OF THE  
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Section XI.

The functions of the board of transportation provided for in SDCL 32-12-7 are hereby transferred to the secretary of the state department of public safety created by chapter 2, SL 1973 as amended, being SDCL 1-34-1 et. seq.

Section XII.

There is hereby created within the state department of commerce and consumer affairs the position of assistant secretary for commerce, which position shall be exempt from the provisions of SDCL 3-6A. The assistant secretary for commerce shall be appointed by the secretary of the state department of commerce and consumer affairs, with the approval of the Governor, and shall serve at the pleasure of the secretary. The assistant secretary for commerce shall perform such duties as may be assigned him by the secretary of the state department of commerce and consumer affairs.

Section XIII.

The state department of manpower affairs created by chapter 2, SL 1973 as amended, being SDCL 1-37-1 et. seq., shall be known as the state department of labor.

Section XIV

The effective date of the "Executive Reorganization Order of 1975" shall be July 1, 1975, provided, however, that the effective date of sections 2, 4, 5, and 6 of this order shall be May 1, 1975.

NOW, THEREFORE, I, Richard F. Kneip, Governor of the state of South Dakota, by virtue of the authority vested in me by the Constitution of the statutes of this state do hereby order and direct that this order shall become effective unless disapproved in accordance with the provisions of section 8, article VI of the Constitution of the state of South Dakota.

Dated at Pierre, the Capitol, this 27th day of January, 1975.

ATTEST



  
RICHARD F. KNEIP, GOVERNOR



LORNA B. HERSETH, SECRETARY OF STATE

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION  
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REDUCTION

35:1

ROLL NO

1

DATE MICROFILMED

Dec. 3, 1985

CAMERA OPERATOR

Thila Vogel

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER

75-2

"Ex. Or 73-1"

State of South Dakota

Office of Secretary of State

} ss.

Filed in the office of the Secretary

State on the 27th day of Jan.---

19. 75---

*Berna D. Heath*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NO.

75-2

WHEREAS, the Constitution of the state of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 50th Legislative Assembly on the 5th legislative day, being the 27th day of January, 1975:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

Section I.

Section 2 to 5, inclusive, 7 to 9, inclusive, and 287 to 295, inclusive, of executive order 73-1, being sections 2 to 5, inclusive, 7 to 9, inclusive, and 287 to 295, inclusive of chapter 2 of the Session Laws of 1973, are hereby incorporated into and made a part of this order by this reference thereto.

Section II.

The functions of the state department of agriculture provided for under section 195 of chapter 2, SL 1973 as amended, being SDCL 1-41-5(6) and 37-3-36.1 are hereby transferred to the South Dakota dairy products marketing commission created by chapter 9, SL 1966 as amended, being SDCL 57-3-1 et. seq.

Section III.

The South Dakota dairy products marketing commission is hereby transferred to the state department of agriculture as created by chapter 2, SL 1973 as amended, being SDCL 1-41-1 et. seq., by a type 3 transfer, provided, however, that the quasi-legislative, quasi-judicial, advisory, and special budgetary functions of the commission are transferred to the state dairy products marketing commission created by this order.

Section IV.

There is hereby created within the state department of agriculture the state dairy products marketing commission which shall consist of seven members appointed by the Governor. Of the members appointed, one shall be a dairy processor; one shall be an active Grade A milk producer; three shall be consumers who are in no manner, either in the present or in the past, connected with the production, processing or distribution, or the wholesale or retail sale of dairy products; one shall be an accountant,

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an auditor or a dairy economist recommended to the Governor by the secretary of the state department of agriculture and the secretary of the state department of commerce and consumer affairs; and, one shall be a retailer of dairy products. Each member of the state dairy products marketing commission shall serve for a term of five years or until h.s successor is appointed and qualified, provided, however, that the Governor shall arrange the terms of office of those members first appointed after the effective date of this order such that no more than three terms of office shall expire in each biennium and such that the term of office of no more than one consumer member shall expire in each biennium. Members appointed to fill a vacancy arising from other than the natural expiration of a term shall be appointed for the unexpired portion of the term only. No member other than one appointed to fill an unexpired term may be appointed to succeed himself on the commission.

Section V.

The effective date of this order shall be July 1, 1975.

NOW, THEREFORE, I, Richard F. Kneip, Governor of the State of South Dakota, by virtue of the authority vested in me by the Constitution and the statutes of this state do hereby order and direct that this order shall become effective unless disapproved in accordance with the provisions of section 8, article IV of the Constitution of the State of South Dakota.

Dated at Pierre, the Capitol, this 27th day of January, 1975.



*Richard F. Kneip*

RICHARD F. KNEIP, GOVERNOR

ATTEST:

*Lorna B. Herseith*

LORNA B. HERSEITH, SECRETARY OF STATE

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT  
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REDUCTION 25:1 ROLL NO 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Deard

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Filed at Request of

Receipt No.  
File No.

EXECUTIVE ORDER  
75-3

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary  
State on the 27th day of Jan.  
19. 75

[Signature]  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NO.

75-3

WHEREAS, The Constitution of the state of South Dakota provides that "except as to elected constitutional officers the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 50th Legislative Assembly on the 5th legislative day, being the 27th day of January, 1975:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

Section I.

Sections 2 to 5, inclusive, 7 to 9, inclusive and 287 to 295, inclusive of executive order 73-1, being sections 2 to 5, inclusive, 7 to 9, inclusive and 287 to 295, inclusive, of chapter 2 of the Session Laws of 1973, are hereby incorporated into this order and made a part thereof by this reference thereto.

Section II.

The state banking commission as created by chapter 47, SL 1933 as amended, being SDCL 51-16-1 et. seq., shall consist of five members appointed by the Governor, all of whom must be residents of the state. The director of the division of banking and finance of the state department of commerce and consumer affairs shall be the chairman and executive officer of the commission, serving without vote except as provided by law, and shall comply with and enforce all orders and directions of the commission. Three of the members of the commission shall be officers or directors of a state or national bank at the time of their appointment, provided, however, that no more than one member of the commission shall be an officer or director of a national bank at the time of appointment. The remaining two members of the commission shall have the qualifications provided by law except that they need not be officers or directors of a bank, nor associated in any way with the business of banking.

Section III.

The term of office of members of the state banking commission as created by chapter 47, SL 1933 as amended, being SDCL 51-16-1 et. seq., shall be three years each provided that the term of office of only one member who is a director or officer of a bank shall expire each year. Vacancies arising other than from the natural expiration of a term shall be appointed for the remainder of the unexpired term only and such appointees shall meet the qualifications prescribed by law for the vacated position. All appointments to the commission shall be effective on the first day of July. Members shall serve until their successors are appointed and qualified. Any member may be removed by the Governor for cause.

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Section IV.

As the terms of the persons serving as members of the state banking commission prior to the effective date of this order expire, the subsequent members of the board shall be appointed solely in accordance with the provisions of this order and appointments may be made from such sources as the Governor may elect.

Section V.

The effective date of this order shall be July 1, 1975.

NOW, THEREFORE, I, Richard F. Kneip, Governor of the State of South Dakota, by virtue of the authority vested in me by the Constitution and the statutes of this state do hereby order and direct that this order shall become effective unless disapproved in accordance with the provisions of section 8, article IV of the Constitution of the state of South Dakota.

Dated at Pierre, the Capitol, this 27th day of January, 1975.



ATTEST:

*R. F. Kneip*

RICHARD F. KNEIP, GOVERNOR

*Lorna B. Herse*

LORNA B. HERSETH, SECRETARY OF STATE

THIS IS TO CERTIFY THAT THE MICROFILMED COPY OF THIS ORDER IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

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Receipt No.

Filed at Request of

File No. 75-7

EXECUTIVE ORDER

ACCEPTING CONCURRENT STATE  
JURISDICTION FOR THE BLACK  
HILLS NATIONAL CEMETARY, AND THE  
VETERANS ADMINISTRATION CENTERS  
AT FORT MEADE, SIOUX FALLS AND  
HOT SPRINGS

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary of  
State on the 30th day of September  
19. 75

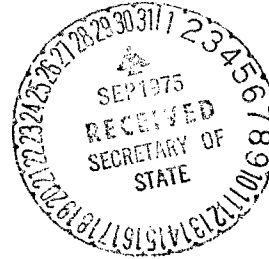
*Lynn B. Hurst*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

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STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICATION  
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LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
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REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Legg

STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR



EXECUTIVE ORDER

75-7

Executive Order 75-7, accepting concurrent state jurisdiction for the Black Hills National Cemetery, and the Veterans Administration Centers at Fort Meade, Sioux Falls and Hot Springs.

WHEREAS, the Veterans Administration has offered the State of South Dakota concurrent jurisdiction over federal enclaves under the Veterans Administration control within the State of South Dakota, and

WHEREAS, South Dakota Compiled Laws 1-1-1.1 provides that the Governor on behalf of the State of South Dakota may by Executive Order accept such retrocession:

NOW, THEREFORE, I, RICHARD F. KNEIP, Governor of the State of South Dakota, by virtue of the authority vested in me by the Constitution and the statutes of this state, do hereby order and direct that the State of South Dakota shall exercise concurrent jurisdiction with the Federal Government over all lands comprising the Black Hills National Cemetery, the Veterans Administration Hospital at Fort Meade, the Veterans Administration Center at Sioux Falls and the Veterans Administration Center at Hot Springs (including the property known as the Hot Springs National Cemetery).

Dated at Pierre, the Capitol City, this 29<sup>th</sup> day of September, 1975.



RICHARD F. KNEIP, GOVERNOR

ATTEST.

LORNA B. HERSETH, SECRETARY OF STATE

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF RECORD IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF THE ABOVE RECORDS WAS IN A MANNER  
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REPRODUCTIONS. REDUCTION 25:1 ROLL NO 1 DATE MICROFILMED SEP. 3, 1985 CAMERA OPERATOR Kyle Vogel

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION

25:1

ROLL NO

1

DATE MICROFILMED

Dec. 3, 1985

CAMERA OPERATOR

Thila Dege

Filed at Request of

Receipt No.

File No. 76-1

EXECUTIVE ORDER

ESTABLISHING THE ADVISORY COUNCIL  
ON INDIAN BUSINESS DEVELOPMENT  
GRANTS AS THE HEAD OF THE STATE  
INDIAN BUSINESS DEVELOPMENT ORGAN-  
IZATION AND REPEALING EXECUTIVE  
ORDER 75-4

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary of  
State on the 20th day of February  
1976.

Lynna B. Heweth  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

STATE OF SOUTH DAKOTA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER 76-1

Executive Order 76-1 Establishing the Advisory Council on Indian Business Development Grants as the head of the State Indian Business Development Organization and Repealing Executive Order 75-4.

WHEREAS, the Legislature of the State of South Dakota has created the State Indian Business Development Organization (SIBDO) to provide capital grants to Indian business people for the development and expansion of their businesses;

WHEREAS, the goals of the SIBDO program can best be realized through the equitable administration of the program and the equitable evaluation of each grant application;

WHEREAS, a multimember body, composed of a majority of Indian members can assure broad based input into the direction of the program and impartial evaluation of grant applications.

IT IS THEREFORE BY EXECUTIVE ORDER directed that the State Indian Business Development Organization shall continue within the office of the Coordinator of Indian Affairs, under the supervision, direction, and control of the Advisory Council on Indian Business Development Grants.

Section 1. Membership

The Advisory Council on Indian Business Development Grants is hereby continued solely in accordance with the provisions of this Order.

The Advisory Council on Indian Business Development Grants shall be composed of five (5) members appointed by the Governor. A majority of the members of the Advisory Council shall be of Indian descent and at least one member of the Advisory Council shall, in the opinion of the Governor, be knowledgeable in tribal governments, and at least one member of the Advisory Council shall, in the opinion of the Governor, be knowledgeable in the field of commercial business financing. One member of the Advisory Council shall be a member of the State Senate and one member shall be a member of the State House of Representatives.

Members shall be appointed for a term of two years or until a successor is appointed and qualified, provided however, that the terms of no more than three members shall expire in any one calendar year.

The Chairman of the Advisory Council shall be designated by the Governor from the Advisory Council members. The Advisory Council shall meet at the call of the Chairman, or majority of the Advisory Council members, provided, however, that the Council shall meet at least once each calendar quarter. The Council may, with the two-thirds approval of the members of the Council, conduct emergency business through the use of telephonic conference calls.

The members of the Council shall be paid such per diem and travel expenses as may be allowed by law.

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA LAWS 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 35:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Lloyd



## Section II. Functions

The Advisory Council on Indian Business Development Grants shall perform all the functions, including administrative functions, of the State Indian Business Development Organization. The Advisory Council shall, however, submit such records, information and reports in the form and at such times as required by the Coordinator of Indian Affairs, except that the Council shall annually report to the Coordinator of Indian Affairs as otherwise provided in this Order.

Notwithstanding the above provision, the Advisory Council on Indian Business Development Grants shall:

a) Set forth procedures and requirements that must be followed by the applicant in applying for and appealing action on a grant request, by the staff in evaluating, packaging, submitting and finalizing the grant, and by the Advisory Board in reviewing the grant. The procedures and requirements shall specify the criterion to be used in evaluating each grant and the stipulations that must be included as provisions of a grant. In the event that an applicant's primary funding sources would not be available due to time delays in complying with the procedures provided for in this Order and adopted by the Advisory Council, the Advisory Council may adopt special procedures and requirements for emergency grant applications contrary to the requirements set forth in this Order. All procedures and requirements shall be promulgated in accordance with the provisions of the Administrative Procedures Act, being S.D.C.L. 1-26. Such procedures and requirements shall be adopted within ninety (90) days of the effective date of this Order.

b) Review every grant application that is received by the State Indian Business Development Organization.

c) Review and approve every fund request of the State Indian Business Development Organization for Federal or State monies which are funds appropriated for state Indian business development grants as matching money, whether directly or indirectly.

d) Perform such other functions as the Governor may from time to time provide.

e) Prepare and submit annually on or before the first of January, for thereafter, a detailed report on the programs of the Advisory Council during the preceding calendar year to the Governor and the status of each business that has received a grant during the previous calendar year to the Governor and the Coordinator of Indian Affairs and the Legislature.

NOW, THEREFORE, I, RICHARD F. KNEIP, Governor of the State of South Dakota, by virtue of the authority vested in me by the Constitution of the State of South Dakota, do hereby certify and direct that the foregoing provision be affected.

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-41. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

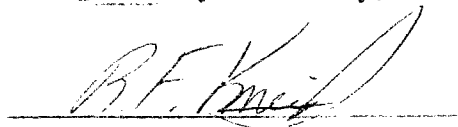
REDUCTION 25:1 ROLL NO 1

DATE MICROFILMED Dec. 3, 1985

CAMERA OPERATOR Mike Vogel

BE IT FURTHER ORDERED AND DIRECTED that Executive Order 75-4 issued the 13th day of February, 1975 is hereby repealed.

Dated at Pierre, South Dakota this 20<sup>th</sup> day of February, 1976.



RICHARD F. KNEIP, GOVERNOR

ATTEST:



LORNA B. HERSETH, SECRETARY OF STATE

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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DATE MICROFILMED Dec. 3, 1985 FILE 1094  
CAMERA OPERATOR

Receipt No.

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File No.

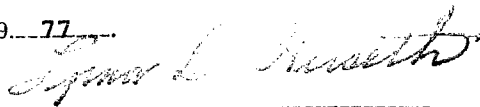
EXECUTIVE ORDER

ESTABLISHMENT OF A SOUTH  
DAKOTA UNIVERSITY

77-1

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary of  
State on the 25 day of January  
1977

  
-----  
Secretary of State

By -----  
Assistant Secretary of State

Fee received

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 25:1 ROLL NO. 1 DATE MICROFILMED Dec. 3 1985 CAMERA OPERATOR Willa Vogel

# State of South Dakota

FIFTY-SECOND SESSION, LEGISLATIVE ASSEMBLY, 1977

## EXECUTIVE ORDER

77-1

1           WHEREAS, the Constitution of the state of South Dakota  
2     provides that "except as to elected constitutional officers,  
3     the Governor may make such changes in the organization of offices,  
4     boards, commissions, agencies and instrumentalities, and in  
5     allocation of their functions, powers, and duties as he considers  
6     necessary for efficient administration"; and,

7           WHEREAS, the people of South Dakota would be best served  
8     by a system of higher education which permits maximum utilization  
9     and coordination of human, fiscal and physical resources; and,

10          WHEREAS, this executive order has been submitted to the  
11     52nd Legislative Assembly on the 5th legislative day, being  
12     the 24th day of January, 1977:

13          IT IS THEREFORE BY EXECUTIVE ORDER directed that the  
14     executive branch of state government be reorganized to comply  
15     with the following sections of this order.

16          Section 1. There is hereby created the South Dakota

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE ATTACHED TO THIS DOCUMENT IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA LAWS 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Legg

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel

University comprised of campuses as follows:

- (A) South Dakota University at Vermillion, formerly the University of South Dakota, established and located at Vermillion, in Clay county, created by Chapter 128, SL 1975, being SDCL 13-57-1 et. seq.;
- (B) South Dakota University at Springfield, formerly the Southern Normal School, Southern State Teachers College, Southern State College, and later, the University of South Dakota at Springfield, located at Springfield, in Bon Homme county, created by Chapter 128, SL 1975, being SDCL 13-57-23, et. seq.
- (C) South Dakota University at Brookings, formerly the State College of Agriculture and Mechanical Arts, and later, South Dakota State University, located at Brookings, in Brookings county, created by Chapter 128, SL 1975, being SDCL 13-58-1, et. seq.;
- (D) South Dakota University at Aberdeen, formerly the Northern Normal and Industrial School, Northern State Teachers College, and later, Northern State College, located at Aberdeen, in Brown county, created by Chapter 128, SL 1975, being SDCL 13-59-1, et. seq.;
- (E) South Dakota University at Spearfish, formerly Spearfish Normal School, Black Hills State Teachers College, and later, Black Hills State

College at Spearfish, in Lawrence county, created by Chapter 128, SL 1975, being SDCL 13-59-1, et. seq.; and,

(F) South Dakota University at Madison, formerly Dakota Normal School, General Beadle State Teachers College, and later, Dakota State College, located at Madison, in Lake county, created by Chapter 128, SL 1975, being SDCL 13-59-1, et. seq.; and,

(G) South Dakota University at Rapid City, formerly the State School of Mines, and later, the South Dakota School of Mines and Technology, located at Rapid City, in Pennington county, created by Chapter 128, SL 1975, being SDCL 13-60-1, et. seq..

Section 2. The Board of Regents shall appoint a President of the South Dakota University, who shall be a full-time employee of the board.

Section 3. The position of Commissioner of Higher Education, created by chapter 128, SL 1975, being SDCL 13-49-10, et. seq., is abolished and all of his duties, powers and responsibilities are hereby transferred to the President of the South Dakota University created by Section 2 of the Order.

Section 4. Each of the campuses comprising the South Dakota University shall be administered by a chief administrative officer who shall be appointed by the President with the approval of the Board of Regents.

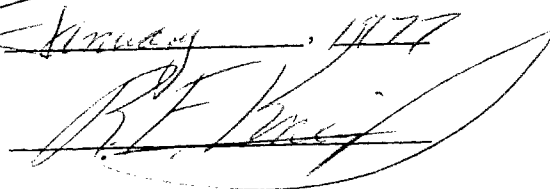
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REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Theresa L. Gabel

1           Section 5. It is intended that all provisions of  
2 the South Dakota Codified Laws in conflict with this order  
3 shall be superceded.

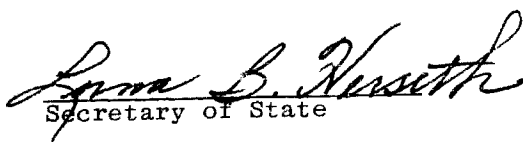
4           Section 6. The effective date of this Executive Order  
5 shall be July 1, 1977.

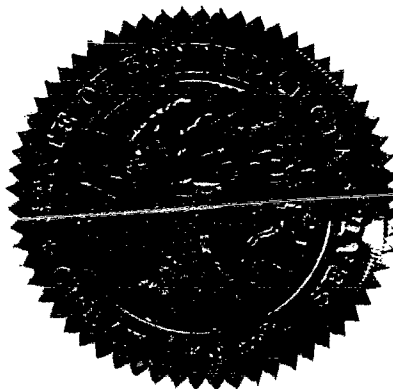
6           NOW THEREFORE I, Richard F. Kneip, Governor of the  
7 state of South Dakota by virtue of the authority vested in me  
8 by the Constitution and the statutes of this state do hereby  
9 order and direct that this Order shall become effective  
10 unless disapproved in accordance with the provisions of  
11 section 8, Article IV of the Constitution of the state of  
12 South Dakota.

13           Dated at Pierre, the Capitol, this 24<sup>th</sup> of  
14 January, 1977

15   
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19           ATTEST:

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22           Secretary of State  
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27  
28



HOUSE RESOLUTION OF DISAPPROVAL NO. 501

A RESOLUTION OF DISAPPROVAL, Proposing to disapprove  
Executive Order No. 77-1 as set forth on pages  
125 to 127 inclusive of the House Journal.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE  
OF SOUTH DAKOTA:

WHEREAS the Governor of the state of South Dakota has  
submitted to the Legislature of the fifty-second legislative  
session on the fifth day thereof Executive Order 77-1; and

WHEREAS such Executive Order is intended in part to  
alter the long-existing structure of this state's  
institutions of post-secondary education by placing the  
seven state supported institutions of higher education  
into a single university comprised of campuses at various  
locations; and

WHEREAS legislative proposals having an objective  
similar or identical in substance to that contained in  
Executive Order No. 77-1 as above described have been  
introduced in bill form, and have legislative histories, as  
follows: Senate Bill 172 in the 1973 session, which was  
defeated on the floor of the Senate by a vote of 21-13;  
Senate Bill 156 in the 1974 session, which was deferred to  
the thirty-first legislative day by the House Committee on  
State Affairs; and Senate Bill 178 in the 1976 session, which  
was defeated on the floor of the house of origin by a vote  
of 24-11; and

WHEREAS such portions of Executive Order No. 77-1, if  
permitted to become effective, will cause South Dakota State  
University, Northern State College, Dakota State College,  
University of South Dakota at Springfield, South Dakota  
School of Mines and Technology, and Black Hills State College  
to lose their separate identities and character;

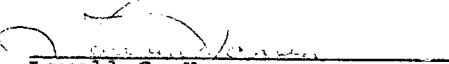
STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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ROLL NO. 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Duggan




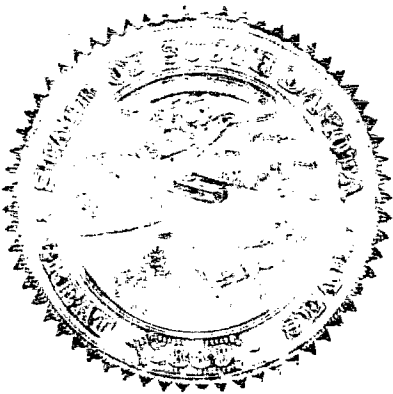
NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the fifty-second Legislature of the state of South Dakota, that Executive Order No. 77-1, presented to the fifty-second Legislature, as the same appears in the House Journal on pages 125 to 127, inclusive, is hereby disapproved pursuant to section 8 of article IV of the Constitution of the state of South Dakota.

Adopted by the House,


February 7, 1977

  
Lowell C. Hansen  
Speaker of the House

  
Paul Inman  
Chief Clerk of the House



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of South Dakota at the City of Pierre, the Capital, on February 8, 1977

  
Lorna B. Herseth  
Secretary of State

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

ROLL NO. 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel

Receipt No.

Filed at Request of

File No.

EXECUTIVE ORDER


REORGANIZATION OF CERTAIN  
FUNCTIONS IN THE DEPARTMENT  
OF EDUCATION AND CULTURAL AFFAIRS

77-2

State of South Dakota  
Office of Secretary of State

} ss.

Filed in the office of the Secretary of  
State on the 25 day of Jan.  
1977.

  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1  
DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Helen Leggett

# State of South Dakota

FIFTY-SECOND SESSION, LEGISLATIVE ASSEMBLY, 1977

## EXECUTIVE ORDER

77-2

1           WHEREAS, the Constitution of the state of South Dakota  
2 provides that "except as to elected constitutional officers, the  
3 Governor may make such changes in the organization of offices,  
4 boards, commissions, agencies and instrumentalities, and in  
5 allocation of their functions, powers, and duties as he considers  
6 necessary for efficient administration"; and

7           WHEREAS, the people of South Dakota would best be served  
8 by a state education and cultural affairs agency which permits  
9 maximum utilization and coordination of human, fiscal, and physical  
10 resources; and

11           WHEREAS, South Dakota postsecondary students would be  
12 better served if all financial aid programs were placed in one  
13 location; and

14           WHEREAS, South Dakota adults would be better served by  
15 providing centralized coordination of community and continuing  
16 education services; and

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED  
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
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REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1  
DATE MICROFILMED Aug. 3, 1985  
CAMERA OPERATOR Mike Vogel

1           WHEREAS, the people of South Dakota would best be  
2 served by the increased coordination of federal and state  
3 regulations regarding nondiscrimination in education; and,

4           WHEREAS, this executive order has been submitted to  
5 the 52nd Legislative Assembly on the 5th legislative day,  
6 being the 24th day of January, 1977:

7           IT IS THEREFORE, BY EXECUTIVE ORDER, directed that the  
8 executive branch of state government be reorganized to comply  
9 with the following sections of this order.

10           Section 1. The Indian scholarship program of the  
11 division of higher education of the department of education  
12 and cultural affairs, created by chapter 128, SL 75, being  
13 SDCL 13-55-14 et. seq., is hereby transferred to the office  
14 of the secretary of the department of education and cultural  
15 affairs.

16           Section 2. The higher education loan guaranty program  
17 of the division of higher education of the department of  
18 education and cultural affairs, created by chapter 210, SL 1966,  
19 being SDCL 13-56-2 et. seq., is hereby transferred to the  
20 office of the secretary of the department of education and  
21 cultural affairs.

22           Section 3. The health profession scholarship loans  
23 program of the division of higher education of the department  
24 of education and cultural affairs, created by chapter 105,  
25 SL 1972, being SDCL 13-56A-3, et. seq., is hereby transferred  
26 to the office of the secretary of the department of education  
27 and cultural affairs.

28           Section 4. The health profession loans advisory

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED  
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
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1 committee of the division of higher education of the department  
2 of education and cultural affairs, created by chapter 259,  
3 SL 1969 as amended, being SDCL 13-56A-1 et. seq., is hereby  
4 transferred to the office of the secretary of the department  
5 of education and cultural affairs and is to be administered  
6 by and through the office of the secretary.

7       Section 5. The functions of the secretary of education  
8 and cultural affairs provided for by chapter 2, SL 1973, being  
9 SDCL 1-45-33 et. seq., shall include the coordination of  
10 community and continuing public education and the coordination  
11 and monitoring of state and federal civil rights programs  
12 and requirements that pertain to race, color, creed, sex,  
13 religion, national origin and handicapped.

14       Section 6. It is intended that all provisions of  
15 South Dakota Codified Laws in conflict with the provisions  
16 of this order shall be superceded.

17       Section 7. The effective date of this Executive Order  
18 shall be July 1, 1977.

19       NOW THEREFORE I, Richard F. Kneip, Governor of the  
20 state of South Dakota, by virtue of the authority vested in  
21 me by the Constitution and the statutes of this state do  
22 hereby order and direct that this order shall become effective  
23 unless disapproved in accordance with the provisions of  
24 section 8, Article IV of the Constitution of the state of  
25 South Dakota.

26  
27  
28

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Dated at Pierre, the Capitol, this 24<sup>th</sup> of

January, 1977  
R. F. Kneip

ATTEST:

Lorna B. Nusselt  
Secretary of State

SENATE RESOLUTION OF DISAPPROVAL NO. 2

A RESOLUTION OF DISAPPROVAL, Proposing to disapprove

Executive Order No. 77-2 as set forth on pages 115 to 117 inclusive of the Senate Journal.

BE IT RESOLVED BY THE SENATE OF THE STATE OF SOUTH DAKOTA:

WHEREAS, the Governor of the state of South Dakota has submitted to the Legislature of the Fifty-second legislative session on the fifth day thereof Executive Order 77-2; and

WHEREAS, such Executive Order is intended to transfer the administration of loan and scholarship programs that are currently associated with post-secondary education into the office of the secretary of education and cultural affairs; and

WHEREAS, the original purpose of the office of the secretary of education and cultural affairs when established in 1973 did not include direct administration of state programs associated with any particular facet of education but rather it was established for the overall coordination and communication of all educational services; and

WHEREAS, the Legislature in creating financial aid programs for post-secondary students has consistently mandated that they be administered by the division of higher education, and the division of higher education has economically and efficiently carried out the administrative duties relating to financial aid programs; and

WHEREAS, such Executive Order also includes the centralization of state and federal civil rights programs that pertain to race, color, creed, sex, religion, national origin and handicapped, and the Legislature can not adequately determine how many or which current programs are affected by such Executive Order; and


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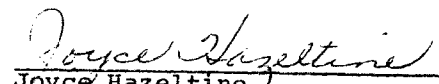
WHEREAS, in the judgment of the Legislature there has not been a demonstration that the executive branch programs reorganized through Executive Order 77-2 will improve the delivery of services to the citizens of South Dakota;

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Fifty-second Legislature of the state of South Dakota, that Executive Order No. 77-2, presented to the Fifty-second Legislature, as the same appears in the Senate Journal on pages 115 to 117 inclusive, is hereby disapproved pursuant to section 8 of article IV of the Constitution of the state of South Dakota.

Adopted by the Senate,

February 28, 1977

  
Harvey Wollman  
President of the Senate

  
Joyce Hazeltime  
Secretary of the Senate



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of South Dakota at the City of Pierre, the Capital, on February 28, 1977

  
Lorna B. Herseth  
Secretary of State

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REDUCTION 35:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Julia Vogel



Receipt No.

Filed at Request of

File No.

EXECUTIVE ORDER

77-4

PROVIDING FOR THE REORGANIZATION  
OF THE DIVISION OF LAW ENFORCEMENT  
ASSISTANCE AND THE COMMISSION ON  
CRIMINAL JUSTICE PLANNING AND  
ASSISTANCE.

State of South Dakota

Office of Secretary of State

ss.

Filed in the office of the Secretary of  
State on the 22 day of Feb.

19. 77

*Lynn B. Hurst*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED  
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CAMERA OPERATOR Thelma Vogel

STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER 77-4

Executive Order 77-4 providing for the reorganization of the Division of Law Enforcement Assistance and the Commission on Criminal Justice Planning and Assistance.

WHEREAS, the Executive Branch of the State of South Dakota may better serve the people of the State by more efficient organization; and

WHEREAS, it is a prime goal of this administration to reduce the incidence of crime and to increase the effectiveness, efficiency, and fairness of the criminal justice system; and

WHEREAS, these goals are consistent with national policy as set forth in Public Laws 90-351, 93-83, 93-415, and 94-503; and

WHEREAS, such Acts require the creation and designation of a state criminal justice planning agency subject to the jurisdiction of the Governor in order to qualify for assistance and cooperation of the federal government; and

WHEREAS, assistance and cooperation of the federal government is desirable; and

WHEREAS, the orderly and efficient administration of the Executive Branch requires that nonstatutory units be allocated to the major department of government; and

WHEREAS, the constitution and laws of South Dakota vest in the Governor the authority to allocate nonstatutory units of the Executive Branch;

IT IS, THEREFORE, BY EXECUTIVE ORDER directed that programs for the prevention of crime and improving the quality of justice in South Dakota pursuant to Public Laws 90-351, 93-83, 93-415, and 94-503 be organized according to the provisions of this Order.

Section 1: Definitions

Terms as used in this Order, unless the context otherwise requires, shall mean:

- (1) "Department", Department of Public Safety
- (2) "Secretary", Secretary of the Department of Public Safety
- (3) "Division", Division of Law Enforcement Assistance
- (4) "Chairman", Chairman of the South Dakota Criminal Justice Commission
- (5) "Director", Director of the Division of Law Enforcement Assistance
- (6) "Commission", South Dakota Criminal Justice Commission
- (7) "Committee", Juvenile Justice Advisory Committee

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## Section 2: Organization

The Division of Law Enforcement Assistance and the South Dakota Criminal Justice Commission, herein be continued in the Department of Public Safety, created by South Dakota Compiled Law 1-34, to be administered under the direction and control of the Secretary of the Department of Public Safety.

The duties and functions of the Commission shall be performed under the direction and control of the Secretary of the Department of Public Safety, provided, however, that the Commission shall continue to exercise any advisory, quasi-legislative, or quasi-judicial functions (as defined in SDCL 1-32-1) assigned to it by the provisions of this Order.

## Section 3: Division: Personnel and Function

The Director of the Division of Law Enforcement Assistance shall be appointed by and serve at the pleasure of the Secretary of the Department of Public Safety; however, both the appointment and removal of the Director shall be subject to the approval of the Governor.

The Director, pursuant to SDCL 3-6A, may employ such staff as is permitted by law.

The Director, under the direction and control of the Secretary of the Department of Public Safety shall:

- a) Contract with, appoint, and remove such administrative, research, technical, legal, clerical, and other personnel and consultants as may be necessary to carry out the provisions of this Executive Order.
- b) Insure the preparation of the necessary applications for planning and block action grants under Public Laws 90-351, 93-83, 93-415, and 94-503.
- c) Establish a continuing planning and research process, which relates Division activity to district and local planning and program development; and which involves the collection and analysis of statistics and other information and data relevant to criminal justice in the State and for state criminal justice planning, management, and evaluation purposes.
- d) Insure the preparation of a comprehensive state plan for criminal justice which is to be based on an analysis of crime and criminal justice problems in the State.
- e) Define, develop, and correlate action programs designed to meet the needs and achieve the goals set forth in the comprehensive plan.
- f) Encourage grant proposals from state and local criminal justice agencies and units of government by providing information to prospective aid recipients about the grant program.
- g) Provide for the implementation of procedures consistent with the requirements of Public Laws 90-351, 93-83, 93-415, and 94-503 for review, award, and administration of action grants, as well as all discretionary fund grants the Division may agree to administer.
- h) Measure performance under such grants through monitoring, evaluation, and audit of expenditures, as well as through oversight of the total state effort to implement the plan and the programs in the plan.

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- i) Provide technical assistance for programs and projects contemplated by the plan and by units of state and local government.
- j) Encourage and support coordination and cooperation of the major elements of the criminal justice system, the several levels and branches of government, and those federal, state, regional, and local systems which support or relate to or have an impact on the criminal justice system.
- k) Follow the recommendations of the Commission in disposing of each grant request, provided, however, that the Director with the concurrence of the Secretary, shall refuse to issue a grant if:
  - 1) It is determined by the Secretary of the Department of Public Safety that any laws of the State of South Dakota or the United States of America would be violated in the issuance of this grant; or
  - 2) The procedures and requirements adopted by the Commission or the rules of the Department of Public Safety have not been met; or
  - 3) The provisions and requirements of this Executive Order have not been met.

In addition to other responsibilities that the Secretary from time to time may assign to the Director, the Director shall be the chief administrator and executive officer of the Division. In this capacity, the Director may, with the approval of the Secretary of the Department of Public Safety, accept, agree to accept or contract for any grant, including federal grants, any contract, or any gift useful and proper for the conduct of the Division.

#### Section 4: Criminal Justice Commission: Composition and Functions

The State Commission on Criminal Justice Planning and Assistance, transferred to the Department of Public Safety, created by Section 29 of the Executive Reorganization Order of 1973 (Executive Order 73-1) is hereby continued and its name shall be changed and it shall be known as the South Dakota Criminal Justice Commission. The members of the Commission shall be organized and shall perform functions solely in accordance with the provisions of this Order.

The Commission shall be composed of not more than 25 members, who shall be appointed by and serve at the pleasure of the Governor; provided, however, that the Governor shall accept nominations from the Attorney General for the positions of Attorney General, States Attorney, Sheriff and Municipal Police representative. The Governor may reject any nomination within thirty days and request new nominations for the position.

The Governor shall designate one of the members as Chairman. Members shall be appointed for a term of three years, provided, however, that the Governor shall initially name one-third of the members to one-year terms, one-third of the members to two-year terms, and one-third of the members to three-year terms. With the exception of the permanent members, no member may serve more than six years. A person appointed to fill a vacancy, prior to the expiration of a term, shall be appointed for the remainder of the term.

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The Governor shall appoint the following as members of the Commission for the duration of their terms of office:

- 1) The Secretary of the Department of Public Safety or his designee;
- 2) The Secretary of the Department of Social Services or his designee;
- 3) The Attorney General or his designee;
- 4) The Chief Justice of the Supreme Court or his designee;
- 5) The Executive Director of the Board of Charities and Corrections or the designee of the Board of Charities and Corrections;
- 6) The Court Administrator or his designee; and
- 7) A Circuit Court Judge.

The Commission must be representative of law enforcement and criminal justice agencies, including agencies directly related to the prevention and control of juvenile delinquency, units of general local government, public agencies maintaining programs to reduce and control crime and shall include representatives of citizens, professional, and community organizations, including organizations directly related to delinquency prevention and must be in compliance with representation requirements outlined in the Crime Control Act and rules promulgated thereunder:

The South Dakota Criminal Justice Commission shall:

- a) Act in an advisory capacity on criminal justice matters to the Governor, the Legislature, and other interested parties.
- b) Establish policies for the prevention of crime and the improvement of the quality of justice in the State of South Dakota.
- c) Review, modify, approve, and maintain general oversight of the criminal justice plan for distribution of funds made available to the State, pursuant to Public Laws 90-351, 93-83, 93-415, and 94-503, as amended.
- d) Adopt criminal justice goals and standards which will set levels of performance for the criminal justice system.
- e) Discuss and review new trends in criminal justice and how they apply to South Dakota.
- f) Identify priorities and establish policy for the disbursement of crime control funds in South Dakota.
- g) Take action on all grant applications presented to it.
- h) Review progress and results of major projects funded through the development of the criminal justice plan.
- i) Discuss pending criminal justice legislation at both the federal and state level and make recommendations to the Governor, the legislature, and other interested parties.
- j) Perform such other functions consistent with the foregoing that the Governor or the Secretary from time to time may provide.

#### Section 5: Commission Procedures

One more than half of the members appointed to the Commission shall constitute a quorum and any action taken by

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CAMERA OPERATOR  
File 1000

the Commission shall be authorized by a majority of the members present at any regular or special meeting; provided, however, that a quorum is present and that a majority of two-thirds of the members present must authorize any changes in policy, rule, suspension of rules, or changes to the comprehensive criminal justice plan.

The Commission has the authority to adopt any by-laws, rules of order, or Commission policies that it deems necessary, provided, however, they are not in conflict with this Executive Order, federal or state law, or rules promulgated by the Department of Public Safety. It shall also have the authority to establish any subcommittees it deems necessary. The subcommittees shall serve under and be responsible to the body which established it. The by-laws, rules of order, and Commission policy shall apply to and also be binding upon all subcommittees of the Commission.

#### Section 6: Juvenile Justice

A Juvenile Justice and Delinquency Prevention Advisory Committee shall be established to advise the Commission on all matters pertaining to juvenile justice and delinquency prevention. This committee shall be appointed by the Governor, serve at his pleasure, and shall be composed of representatives consistent with all applicable rules and regulations.

Members of the Juvenile Justice and Delinquency Prevention Advisory Committee shall be appointed to three-year terms, provided, however, that the Governor shall initially name one-third of the members to one-year terms, one-third of the members to two-year terms, and one-third of the members to three-year terms. No member may serve more than two consecutive three-year terms.

The Governor shall designate one of the members as chairman.

The functions of the Juvenile Justice and Delinquency Prevention Advisory Committee shall be as follows:

- 1) Advise the South Dakota Criminal Justice Commission on problems, needs and priorities for juvenile justice and delinquency prevention as the Commission develops its comprehensive criminal justice plan.
- 2) Make recommendations to the Governor, the Division of Law Enforcement Assistance, and the State Criminal Justice Commission regarding the improvement and coordination of existing juvenile services and the development and implementation of new programs.
- 3) Review, in a manner consistent with established rules and procedures, all applications for funds under Public Laws 90-351, 93-83, 93-415, and 94-503, as amended.
- 4) Conduct special studies in the area of juvenile justice as the Governor and State Criminal Justice Commission requests them.
- 5) Review and make recommendations to the Governor and State Criminal Justice Commission on existing and pending juvenile legislation.
- 6) Review and make recommendations to the Governor and State Criminal Justice Commission on National and State Juvenile Justice Standards and Goals.

#### Section 7: Miscellaneous Provisions

All previous Executive Orders relating to the administration of Public Laws 90-351, 93-83, 93-415, and 94-503, as amended, are

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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel

hereby repealed.

NOW THEREFORE, I, RICHARD F. KNEIP, Governor of the State of South Dakota, by virtue of the authority vested in me by the constitution and statutes of this state, do hereby order and direct that the aforementioned directive be effective.

Dated at Pierre, South Dakota this 17<sup>th</sup> day of FEBRUARY, 1977.

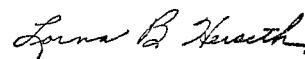
  
RICHARD F. KNEIP, GOVERNOR

ATTEST:

  
LORNA B. HERSEITH, SECRETARY OF STATE



Filed this 22<sup>nd</sup> day of Feb., 1977

  
SECRETARY OF STATE

DATE MICROFILMED

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File 1092

CRIMINAL JUSTICE COMMISSION  
COMPOSITION BY APPOINTING AUTHORITY

A. GOVERNOR

- (1) Chairman
- (2) Social Services
- (3) Tribal Representative
- (4) Legislator
- (5) Public Safety
- (6) Defense Attorney
- (7) County Government
- (8) Municipal Government
- (9) State Government Representative
- (10) State Government Representative
- (11) Citizen
- (12) Citizen
- (13) Citizen (Juvenile Justice)

B. COURTS

- (1) Chief Justice or designee
- (2) State Court Administrator
- (3) Circuit Court Judge
- (4) Circuit Court Judge
- (5) Court Services

C. ATTORNEY GENERAL

- (1) Attorney General
- (2) States Attorney
- (3) Sheriff
- (4) Police

D. OTHER

- (1) Charities and Corrections

Under the Safe Streets Act the Governor is the appointing authority for all positions on the Commission but the law limits his discretion specifically by requiring him to appoint certain court officials and generally by requiring the Commission to be representative of all segments of criminal justice.

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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Lloyd



CRIMINAL JUSTICE

- (1) Social Services
- (2) Public Safety
- (3) Defense Attorney
- (4) Chief Justice or designee
- (5) State Court Administrator
- (6) Circuit Court Judge
- (7) Circuit Court Judge
- (8) Court Services
- (9) Attorney General
- (10) States Attorney
- (11) Sheriff
- (12) Police
- (13) Charities and Corrections

NON-CRIMINAL JUSTICE

- (1) Chairman
- (2) Tribal Representative
- (3) Legislator
- (4) County Government
- (5) Municipal Government
- (6) Citizen
- (7) Citizen
- (8) Citizen
- (9) State Government Representative
- (10) State Government Representative

EXECUTIVE BRANCH

- (1) Chairman
- (2) Social Services
- (3) Public Safety
- (4) Attorney General
- (5) Charities & Corrections
- (6) State Government Representative
- (7) State Government Representative

LEGISLATIVE BRANCH

- (1) Legislator

JUDICIAL BRANCH

- (1) Chief Justice or Designee
- (2) State Court Administrator
- (3) Circuit Court Judge
- (4) Circuit Court Judge
- (5) Court Services

LOCAL GOVERNMENT

- (1) County Government
- (2) Municipal Government
- (3) States Attorney
- (4) Sheriff
- (5) Police

CITIZENS

- (1) Tribal Representative
- (2) Defense Attorney
- (3) Citizen
- (4) Citizen
- (5) Citizen

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DATE MICROFILMED Aug. 5, 1985

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File No.

EXECUTIVE ORDER: 77-4-A

Order amending Executive Order 77-4

July 21, 1978

State of South Dakota

Office of Secretary of State

ss.

Filed in the office of the Secretary of  
State on the 21st day of July

19 78

Lorna B. Neseth  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER 77-4-A  
AMENDING EXECUTIVE ORDER 77-4

WHEREAS, the Executive Branch of the State of South Dakota may better serve the people of the State by more efficient organization; and

WHEREAS, it is a prime goal of the state to reduce the incidence of crime and to increase the effectiveness, efficiency, and fairness of the criminal justice system; and

WHEREAS, these goals are consistent with national policy as set forth in Public Laws 90-351, 93-83, 93-415, and 94-503; and

WHEREAS, such Acts require the creation and designation of a state criminal justice planning agency subject to the jurisdiction of the Governor in order to qualify for assistance and cooperation of the federal government; and

WHEREAS, assistance and cooperation of the federal government is desirable; and

WHEREAS, the Division of Law Enforcement Assistance and the State Criminal Justice Commission have been created under the authority of SDCL 23-3-56;

IT IS, THEREFORE, BY EXECUTIVE ORDER directed that programs for the prevention of crime and improving the quality of justice in South Dakota pursuant to Public Laws 90-351, 93-83, 93-415, 94-503, and SDCL 23-3-56 be organized according to the provisions of this Order.

Section 1: Definitions

Terms as used in this Order, unless the context otherwise requires, shall mean:

- (1) "Department", Department of Public Safety;
- (2) "Secretary", Secretary of the Department of Public Safety;
- (3) "Division", Division of Law Enforcement Assistance;
- (4) "Chairman", Chairman of the South Dakota Criminal Justice Commission;
- (5) "Director", Director of the Division of Law Enforcement Assistance;
- (6) "Commission", South Dakota Criminal Justice Commission;
- (7) "Committee", Juvenile Justice Advisory Committee;
- (8) "Council", Judicial Planning Council;

Section 2: Organization

The Division of Law Enforcement Assistance and the South Dakota Criminal Justice Commission, herein be continued in the Department of Public Safety, created by

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South Dakota Compiled Law 1-34, to be administered under the direction and control of the Secretary of the Department of Public Safety.

The duties and functions of the Commission shall be performed under the direction and control of the Secretary of the Department of Public Safety, provided, however, that the Commission shall continue to exercise any advisory, quasi-legislative, quasi-judicial functions (as defined in S.D.C.L. 1-32-1) assigned to it by the provisions of this Order.

Section 3: Division: Personnel and Function

The Director of the Division of Law Enforcement Assistance shall be appointed by and serve at the pleasure of the Secretary of the Department of Public Safety; however, both the appointment and removal of the Director shall be subject to the approval of the Governor.

The Director, pursuant to S.D.C.L. 3-6A, may employ such staff as is permitted by law.

The Director, under the direction and control of the Secretary of the Department of Public Safety shall:

- a) contract with, appoint, and remove such administrative, research, technical, legal, clerical, and other personnel and consultants as may be necessary to carry out the provisions of this Executive Order.
- b) insure the preparation of the necessary applications for planning and block action grants under Public Laws 90-351, 93-415, and 94-503.
- c) establish a continuing planning and research process, which relates Division activity to district and local planning and program development; and which involves the collection and analysis of statistics and other information and data relevant to criminal justice in the State and for state criminal justice planning, management, and evaluation purposes.
- d) insure the preparation of a comprehensive state plan for criminal justice which is to be based on an analysis of crime and criminal justice problems in the State.
- e) define, develop, and correlate action programs designed to meet the needs and achieve the goals set forth in the comprehensive plan.
- f) encourage grant proposals from state and local criminal justice agencies and units of government by providing information to prospective aid recipients about the grant program.
- g) provide for the implementation of procedures consistent with the requirements of Public Laws 90-351, 93-83, 93-415, and 94-503 for review, award, and administration of action grants, as well as all discretionary fund grants the Division may agree to administer.
- h) measure performance under such grants through monitoring, evaluation, and audit of expenditures, as well as through oversight of the total state effort to implement the plan and the programs in the plan.
- i) provide technical assistance for programs and projects contemplated by the plan and by units of state and local government.
- j) encourage and support coordination and cooperation of the major elements of the criminal justice system, the several levels and branches of government, and those federal, state, regional, and local systems which support or relate to or have an impact on the criminal justice system.

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REDUCTION 25:1 ROLL NO. 1

DATE MICROFILMED Dec. 3, 1985

CAMERA OPERATOR Mike Deard

k) follow the recommendations of the Commission in disposing of each grant request, provided, however, that the Director, with the concurrence of the Secretary, shall refuse to issue a grant if:

- 1) it is determined by the Secretary of the Department of Public Safety that any laws of the State of South Dakota or the United States of America would be violated in the issuance of this grant; or
- 2) the procedures and requirements adopted by the Commission or the rules of the Department of Public Safety have not been met; or
- 3) The provisions and requirements of this Executive Order have not been met.

In addition to other responsibilities that the Secretary from time to time may assign to the Director, the Director shall be the chief administrator and executive officer of the Division. In this capacity, the Director may, with the approval of the Secretary of the Department of Public Safety, accept, agree to accept or contract for any grant, including federal grants, any contract, or any gift useful and proper for the conduct of the Division.

Section 4: Criminal Justice Commission: Composition and Functions  
(Section 4 of Executive Order 77-4 is hereby repealed and re-enacted as follows:)

"The State Commission on Criminal Justice Planning and Assistance, transferred to the Department of Public Safety by Section 29 of the Executive Reorganization Order of 1973 (Executive Order 73-1), is hereby continued and its name shall be changed and it shall be known as the South Dakota Criminal Justice Commission. Members of the Commission shall be organized and shall perform functions in accordance with applicable federal laws, the provisions of this order, and the rules promulgated under the authority of S.D.C.L. 1-34-9.

Membership on the Commission shall be in accordance with S.D.C.L. 23-3-56 to 23-3-63 inclusive.

In order to promote continuity in the operations of the Commission, the members identified in S.D.C.L. 23-3-57 (4), (5), (6), (7) and (8); S.D.C.L. 23-3-60 (2), (3), (4), and (5); S.D.C.L. 23-3-61, and S.D.C.L. 23-3-62 along with representatives from the Unified Court System, except for the Chief Justice or his designee and the State Court Administrator, shall be appointed for three year terms. No person appointed to one of these positions may serve more than six consecutive years. A person appointed to fill a vacancy, prior to the expiration of a term, shall be appointed for the remainder of the term.

The members identified in S.D.C.L. 23-3-57 (1), (2), and (3) shall serve at the pleasure of the Governor.

The remaining members of the Commission shall serve at the pleasure of the nominating authority.

The Commission must be representative of law enforcement and criminal justice agencies, including agencies directly related to the prevention and control of juvenile delinquency, units of general local government, public agencies maintaining programs to reduce and control crime and shall include representatives of citizens, professional, and community organizations, including organizations directly related to delinquency prevention and must be in compliance with representation requirements outlined in the Crime Control Act and rules promulgated thereunder:

The South Dakota Criminal Justice Commission shall:

- a) act in an advisory capacity on criminal justice matters to the Governor, the Legislature, and other interested parties.
- b) establish policies for the prevention of crime and the improvement of the quality of justice in the State of South Dakota.

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 25:1 ROLL NO 1

DATE MICROFILMED Aug. 3, 1985

CAMERA OPERATOR Mike Vogel

- c) review, modify, approve, and maintain general oversight of the criminal justice plan for distribution of funds made available to the State, pursuant to Public Laws 90-351, 93-83, 93-415 and 94-503, as amended.
- d) adopt criminal justice goals and standards which will set levels of performance for the criminal justice system.
- e) discuss and review new trends in criminal justice and how they apply to South Dakota.
- f) identify priorities and establish policy for the disbursement of crime control funds in South Dakota.
- g) take action on all grant applications presented to it.
- h) review progress and results of major projects funded through the development of the criminal justice plan.
- i) discuss pending criminal justice legislation at both the federal and state level and make recommendations to the Governor, the Legislature, and other interested parties.
- j) perform such other functions consistent with the foregoing that the Governor or the Secretary from time to time may provide.

#### Section 5: Commission Procedures

One more than half of the members appointed to the Commission shall constitute a quorum and any action taken by the Commission shall be authorized by a majority of the members present at any regular or special meeting; provided, however, that a quorum is present and that a majority of two-thirds of the members present must authorize any changes in policy, rule, suspension of rules, or changes to the comprehensive criminal justice plan.

The Commission has the authority to adopt any by-laws, rules of order, or Commission policies that it deems necessary, provided, however, they are not in conflict with this Executive Order, federal or state law, or rules promulgated by the Department of Public Safety. It shall also have the authority to establish any subcommittees it deems necessary. The subcommittees shall serve under, and be responsible to, the body which established it. The by-laws, rules of order, and Commission policy shall apply to and also be binding upon all subcommittees of the Commission.

#### Section 6: Committee and Council

In accordance with Public Laws 90-351, 93-83, 93-415, and 94-503 the following Committee and Council are authorized:

If the state chooses to participate in Public Law 93-415, a Juvenile Justice Advisory and Delinquency Prevention Committee shall be established to advise the Commission on all matters pertaining to juvenile justice and delinquency prevention. The court of last resort may establish a Judicial Planning Council as provided in Public Law 94-503 to develop an annual State Judicial Plan to be included in the State Comprehensive Plan.

#### Section 7: Miscellaneous Provisions

All previous Executive Orders relating to the administration of Public Laws 90-351, 93-83, 93-415, and 94-503, as amended, are hereby repealed.

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NOW, THEREFORE, I, RICHARD F. KNEIP, Governor of the State of South Dakota, by virtue of the authority vested in me by the Constitution and statutes of this state, do hereby order and direct that the aforementioned directive be effective.

Dated at Pierre, the Capital City, this 21<sup>st</sup> day of July, 1978.

  
RICHARD F. KNEIP, GOVERNOR

ATTEST:

  
LORNA B. HERSEITH, SECRETARY OF STATE

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File No.

EXECUTIVE ORDER 77-10

Agencies of South Dakota  
state government shall co-locate  
wherever possible in local areas

December 28, 1977

State of South Dakota

Office of Secretary of State

ss.

Filed in the office of the Secretary of

State on the 29th day of Dec.

1977

*Lynna B. Huseeth*

Secretary of State

By

Assistant Secretary of State

Fee received



STATE OF SOUTH DAKOTA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER 77-10

WHEREAS, various State government agencies have offices throughout the state to serve people at the local level; and

WHEREAS, many people need government service from more than one agency; and

WHEREAS, many of the agencies have need for close communication and in some instances operate joint programs; and

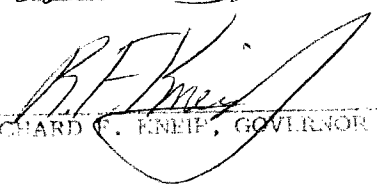
WHEREAS, welfare reform will increase the need for closer linkages between human resource agencies.

IT IS THEREFORE BY EXECUTIVE ORDER directed that agencies of South Dakota state government shall co-locate wherever possible in local areas where services are delivered by more than one agency.


Any variances to this Order must be approved in writing by the Governor and only after substantial written justification is presented by the Agency seeking such variances.

NOW, THEREFORE, I, RICHARD E. KNEIP, Governor of the State of South Dakota by virtue of the authority vested in me by the Constitution and statutes of this state, do hereby order and direct that agencies of South Dakota co-locate wherever possible pursuant to the terms of this order.

Dated at Pierre, the Capital City, this 28<sup>th</sup> day of December, 1977.

  
RICHARD E. KNEIP, GOVERNOR

ATTEST:

  
LORNA B. HERSETH, SECRETARY OF STATE

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CAMERA OPERATOR

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File No.

EXECUTIVE ORDER: 78-14

Relating to the conservation of  
energy, and resultant cost savings  
by Departments, Agencies and Insti-  
tutions of State Government.

State of South Dakota

Office of Secretary of State

} ss.

Filed in the office of the Secretary of

State on the 15th day of Aug.

19 78

Lorna B. Herseth  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

STATE OF SOUTH DAKOTA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER 78-14

RELATING TO THE CONSERVATION OF ENERGY, AND  
RESULTANT COST SAVINGS, BY DEPARTMENTS, AGENCIES  
AND INSTITUTIONS OF STATE GOVERNMENT.

WHEREAS, energy consumption by South Dakota state government has increased dramatically since 1974,

WHEREAS, the cost of energy to operate South Dakota state government now exceeds \$9 million annually;

WHEREAS, there is evidence of significant waste and inefficiency in the operation of state-owned and -leased buildings;

WHEREAS, significant variation exists in the use of and maintenance of state vehicles, which adversely affects their energy consumption;

WHEREAS, life cycle cost analysis and other efficiency-based procurement policies have been demonstrated to save energy and funds where implemented;

WHEREAS, there is a great need to monitor the energy end-use of state government in order to reduce said use and cost in the departments and institutions of the state;

WHEREAS, there is a need to inform state employers of the need for energy conservation in state government, and,

WHEREAS, there is a need to establish a comprehensive and coordinated energy management program with a strong commitment at all levels.

NOW, THEREFORE, I, Harvey Wollman, Governor of the State of South Dakota, do hereby direct the Office of Energy Policy (OEP) to prepare and implement an Energy Management Plan for state government, and further direct that administrators of all departments, agencies and institutions of the State of South Dakota shall extend their full cooperation to the Office of Energy Policy in such effort and further direct that:

1. The Secretary of each department and the chief executive of each of the state institutions designated by OEP shall each designate an energy management coordinator from their executive staff to work with the Office of Energy Policy, such designation to be provided to OEP within 10 days after receipt of this order,
2. The department secretaries and chief executive officers of state institutions will be expected to establish energy management programs consistent with goals and guidelines established by OEP,
3. The Office of Energy Policy will be charged with the responsibility of determining the appropriate measures by which state government may reduce its energy consumption 10% in the first year of the program's implementation. The OEP will report its recommendations to the Governor by November 1, 1978. Such report will detail personnel and capital expenditure priorities to promote energy conservation management.
4. Guidelines established by OEP will be implemented by January 1, 1979 by the Bureau of Administration. Thereafter, OEP will continue to monitor state energy conservation management and will continue to advise on matters of energy management.

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CAMERA OPERATOR Helen Lloyd

5. The chief executive of each department or institution shall be responsible to monitor energy consumption within that department or institution and to report to OEP quarterly, in a manner prescribed by OEP, which shall publish and distribute same.
6. OEP is also charged with the development of a program to continuously inform state employees of possible methods to conserve energy and to encourage employee participation in the energy management program.

Dated at Pierre, the Capital City, this 15 day of August, 1978.

*Harvey Wollman*  
HARVEY WOLLMAN, GOVERNOR

ATTEST:

*Lorna B. Herseth*  
LORNA B. HERSETH, SECRETARY OF STATE

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Receipt No.

Filed at Request of

File No.

EXECUTIVE ORDER 79-1

Pertaining primarily to reorganization within the office of Executive Management, Commerce and Consumer Affairs, and Wildlife, Parks and Forestry.

January 22, 1979

State of South Dakota  
Office of Secretary of State

} ss.

Filed in the office of the Secretary of  
State on the 22nd day of Jan.  
1979

*Alice Lunderb*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

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EXECUTIVE ORDER 79-1  
EXECUTIVE REORGANIZATION ORDER #1 OF 1979

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 54th Legislative Assembly on the 5th legislative day, being the 22nd day of January, 1979:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #1 of 1979."

Section 2. Any agency not enumerated in this order, but established by law within another agency which is transferred to a principal department under this order, shall also be transferred in its current form to the same principal department and its functions shall be allocated between itself and the principal department as they are now allocated between itself and the agency within which it is established.

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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel

Section 3. "Agency" as used in this order shall mean any board, commission, department, bureau, division or any other unit or organization of state government.

Section 4. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency, whether or not specifically provided for by law.

Section 5. Unless otherwise provided by this order, division directors shall be appointed by the head of the department or bureau of which the division is a part, and shall be removable at the pleasure of the department or bureau head, provided, however, that both the appointment and removal of division directors shall be subject to approval by the Governor. Departments and bureaus shall submit for approval to the commissioner of personnel minimum qualifications for the division director positions within their departments or bureaus.

Section 6. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

Section 7. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 8. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law, unless the statutory authority for such rules is superseded by this order.

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DATE MICROFILMED Apr. 3, 1985  
CAMERA OPERATOR Mike Legg

Section 9. It is hereby declared that the sections, clauses, sentences and parts of this executive order are severable, are not matters of mutual essential inducement, and any of them may be excised by any court of competent jurisdiction if any section, clause, sentence or part of this executive order would otherwise be unconstitutional or ineffective.

Section 10. In the event that it has been determined that a function of a transferred agency, which has not been eliminated by this order, and its associated records, personnel, equipment, facilities, unexpended balances or appropriations, allocations or other funds have not been clearly allocated to an agency, the Governor shall specify by interim procedures the allocation of the function and its associated resources. At the next legislative session following the issuance of such interim procedures, the Governor shall make recommendations concerning the proper allocation of the functions of transferred agencies which are not clearly allocated by this order. Any interim procedures issued in conjunction with this section shall be filed with the secretary of state.

Section 11. The rights, privileges and duties of the holders of bonds and other obligations issued, and of the parties to contracts, leases, indentures, and other transactions entered into, before the effective date of this order, by the state or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein, remain in effect, and none of those rights, privileges, duties, covenants, or agreements is impaired or diminished by the abolition of an agency in this order. The agency to which functions of another agency are transferred is substituted for that agency and succeeds to its rights and leases, indentures, and other transactions.

Section 12. No judicial or administrative suit, action or other proceeding lawfully commenced before the effective date of this order by or against any

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LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
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CAMERA OPERATOR *Thelma Vogel*



agency or any officer of the state, in his official capacity or in relation to the discharge of his official duties, shall abate or be affected by the reason of the taking effect of any reorganization under the provisions of this order. The court may allow the suit, action or other proceeding to be maintained by or against the successor of any agency or any officer affected by this order.

Section 13. If any part of this order is ruled to be in conflict with federal requirements which are a prescribed condition to the receipt of federal aid by the state, an agency or a political subdivision, that part of this order has no effect and the Governor may by executive order make necessary changes to this order to receive federal aid, and the changes will remain in effect until the last legislative day of the next legislative session or until the Legislature completes legislation addressed to the same question, whichever comes first.

Section 14. The effective date of sections 27 through 32 of the Executive Reorganization Order #1 of 1979 shall be July 1, 1979. The effective date of sections 1 through 26 and 33 through 35 of the Executive Reorganization Order #1 of 1979 shall be ninety days after its submission to the Legislature.

Section 15. Any provisions of law in conflict with this order are superseded.

Section 16. Whenever a function is transferred by this order, all personnel, records, property, unexpended balances of appropriations, allocations on other funds utilized in performing the function are also transferred by this order.

#### OFFICE OF EXECUTIVE MANAGEMENT

Section 17. The state police civil service commission as found in chapter 3-7 is hereby abolished. There is created a law enforcement civil service

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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel

commission. The commission shall consist of five members to be appointed by the Governor for a term of four years. Not all of the members shall be of the same political party.

Section 18. The terms of members who are first appointed after the effective date of this order shall be: one appointed for a term of one year; one appointed for a term of two years; two for a term of three years; and one for a term of four years, and such initial terms shall be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

Section 19. One member may be selected from five nominees submitted by a peace officers' association. One member may be selected from five nominees submitted by a fraternal order of police association. One member may be selected from five nominees submitted by a sheriffs' association. The nominations shall be transmitted to the Governor not later than thirty days prior to the expiration of any term, or in the case of a vacancy, not later than fifteen days after the vacancy exists.

Section 20. The previous functions exercised by the state police civil service commission are transferred to the law enforcement civil service commission.

Section 21. The state commission of Indian affairs shall be composed of twenty-four members, all of whom must be residents of South Dakota, and all of whom shall be voting members, namely:

- (1) the Governor, the secretary of the state department of health, the secretary of the state department of social services, the secretary of the state department of education and cultural affairs, the secretary of the state department of public safety, the secretary of the

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state department of agriculture, the secretary of the state department of water and natural resources, and the attorney general, or their designees;

- (2) the tribal chairperson from each of the nine recognized Indian tribes in South Dakota;
- (3) three members at large selected from Indian people who reside in nonreservation areas of the state;
- (4) two members of the house of representatives appointed by the speaker of the house, and two members of the South Dakota senate appointed by the president of the senate. Appointments shall be made during the first regular session of each term of the Legislature and for a two year term.

The members to be appointed under subdivision (3) of this section shall be selected by the Governor. The terms of such persons selected under subdivision (3) shall be for a period of two years and shall serve at the pleasure of the Governor. Section 1-4-2 is superseded.

Section 22. The Governor shall appoint a coordinator of Indian affairs who shall be a person knowledgeable in the area of tribal, state and federal Indian relationships, and the coordinator shall serve at the pleasure of the Governor. The powers and duties of the coordinator shall be assigned by the Governor. The coordinator shall be paid a salary to be determined by the Governor under the provisions of § 4-7-10.1. Section 1-4-7 is superseded.

Section 23. The personnel policy board created by chapter 3-6A is abolished. There is created a career service commission. The functions of the personnel policy board are transferred to the career service commission.

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Section 24. The career service commission shall be constituted of five members, not all of whom shall be of the same political party, and the members shall be appointed by the Governor for four year terms, with the advice and consent of the senate.

Section 25. The terms of members of the career service commission who are first appointed after the effective date of this order shall be: one appointed for a term of one year; one appointed for a term of two years; two for a term of three years; and one for a term of four years, and such initial terms shall be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

#### COMMERCE AND CONSUMER AFFAIRS

Section 26. The name of the department of commerce and consumer affairs is changed to department of commerce.

Section 27. The division of consumer protection of the department of commerce is abolished and a division of commercial inspection and regulation is hereby created within the department of commerce.

Section 28. The function of the former division of consumer protection pursuant to chapter 37-13 is transferred to the division of commercial inspection and regulation of the department of commerce.

Section 29. The function of the former division of consumer protection pursuant to chapter 37-26 is transferred to the division of commercial inspection and regulation of the department of commerce.

Section 30. The functions of the former division of consumer protection pursuant to chapters 37-21 and 37-22 are transferred to the division of commercial inspection and regulation of the department of commerce.

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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel

Section 31. The function of the department of agriculture pursuant to chapter 37-21A is transferred to the division of commercial inspection and regulation of the department of commerce.

Section 32. The function of the department of revenue pursuant to chapter 37-2A is transferred to the division of commercial inspection and regulation of the department of commerce.

Section 33. The housing development authority prescribed by chapter 28-19 is transferred to the department of commerce for reporting purposes.

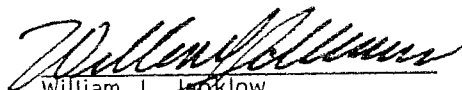
Section 34. The executive director of the housing development authority shall be appointed by the Governor and shall serve at the pleasure of the Governor. The Governor shall set the salary of the executive director who shall be paid from funds provided by the housing development authority. The salaries of the other employees shall be approved by the executive director.

#### WILDLIFE, PARKS AND FORESTRY

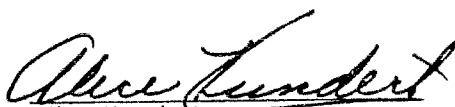
Section 35. The department of wildlife, parks and forestry shall be changed to the department of game, fish and parks. No expenditures of funds to change signs, stationery, or other means of identification shall be authorized until such materials need to be replaced due to normal depreciation and depletion.

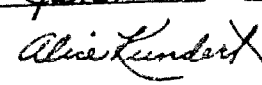
Dated this 22nd day of January, 1979.

Respectfully submitted,

  
William J. Jenklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State

Filed this 22nd day of  
Jan., 19 79  
  
ALICE KUNDERT  
SECRETARY OF STATE

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Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 79-2

Pertaining to the reorganiza-  
tion of the State Cement  
Commission

January 22, 1979

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary of  
State on the 22nd day of Jan.  
1979

Alice Lunder  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

EXECUTIVE ORDER 79-2

EXECUTIVE REORGANIZATION ORDER #2 OF 1979

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 54th Legislative Assembly on the 5th legislative day, being the 22nd day of January, 1979:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #2 of 1979."

Section 2. "Agency" as used in this order shall mean any board, commission, department, bureau, division or any other unit or organization of state government.

Section 3. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency whether or not specifically provided for by law.

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Section 4. Unless otherwise provided by this order, division directors shall be appointed by the head of the department or bureau of which the division is a part, and shall be removable at the pleasure of the department or bureau head, provided, however, that both the appointment and removal of division directors shall be subject to approval by the Governor. Departments and bureaus shall submit for approval to the commissioner of personnel minimum qualifications for the division director positions within their departments or bureaus.

Section 5. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

Section 6. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 7. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law.

Section 8. It is hereby declared that the sections, clauses, sentences and parts of this executive order are severable, are not matters of mutual essential inducement, and any of them may be exercised by any court of competent jurisdiction if any section, clause, sentence or part of this executive order would otherwise be unconstitutional or ineffective.

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Section 9. In the event that it has been determined that a function of a transferred agency, which has not been eliminated by this order, and its associated records, personnel, equipment, facilities, unexpended balances or appropriations, allocations or other funds have not been clearly allocated to a principal department or an administrative subunit or board or commission of such a department, the Governor shall specify by interim procedures the allocation of the function and its associated resources. At the next legislative session following the issuance of such interim procedures, the Governor shall make recommendations concerning the proper allocation of the functions of transferred agencies which are not clearly allocated by this order. Any interim procedures issued in conjunction with this section shall be filed with the secretary of state.

Section 10. No judicial or administrative suit, action or other proceeding lawfully commenced before the effective date of this order by or against any agency or any officer of the state, in his official capacity or in relation to the discharge of his official duties, shall abate or be affected by the reason of the taking effect of any reorganization under the provisions of this order. The court may allow the suit, action or other proceeding to be maintained by or against the successor of any agency or any officer affected by this order.

Section 11. If any part of this order is ruled to be in conflict with federal requirements which are a prescribed condition to the receipt of federal aid by the state, an agency or a political subdivision, that part of this order has no effect and the Governor may by executive order make necessary changes to this order to receive federal aid, and the changes will remain in effect until the last legislative day of the next legislative session or until the Legislature completes legislation addressed to the same question, whichever comes first.

Section 12. The effective date of the "Executive Reorganization Order #2 of 1979" shall be ninety days after submission to the Legislature.

Section 13. Any provisions of law in conflict with this order are superseded.

Section 14. The state cement commission created by § 5-17-2 is abolished. The South Dakota state cement plant commission is created.

Section 15. The state cement plant commission shall control and manage the state cement plant, and for reporting purposes only, it shall be transferred to the department of commerce. The state cement plant commission shall have all quasi-judicial, quasi-legislative, special budgetary and statutory functions previously performed by the state cement commission.

Section 16. The state cement plant commission shall consist of seven members to be appointed by the Governor. Members shall serve a four year term. No more than five members shall be members of the same political party. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve only for the unexpired term, but may be reappointed to a full term. The commission shall annually choose from its membership a chairman, a vice chairman and a secretary-treasurer. No member shall be removed from office except for cause.

Section 17. At least one commissioner, in the opinion of the Governor, shall be a person experienced in or having a favorable reputation for skill, knowledge and experience in business management. At least one commissioner, in the opinion of the Governor, shall be a person experienced in or having a favorable reputation for skill, knowledge and experience in personnel management. At least one commissioner, in the opinion of the Governor, shall be a person experienced in or having a favorable reputation for skill, knowledge and experience in private or public finance. At least one commissioner, in

the opinion of the Governor, shall be a person experienced in or having a favorable reputation for skill, knowledge and experience in marketing management. At least one member of the commission shall be, in the opinion of the Governor, a person who is a commercial user of products produced by the cement plant. Two members shall be from the public at large.

Section 18. The terms of members of the South Dakota state cement plant commission who are first appointed after the effective date of this order shall be: two appointed for a term of one year; two appointed for a term of two years; two for a term of three years; and one for a term of four years, and such initial terms shall be designated by the Governor.

Section 19. The South Dakota state cement plant commission shall perform and assume all the statutory, regulatory and other functions of the former state cement commission.

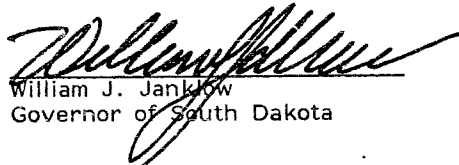
Section 20. The rights, privileges and duties of the holders of bonds and other obligations issued, and of the parties to contracts, leases, indentures, and other transactions entered into, before the effective date of this order, by the state cement commission, or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein, remain in effect, and none of those rights, privileges, duties, covenants, or agreements is impaired or diminished by the abolition of an agency in this order. The agency to which functions of another agency are transferred is substituted for that agency and succeeds to its rights and leases, indentures, and other transactions.

Section 21. Whenever a function is transferred by this order, all personnel, records, property, unexpended balances of appropriations, allocations on other funds utilized in performing the function are also transferred by this order.

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CAMERA OPERATOR Mike Lloyd

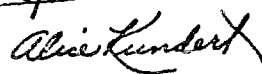
Dated this 22nd day of January, 1979.

Respectfully submitted,

  
William J. Janklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State

Filed this 22nd day of  
Jan., 19 79  
  
SECRETARY OF STATE

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Receipt No.

Filed at Request of

File No.

EXECUTIVE ORDER 79-3

Pertaining to the reorganization  
of Education and Cultural Affairs

January 22, 1979

State of South Dakota

Office of Secretary of State

} ss.

Filed in the office of the Secretary of

State on the 22nd day of Jan.

1979

*Alice Lunder*

Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

THIS IS TO CERTIFY THAT THE REPRODUCTION OF THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 35:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR *Hilda Vogel*

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### EXECUTIVE ORDER 79-3

### EXECUTIVE REORGANIZATION ORDER #3 OF 1979

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 54th Legislative Assembly on the 5th legislative day, being the 22nd day of January, 1979:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

#### GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #3 of 1979."

Section 2. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

Section 3. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is

invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 4. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law.

Section 5. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency, whether or not specifically provided for by law.

Section 6. The effective date of the "Executive Reorganization Order #3 of 1979" shall be ninety days after its submission to the Legislature.

Section 7. Any provisions of law in conflict with this order are superseded.

#### EDUCATION AND CULTURAL AFFAIRS

Section 8. The function of the state board of education to appoint the superintendent of elementary and secondary education pursuant to § 13-1-3, and the function of the board pursuant to § 13-1-9, are transferred to the secretary of the department of education and cultural affairs. The appointment of the superintendent shall be with the approval of the Governor, and the superintendent and personnel appointed pursuant to § 13-1-9 shall serve at the pleasure of the secretary. The superintendent shall be a full-time employee of the state of South Dakota.

Section 9. The function of the state board of vocational education pursuant to § 13-39-3 relating to the appointment of the director of the division of vocational education is transferred to the secretary of the department of education and cultural affairs. The director shall serve at the

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pleasure of the secretary. The function of the state board of vocational education and the director of the division of vocational education relating to the selection, the setting of qualifications, requirements and salaries of assistant, supervisors, staff members, clerks and other necessary personnel pursuant to § 13-39-6 is transferred to the secretary of the department of education and cultural affairs subject to chapter 3-6A.

Section 10. The function of the state library commission relating to the appointment and fixing of the compensation of the state librarian, pursuant to § 14-1-61 is transferred to the secretary of the department of education and cultural affairs. The appointment shall be subject to the approval of the Governor, and the state librarian shall serve at the pleasure of the secretary.

Section 11. The function of the state board of directors for educational television, pursuant to § 13-47-4, relating to the employment of such clerical help and assistance as may be necessary is hereby transferred to the secretary of the department of education and cultural affairs, subject to chapter 3-6A.

Section 12. The function of the fine arts council relating to the appointment of the executive director pursuant to § 1-22-5.1, is transferred to the secretary of the department of education and cultural affairs. The appointment will be subject to the approval of the Governor, and the executive director shall serve at the pleasure of the secretary.

Section 13. The function of the cultural preservation board relating to the appointment of the state archivist pursuant to § 1-18C-3; the director of the state historical society pursuant to § 1-18-20, and the state archeologist pursuant to § 1-20-19, are transferred to the secretary of the department of education and cultural affairs. The appointees are subject to the Governor's approval and shall serve at the pleasure of the secretary.


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Section 14. Subject to chapter 3-6A, the function of hiring, appointing and removing employees within the department of education and cultural affairs shall be vested in the secretary or his designee if not previously transferred by this order. All provisions of title 13 or chapter 1-45 that are in conflict with this provision are hereby superseded. This section shall not apply to employees of the board of regents and the division of higher education of the department of education and cultural affairs.

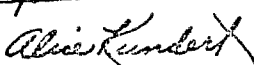
Dated this 22nd day of January, 1979.

Respectfully submitted,

  
William J. Janklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State

Filed this 22nd day of  
Jan., 19 79  
  
SECRETARY OF STATE

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Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 79-4

Pertaining primarily to the  
reorganization of the Department  
of Natural Resource Development

January 22, 1979

State of South Dakota  
Office of Secretary of State

} ss.

Filed in the office of the Secretary of  
State on the 22nd day of Jan.  
1979

Alice Lunderb  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED  
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DATE MICROFILMED Apr. 3, 1985  
CAMERA OPERATOR Mike Lloyd

#### EXECUTIVE ORDER 79-4

#### EXECUTIVE REORGANIZATION ORDER #4 OF 1979

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 54th Legislative Assembly on the 5th legislative day, being the 22nd day of January, 1979:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

#### GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #4 of 1979."

Section 2. Any agency not enumerated in this order, but established by law within another agency which is transferred to a principal department under this order, shall also be transferred in its current form to the same principal department and its functions shall be allocated between itself and the principal department as they are now allocated between itself and the agency within which it is established.

Section 3. "Agency" as used in this order shall mean any board, commission, department, bureau, division or any other unit or organization of state government.

Section 4. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency, whether or not specifically provided for by law.

Section 5. Unless otherwise provided by this order, division directors shall be appointed by the head of the department or bureau of which the division is a part, and shall be removable at the pleasure of the department or bureau head, provided, however, that both the appointment and removal of division directors shall be subject to approval by the Governor. Departments and bureaus shall submit for approval to the commissioner of personnel minimum qualifications for the division director positions within their departments or bureaus.

Section 6. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

Section 7. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 8. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law, unless the statutory authority for such rules is superseded by this order.

Section 9. It is hereby declared that the sections, clauses, sentences and parts of this executive order are severable, are not matters of mutual essential inducement, and any of them may be excised by any court of competent jurisdiction if any section, clause, sentence or part of this executive order would otherwise be unconstitutional or ineffective.

Section 10. In the event that it has been determined that a function of a transferred agency, which has not been eliminated by this order, and its associated records, personnel, equipment, facilities, unexpended balances or appropriations, allocations or other funds have not been clearly allocated to an agency, the Governor shall specify by interim procedures the allocation of the function and its associated resources. At the next legislative session following the issuance of such interim procedures, the Governor shall make recommendations concerning the proper allocation of the functions of transferred agencies which are not clearly allocated by this order. Any interim procedures issued in conjunction with this section shall be filed with the secretary of state.

Section 11. The rights, privileges and duties of the holders of bonds and other obligations issued, and of the parties to contracts, leases, indentures, and other transactions entered into, before the effective date of this order, by the state or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein, remain in effect, and none of those rights, privileges, duties, covenants, or agreements is impaired or diminished by the abolition of an agency in this order. The agency to which functions of another agency are transferred is substituted for that agency and succeeds to its rights and leases, indentures, and other transactions.

Section 12. No judicial or administrative suit, action or other proceeding lawfully commenced before the effective date of this order by or against any

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agency or any officer of the state, in his official capacity or in relation to the discharge of his official duties, shall abate or be affected by the reason of the taking effect of any reorganization under the provisions of this order. The court may allow the suit, action or other proceeding to be maintained by or against the successor of any agency or any officer affected by this order.

Section 13. If any part of this order is ruled to be in conflict with federal requirements which are a prescribed condition to the receipt of federal aid by the state, an agency or a political subdivision, that part of this order has no effect and the Governor may by executive order make necessary changes to this order to receive federal aid, and the changes will remain in effect until the last legislative day of the next legislative session or until the Legislature completes legislation addressed to the same question, whichever comes first.

Section 14. The effective date of Executive Reorganization Order #4 of 1979 shall be July 1, 1979.

Section 15. Any provisions of law in conflict with this order are superseded.

Section 16. Whenever a function is transferred by this order, all personnel, records, property, unexpended balances of appropriations, allocations on other funds utilized in performing the function are also transferred by this order.

#### WATER AND NATURAL RESOURCE DEVELOPMENT

Section 17. The department of environmental protection is abolished.

Section 18. The department of natural resource development is renamed the department of water and natural resources. The board of natural resource development is abolished. There is created a water and natural resources board. All functions exercised by the former board of natural

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resource development are transferred to the water and natural resources board. The water and natural resources board shall consist of seven members not all of the same political party and appointed by the Governor for four year terms. Section 1-40-5 is superseded.

Section 19. The terms of members of the water and natural resources board who are first appointed after the effective date of this order shall be: one appointed for a term of one year; two appointed for a term of two years; two for a term of three years; and two for a term of four years, and such initial terms shall be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

Section 20. The functions of the former department of environmental protection and the former secretary of environmental protection pursuant to chapters 34A-2, 34A-3, 34A-4, and 34A-9, are transferred to the department of water and natural resources and the secretary of water and natural resources.

Section 21. The divisions of water quality and water hygiene and their functions in the former department of environmental protection are transferred to the department of water and natural resources. The secretary of the department of water and natural resources shall perform the functions of the former secretary of the department of environmental protection, relating to the divisions of water quality and water hygiene, pursuant to chapters 34A-2, 34A-3, 34A-4 and 34A-9.

Section 22. The board of operator certification is transferred to the department of water and natural resources from the department of environmental protection. The board shall continue its advisory function pursuant to chapter 34A-3.

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Section 23. The weather modification commission is transferred to the department of water and natural resources.

Section 24. The water rights commission is abolished. There is created a water management board within the department of water and natural resources. The board shall consist of seven members to be appointed by the Governor for a term of four years, and no more than four members shall be of the same political party. The water management board shall perform the quasi-legislative, quasi-judicial, and special budgetary functions pursuant to chapters 34A-2, 34A-3, and 34A-4, and all advisory functions relating to water quality and water hygiene.

Section 25. The terms of members of the water management board who are first appointed after the effective date of this order shall be: two appointed for a term of one year; two appointed for a term of two years; two for a term of three years; and one for a term of four years, and such initial terms are to be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

Section 26. Two members of the board of water management shall be appointed to represent the public at large. One member shall be, in the opinion of the Governor, experienced in municipal government and operations. One member shall be, in the opinion of the Governor, experienced in irrigation methods and techniques. One member shall, in the opinion of the Governor, have knowledge of the concerns of domestic water users. One member shall be, in the opinion of the Governor, experienced in the area of industrial uses of water. One member shall represent fish and wildlife interests.

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Section 27. A majority of the appointed members of the water management board shall constitute a quorum. A majority of those present and voting shall be sufficient to perform official functions of the board.

Section 28. The board shall annually elect a chairman and other necessary officers. The board shall meet at least four times a year upon the call of the chairman or the secretary of the department of water and natural resources.

Section 29. All functions exercised by the former state water rights commission are transferred to the water management board.

Section 30. Any provision of titles 34A and 46 in conflict with this order are hereby superseded.

#### DEPARTMENT OF HEALTH

Section 31. The board of environmental protection is transferred to the department of health. The board of environmental protection shall exercise the functions pursuant to chapters 34A-1 and 34A-6, including its quasi-legislative, quasi-judicial, special budgetary and advisory functions.

Section 32. The division of air quality and solid waste and its functions in the former department of environmental protection are transferred to the department of health. The secretary of the department of health shall perform all the functions of the former secretary of the department of environmental protection relating to the division of air quality and solid waste in chapters 34A-1 and 34A-6.

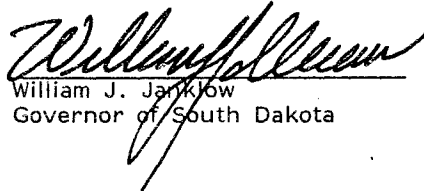
#### DEPARTMENT OF AGRICULTURE

Section 33. The state conservation commission prescribed by § 38-7-4 is reorganized to the extent that the secretary of environmental protection is replaced as a member by the secretary of water and natural resources.


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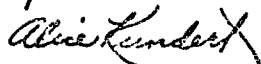
Dated this 22nd day of January, 1979.

Respectfully submitted,

  
William J. Janklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State

Filed this 22nd day of  
Jan., 19 79  
  
SECRETARY OF STATE

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Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 79-5

Pertaining to the reorganization  
of the Department of Transportation

January 22, 1979

State of South Dakota

Office of Secretary of State

} ss.

Filed in the office of the Secretary of

State on the 22nd day of Jan.

1979

*Alice Lunderb*

Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

EXECUTIVE ORDER 79-5  
EXECUTIVE REORGANIZATION ORDER #5 OF 1979

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 54th Legislative Assembly on the 5th legislative day, being the 22nd day of January, 1979:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #5 of 1979."

Section 2. Any agency not enumerated in this order, but established by law within another agency which is transferred to a principal department under this order, shall also be transferred in its current form to the same principal department and its functions shall be allocated between itself and the principal department as they are now allocated between itself and the agency within which it is established.

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DATE MICROFILMED Aug. 3, 1985

CAMERA OPERATOR Mike Vogel

Section 3. "Agency" as used in this order shall mean any board, commission, department, bureau, division or any other unit or organization of state government.

Section 4. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency, whether or not specifically provided for by law.

Section 5. Unless otherwise provided by this order, division directors shall be appointed by the head of the department or bureau of which the division is a part, and shall be removable at the pleasure of the department or bureau head, provided, however, that both the appointment and removal of division directors shall be subject to approval by the Governor. Departments and bureaus shall submit for approval to the commissioner of personnel minimum qualifications for the division director positions within their departments or bureaus.

Section 6. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

Section 7. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 8. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law, unless the statutory authority for such rules is superseded by this order.

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 25:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Lloyd

Section 9. It is hereby declared that the sections, clauses, sentences and parts of this executive order are severable, are not matters of mutual essential inducement, and any of them may be excised by any court of competent jurisdiction if any section, clause, sentence or part of this executive order would otherwise be unconstitutional or ineffective.

Section 10. In the event that it has been determined that a function of a transferred agency, which has not been eliminated by this order, and its associated records, personnel, equipment, facilities, unexpended balances or appropriations, allocations or other funds have not been clearly allocated to an agency, the Governor shall specify by interim procedures the allocation of the function and its associated resources. At the next legislative session following the issuance of such interim procedures, the Governor shall make recommendations concerning the proper allocation of the functions of transferred agencies which are not clearly allocated by this order. Any interim procedures issued in conjunction with this section shall be filed with the secretary of state.

Section 11. The rights, privileges and duties of the holders of bonds and other obligations issued, and of the parties to contracts, leases, indentures, and other transactions entered into, before the effective date of this order, by the state or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein, remain in effect, and none of those rights, privileges, duties, covenants, or agreements is impaired or diminished by the abolition of an agency in this order. The agency to which functions of another agency are transferred is substituted for that agency and succeeds to its rights and leases, indentures, and other transactions.

Section 12. No judicial or administrative suit, action or other proceeding lawfully commenced before the effective date of this order by or against any

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agency or any officer of the state, in his official capacity or in relation to the discharge of his official duties, shall abate or be affected by the reason of the taking effect of any reorganization under the provisions of this order. The court may allow the suit, action or other proceeding to be maintained by or against the successor of any agency or any officer affected by this order.

Section 13. If any part of this order is ruled to be in conflict with federal requirements which are a prescribed condition to the receipt of federal aid by the state, an agency or a political subdivision, that part of this order has no effect and the Governor may by executive order make necessary changes to this order to receive federal aid, and the changes will remain in effect until the last legislative day of the next legislative session or until the Legislature completes legislation addressed to the same question, whichever comes first.

Section 14. The effective date of Executive Reorganization Order #5 of 1979 shall be ninety days after its submission to the Legislature.

Section 15. Any provisions of law in conflict with this order are superseded.

Section 16. Whenever a function is transferred by this order, all personnel, records, property, unexpended balances of appropriations, allocations on other funds utilized in performing the function are also transferred by this order.

#### DEPARTMENT OF TRANSPORTATION

Section 17. The board of transportation, as created by § 1-44-4, is abolished.

Section 18. There is created a state transportation commission within the department of transportation. The state transportation commission shall consist of eleven members. Ten of the members shall be appointed by the

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CAMERA OPERATOR

Governor and the eleventh member shall be the secretary of transportation. The secretary of transportation shall be a nonvoting member of the commission, provided, however, that in the event of a tie vote, the secretary of transportation shall cast the deciding vote. Not all members of the commission shall be from the same political party.

Section 19. Two members of the state transportation commission shall be appointed to represent each of the following geographic areas and at all times during each respective appointment shall be a resident of such area:

- (1) Area one, consisting of the counties of Campbell, McPherson, Walworth, Edmunds, Faulk, Brown, Spink, Marshall, Day, Clark, Roberts and Grant;
- (2) Area two, consisting of the counties of Hyde, Hand, Buffalo, Jerauld, Beadle, Sanborn, Kingsbury, Miner, Lake, Moody, Brookings, Hamlin, Codington and Deuel;
- (3) Area three, consisting of the counties of Brule, Gregory, Charles Mix, Aurora, Douglas, Davison, Hutchinson, Bon Homme, Yankton, Turner, Hanson, McCook, Minnehaha, Lincoln, Clay and Union;
- (4) Area four, consisting of the counties of Corson, Ziebach, Dewey, Haakon, Stanley, Potter, Sully, Hughes, Jackson, Jones, Lyman, Bennett, Mellette, Todd and Tripp;
- (5) Area five, consisting of the counties of Harding, Perkins, Butte, Meade, Lawrence, Pennington, Custer, Fall River and Shannon.

Section 20. The terms of members of the state transportation commission who are first appointed after the effective date of this order shall be: two appointed for a term of one year; two appointed for a term of two years; four for a term of three years; and two for a term of four years, and such initial terms shall be designated by the Governor, provided that the appointments

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CAMERA OPERATOR Mike Hegd

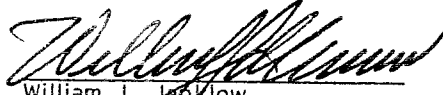


shall be made in such a manner that the terms of members from the same geographic areas prescribed in this order do not expire at the same time. No two members shall at the same time be a resident of the same county. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

Section 21. The state transportation commission shall perform all statutory and other functions of the former board of transportation including all quasi-legislative, quasi-judicial, administrative and special budgetary functions as defined by law.

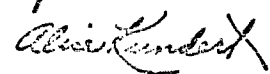
Dated this 22nd day of January, 1979.

Respectfully submitted,

  
William J. Jenklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State

Filed this 22nd day of  
Jan., 19 79  
  
SECRETARY OF STATE

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Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 79-6

Pertaining to the reorganization  
of the Professional Practices  
and Standards Commission

January 22, 1979

State of South Dakota  
Office of Secretary of State

} ss.

Filed in the office of the Secretary of  
State on the 22nd day of Jan.  
1979

*Alice Kunder*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

EXECUTIVE ORDER 79-6  
EXECUTIVE REORGANIZATION ORDER #6 OF 1979

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 54th Legislative Assembly on the 5th legislative day, being the 22nd day of January, 1979:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #6 of 1979."

Section 2. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

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DATE MICROFILMED MAR. 3, 1985  
CAMERA OPERATOR *John D. [illegible]*

Section 3. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 4. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law.

Section 5. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency, whether or not specifically provided for by law.

Section 6. The effective date of the "Executive Reorganization Order #6 of 1979" shall be ninety days after its submission to the Legislature.

Section 7. Any provisions of law in conflict with this order are superseded.

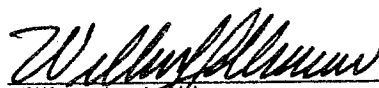
#### EDUCATION AND CULTURAL AFFAIRS

Section 8. The professional practices and standards commission as created by § 13-43-17 shall consist of thirteen members. In addition to the other members authorized by law there shall be seven representative members who shall be employed as full-time teachers, at least five of whom shall be classroom teachers. None of the seven representatives shall be school administrators. This order shall supersede subdivision (1) of § 13-43-17.

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CAMERA OPERATOR Mike Lloyd

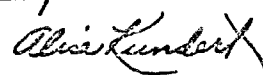
Dated this 22nd day of January, 1979.

Respectfully submitted,

  
William J. Janklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State

Filed this 22nd day of  
Jan., 19 79  
  
SECRETARY OF STATE

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED  
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DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Alice Lundert

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER No. 79-10

AUTHORIZES THE CHIEF EXECUTIVE  
OF THE STATE TO ESTABLISH AND  
MAINTAIN A PLANNING AGENCY FOR  
LAW ENFORCEMENT AND CRIMINAL  
JUSTICE PLANNING

May 9, 1979

State of South Dakota

Office of Secretary of State

ss.

Filed in the office of the Secretary of

State on the 9th day of May

1979

Alice Lundert  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER 79-10

WHEREAS, Public Law 90-351, as amended by Public Laws 91-644, 93-83, 93-415, 94-430 and 94-503, authorizes the chief executive of the state to establish and maintain a planning agency for law enforcement and criminal justice planning; and

WHEREAS, Public Law 90-351, as amended, provides that the agency is to be designated by the chief executive of South Dakota and subject to the jurisdiction of the chief executive; and

WHEREAS, Executive Order 77-1-A and Chapter 23-3 create such an agency known as the state criminal justice planning agency and advisory commission and Chapter 23-3 provides the method for nomination to such commission; and

WHEREAS, The Governor of South Dakota is desirous to exercise the authority granted to him by Chapter 23-3 and Public Law 90-351 as amended in a manner to best serve the interests of the criminal justice system and the citizens of the State of South Dakota:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the terms of members of the commission shall be set in accordance with this order.

Section 1. Terms of Commission Members.

The members of the commission created by SDCL 23-3-56 and identified in SDCL 23-3-57, 23-3-58, except the Chief Justice of the South Dakota Supreme Court and the South Dakota court administrator, 23-3-59, 23-3-60(2), (3), (4), and (5), 23-3-61 and 23-3-62 shall serve at the pleasure of the Governor.

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Section 2. All provisions of Executive Order 77-4A relating to terms of service of members of the commission or any provisions of previous executive orders in conflict with the provisions of this order are hereby repealed.

NOW, THEREFORE, I, WILLIAM J. JANKLOW, Governor of the State of South Dakota, by virtue of the authority vested in me by the Constitution and statutes of the State, do hereby order and direct that the aforementioned directive be effective.

Dated at Pierre, the Capital City, this 9th day of May, 1979.



*William J. Janklow*  
WILLIAM J. JANKLOW, GOVERNOR

ATTEST

*Alice Kundert*  
ALICE KUNDERT, SECRETARY OF STATE

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Receipt No.

Filed at Request of

File No.

EXECUTIVE ORDER 79-17

DESIGNATION OF THE CENTER FOR HEALTH  
STATISTICS

September 25, 1979

State of South Dakota

Office of Secretary of State

} ss.

Filed in the office of the Secretary of  
State on the 25th day of Sept.  
1979

Alice Lundert  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED  
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STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER 79-17

Designation of the Center for Health Statistics

WHEREAS, There exists a need for uniform, timely, accurate, and accessible health information regarding South Dakota citizens within state, local, and federal government agencies, educational institutions, and health-related organizations; and,

WHEREAS, These health data needs are better served by a coordinated data system which can produce uniform, timely, accurate, and accessible health data and reduce the duplication of data collection efforts; and,

WHEREAS, The Health Services Research, Health Statistics and Health Care Technology Act of 1978, hereinafter referred to as Public Law 95-623, establishes the Cooperative Health Statistics System and provides for a health data network designed to meet these health data needs; and,

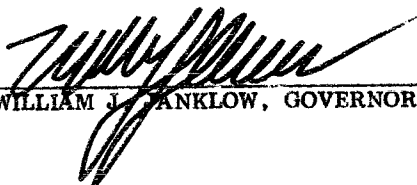
WHEREAS, Public Law 95-623 requires that one organization within each state be designated as the agency responsible for administering the activities under the Cooperative Health Statistics System; and,

WHEREAS, The State Department of Health, Center for Health Statistics, has demonstrated the ability to effectively plan, implement and manage a system for the collection and analysis of health data and develop the principles of the Cooperative Health Statistics System:

NOW, THEREFORE, I, WILLIAM J. JANKLOW, Governor of the State of South Dakota, by virtue of the authority vested in me by the Constitution and the statutes of this State, do hereby order and direct that the State Department of Health, Center for Health Statistics, be designated as the state agency responsible for administering the Cooperative Health Statistics system required by Public Law 95-623 in South Dakota.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS & INFORMATION  
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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Lloyd

Dated at Pierre, the Capital City, this 25<sup>th</sup> day of September, 1979.

  
WILLIAM J. FRANKLOW, GOVERNOR

  
ALICE KUNDERT, SECRETARY OF STATE

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

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Dec. 3, 1985  
DATE MICROFILMED  
CAMERA OPERATOR  
Alice Lundert

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER #79-18

INCREASED THE GRAIN HAULING CAPACITY OF  
TRUCKS BY MAKING LOAD-LIMIT ALLOWANCES

November 5, 1979

State of South Dakota

Office of Secretary of State

} ss.

Filed in the office of the Secretary of

State on the 5th day of Nov.

19 79

*Alice Lundert*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

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THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ALLEGED REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 25:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Vogel

STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER 79-18

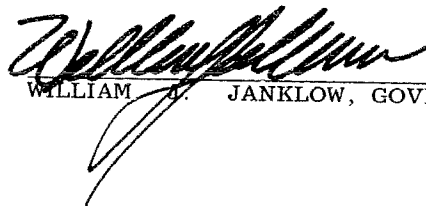
WHEREAS, Executive Order 79-16 increased the grain hauling capacity of trucks by making load-limit allowances; and

WHEREAS, Executive Order 79-16 was issued to deal with the transportation problems occasioned by the Duluth-Superior grain millers strike; and,

WHEREAS, The Duluth-Superior grain millers strike is now ended:

NOW, THEREFORE, I, WILLIAM J. JANKLOW, Governor of the State of South Dakota, by virtue of the authority vested in me by the Constitution and the laws of the State of South Dakota, do hereby terminate the special allowances previously granted under Executive Order 79-16.

Dated at Pierre, the Capital City, this 5<sup>th</sup> day of November, 1979.

  
WILLIAM J. JANKLOW, GOVERNOR

ATTEST:

  
ALICE KUNDERT, SECRETARY OF STATE

Receipt No.

Filed at Request of

File No.

EXECUTIVE ORDER 79-20

DECLARING THAT ALL MEETINGS AND  
CONFRENCES MUST BE HELD IN A  
PLACE THAT IS ACCESSIBLE TO HAND-  
ICAPPED CITIZENS WHO WISH TO ATTEND

December 6, 1979

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary of

State on the 6th day of Dec.

1979

*Alice Kunder*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED  
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC  
REPRODUCTIONS.  
REDUCTION 35:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR B. Lee Vogel

STATE OF SOUTH DAKOTA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER 79-20

WHEREAS, Handicapped persons are an alert, capable and energetic part of South Dakota's society; and,

WHEREAS, The loss or impairment of a limb, organ or a faculty does not end a person's productive life and therefore should not end his or her involvement in government; and,

WHEREAS, The nonhandicapped citizens' abilities to easily climb a stairway to attend meetings, read meeting agenda, and listen to presentations all too often diminishes an awareness of the needs of handicapped people; and,

WHEREAS, The policy of South Dakota state government since January, 1979, has been to maximize the participation of the handicapped in South Dakota's worlds of work, leisure and government; and,

WHEREAS, It is incumbent on the State of South Dakota to encourage barrier-free environments in both the public and private sector, and to lead the way toward that environment by example;

IT IS THEREFORE BY EXECUTIVE ORDER directed that:

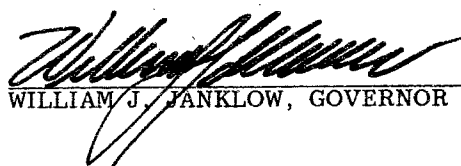
1. In the absence of compelling reasons dictating otherwise, no meeting or conference conducted under the auspices of a Board, Commission, Department or Agency under the jurisdiction of the Governor shall be held in a public or private place that is not accessible to handicapped citizens who wish to attend.
2. Notices of meetings and conferences covered by this order shall request handicapped persons to inform those responsible for conducting the meeting or conference of their anticipated attendance.
3. Upon proper notice of the anticipated attendance of a handicapped individual, those responsible for conducting the meeting or conference shall provide assistance to facilitate easy physical access. State agencies shall make their barrier-free facilities available to other state agencies to fulfill the purposes of this order.
4. The Secretary of Vocational Rehabilitation shall investigate any violations of this order and report findings directly to the Governor.

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 25:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Vogel

NOW THEREFORE, I, WILLIAM J. JANKLOW, Governor of the State of South Dakota, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby order and direct that this order is in effect from this date forward.

Dated at Pierre, the Capital City, this 6<sup>th</sup> day of December, 1979.

  
WILLIAM J. JANKLOW, GOVERNOR

ATTEST:

  
ALICE KUNDERT, SECRETARY OF STATE

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CONTROLLING & MAINTENANCE  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE  
ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED  
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
AND ON MICROFILM WHICH MEET THE REQUIRED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC  
REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Kyle Lloyd



THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 25:1 ROLL NO 1

DATE MICROFILMED Dec. 3, 1985

CAMERA OPERATOR Mike Vogel

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 80-1

Office of Executive Management

State of South Dakota  
Office of Secretary of State

} ss.

Filed in the office of the Secretary of  
State on the 14th day of Jan.  
1980

Alice Lunder  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

EXECUTIVE ORDER 80-1  
EXECUTIVE REORGANIZATION ORDER #1 OF 1980

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 55th Legislative Assembly on the 5th legislative day, being the 14th day of January, 1980:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #1 of 1980."

Section 2. Any agency not enumerated in this order, but established by law within another agency which is transferred to a principal department under this order, shall also be transferred in its current form to the same principal department and its functions shall be allocated between itself and the principal department as they are now allocated between itself and the agency within which it is established.

Section 3. "Agency" as used in this order shall mean any board, commission, department, bureau, division or any other unit or organization of state government.

Section 4. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency, whether or not specifically provided for by law.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.  
REDUCTION 25:1 ROLL NO 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Logg

Section 5. Unless otherwise provided by this order, division directors shall be appointed by the head of the department or bureau of which the division is a part, and shall be removable at the pleasure of the department or bureau head, provided, however, that both the appointment and removal of division directors shall be subject to approval by the Governor. Departments and bureaus shall submit for approval to the commissioner of personnel minimum qualifications for the division director positions within their departments or bureaus.

Section 6. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

Section 7. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 8. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law, unless the statutory authority for such rules is superseded by this order.

Section 9. It is hereby declared that the sections, clauses, sentences and parts of this executive order are severable, are not matters of mutual essential inducement, and any of them may be excised by any court of competent jurisdiction if any section, clause, sentence or part of this executive order would otherwise be unconstitutional or ineffective.

Section 10. In the event that it has been determined that a function of a transferred agency, which has not been eliminated by this order, and its associated records, personnel, equipment, facilities, unexpended balances or appropriations, allocations or other funds have not been clearly allocated to an agency, the Governor shall specify by interim procedures the allocation of the function and its associated resources. At the next legislative session following the issuance of such interim procedures, the Governor shall make recommendations concerning the proper allocation of the functions of transferred agencies which are not clearly allocated by this order. Any interim procedures issued in conjunction with this section shall be filed with the secretary of state.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.  
REDUCTION 35:1 ROLL NO. 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Lloyd

Section 11. The rights, privileges and duties of the holders of bonds and other obligations issued, and of the parties to contracts, leases, indentures, and other transactions entered into, before the effective date of this order, by the state or by any agency, officer, or employee thereof, and cover nts and agreements as set forth therein, remain in effect, and none of those rights, privileges, duties, covenants, or agreements is impaired or diminished by the abolition of an agency in this order. The agency to which functions of another agency are transferred is substituted for that agency and succeeds to its rights and leases, indentures, and other transactions.

Section 12. No judicial or administrative suit, action or other proceeding lawfully commenced before the effective date of this order by or against any agency or any officer of the state, in his official capacity or in relation to the discharge of his official duties, shall abate or be affected by the reason of the taking effect of any reorganization under the provisions of this order. The court may allow the suit, action or other proceeding to be maintained by or against the successor of any agency or any officer affected by this order.

Section 13. If any part of this order is ruled to be in conflict with federal requirements which are a prescribed condition to the receipt of federal aid by the state, an agency or a political subdivision, that part of this order has no effect and the Governor may by executive order make necessary changes to this order to receive federal aid, and the changes will remain in effect until the last legislative day of the next legislative session or until the Legislature completes legislation addressed to the same question, whichever comes first.

Section 14. The effective date of the Executive Reorganization Order #1 of 1980 shall be ninety days after its submission to the Legislature.

Section 15. Any provisions of law in conflict with this order are superseded.

Section 16. Whenever a function is transferred by this order, all personnel, records, property, unexpended balances of appropriations, allocations on other funds utilized in performing the function are also transferred by this order.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICATION  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE  
ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED  
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC  
REPRODUCTIONS. REDUCTION 35:1 ROLL NO 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Hegel

## OFFICE OF EXECUTIVE MANAGEMENT

Section 17. The committees on standards to fix uniform specifications for state purchases, as created by chapter 5-23 are abolished.

Section 18. The South Dakota building authority as found in chapter 5-12 is abolished. There is created the building authority of South Dakota. The building authority shall consist of seven members to be appointed by the Governor with the advice and consent of the Senate for a term of four years. Not all of the members shall be of the same political party. No person shall be appointed to the building authority who is an elected official of the state of South Dakota or any subdivision thereof. One of the members shall be designated by the Governor as chairman.

Section 19. The terms of members who are first appointed after the effective date of this order shall be: Three appointed for a term of one year; three appointed for a term of two years; and one for a term of four years, and such initial terms shall be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

Section 20. The previous functions exercised by the South Dakota building authority are transferred to the building authority of South Dakota.

Section 21. The capitol grounds enlargement and beautification commission and the capitol building restoration and renovation commission as found in chapter 5-15 are abolished. There is created a state capitol complex restoration and beautification commission. The commission shall consist of five members to be appointed by the Governor for a term of four years, not all of whom shall be of the same political party.

Section 22. The terms of members who are first appointed after the effective date of this order shall be: Two appointed for a term of one year; two appointed for a term of two years; and one for a term of four years, and such initial terms shall be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 35:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Vogel

Section 23. The functions previously exercised by the capitol grounds enlargement and beautification commission and the capitol building restoration and renovation commission are transferred to the state capitol complex restoration and beautification commission.

Dated this 14th day of January, 1980.

Respectfully submitted,

  
William J. Janklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State



STATE OF SOUTH DAKOTA - BUREAU OF ADJUTANT GENERAL - OFFICE OF RECORDS MANAGEMENT - CLERK OF COURTS & COMMISSIONERS  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 80-3

DEPT. OF AGRICULTURE

State of South Dakota  
Office of Secretary of State

} ss.

Filed in the office of the Secretary of  
State on the 14th day of Jan  
1980

*Alice Lunder*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

REDUCTION 25:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Logg

EXECUTIVE ORDER 80-3  
EXECUTIVE REORGANIZATION ORDER #3 OF 1980

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 55th Legislative Assembly on the 5th legislative day, being the 14th day of January, 1980:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #3 of 1980."

Section 2. Any agency not enumerated in this order, but established by law within another agency which is transferred to a principal department under this order, shall also be transferred in its current form to the same principal department and its functions shall be allocated between itself and the principal department as they are now allocated between itself and the agency within which it is established.

Section 3. "Agency" as used in this order shall mean any board, commission, department, bureau, division or any other unit or organization of state government.

Section 4. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency, whether or not specifically provided for by law.

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILATION  
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC  
REPRODUCTIONS. REDUCTION 25:1 ROLL NO 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Leach



Section 5. Unless otherwise provided by this order, division directors shall be appointed by the head of the department or bureau of which the division is a part, and shall be removable at the pleasure of the department or bureau head, provided, however, that both the appointment and removal of division directors shall be subject to approval by the Governor. Departments and bureaus shall submit for approval to the commissioner of personnel minimum qualifications for the division director positions within their departments or bureaus.

Section 6. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

Section 7. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 8. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law, unless the statutory authority for such rules is superseded by this order.

Section 9. It is hereby declared that the sections, clauses, sentences and parts of this executive order are severable, are not matters of mutual essential inducement, and any of them may be excised by any court of competent jurisdiction if any section, clause, sentence or part of this executive order would otherwise be unconstitutional or ineffective.

Section 10. In the event that it has been determined that a function of a transferred agency, which has not been eliminated by this order, and its associated records, personnel, equipment, facilities, unexpended balances or appropriations, allocations or other funds have not been clearly allocated to an agency, the Governor shall specify by interim procedures the allocation of the function and its associated resources. At the next legislative session following the issuance of such interim procedures, the Governor shall make recommendations concerning the proper allocation of the functions of transferred agencies which are not clearly allocated by this order. Any interim procedures issued in conjunction with this section shall be filed with the secretary of state.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE  
ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED  
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC  
REPRODUCTIONS. REDUCTION 25:1 ROLL NO 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR John Uggel

Section 11. The rights, privileges and duties of the holders of bonds and other obligations issued, and of the parties to contracts, leases, indentures, and other transactions entered into, before the effective date of this order, by the state or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein, remain in effect, and none of those rights, privileges, duties, covenants, or agreements is impaired or diminished by the abolition of an agency in this order. The agency to which functions of another agency are transferred is substituted for that agency and succeeds to its rights and leases, indentures, and other transactions.

Section 12. No judicial or administrative suit, action or other proceeding lawfully commenced before the effective date of this order by or against any agency or any officer of the state, in his official capacity or in relation to the discharge of his official duties, shall abate or be affected by the reason of the taking effect of any reorganization under the provisions of this order. The court may allow the suit, action or other proceeding to be maintained by or against the successor of any agency or any officer affected by this order.

Section 13. If any part of this order is ruled to be in conflict with federal requirements which are a prescribed condition to the receipt of federal aid by the state, an agency or a political subdivision, that part of this order has no effect and the Governor may by executive order make necessary changes to this order to receive federal aid, and the changes will remain in effect until the last legislative day of the next legislative session or until the Legislature completes legislation addressed to the same question, whichever comes first.

Section 14. The effective date of the Executive Reorganization Order #3 of 1980 shall be ninety days after its submission to the Legislature.

Section 15. Any provisions of law in conflict with this order are superseded.

Section 16. Whenever a function is transferred by this order, all personnel, records, property, unexpended balances of appropriations, allocations on other funds utilized in performing the function are also transferred by this order.

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED  
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC  
REPRODUCTIONS. REDUCTION 35:1 ROLL NO 1  
DATE MICROFILMED Dec. 3 1985  
CAMERA OPERATOR Mike Leach

DEPARTMENT OF AGRICULTURE

Section 17. The state fair board as found in Chapter 1-21 is abolished. There is created a state fair commission within the department of agriculture. The commission shall consist of seven members appointed by the Governor for a term of four years. The members shall not be all of the same political party.


Section 18. The terms of members who are first appointed after the effective date of this order shall be: Three appointed for a term of one year; three appointed for a term of two years; and one for a term of four years, and such initial terms shall be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

Section 19. One member shall be appointed from each of the five districts as set forth in Section 1-21-1.2. Two members shall be appointed at large.


Section 20. The previous functions of the state fair board are transferred to the state fair commission.

Dated this 14th day of January, 1980.

Respectfully submitted,

  
William J. Janklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State



THIS IS TO CERTIFY THAT THE MICROFILMED COPY OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF THE ABOVE RECORDS WAS IN A MANNER  
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTODUPLICATION  
REPRODUCTIONS. REDUCTION 25:1 ROLL NO 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Hilda Vogel

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 80-4

STATE TRANSPORTATION COMMISSION

State of South Dakota } ss.  
Office of Secretary of State

Filed in the office of the Secretary of  
State on the 14th day of Jan.

19 80  
Alice Lunderb  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

REDUCTION 35:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR John L. 10988

EXECUTIVE ORDER 80-4  
EXECUTIVE REORGANIZATION ORDER #4 OF 1980

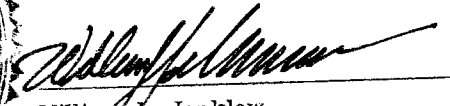
WHEREAS, Executive Order 79-5 created the state transportation commission and did not provide terms for the members:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the terms of state transportation commission members appointed after July 1, 1980, shall be four years.

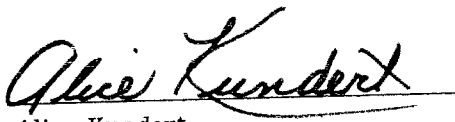
Dated this 14th day of January, 1980.



Respectfully submitted,

  
William J. Janklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 35:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Bela Legel

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - DIVISION OF ADMINISTRATION  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE  
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LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
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REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1  
DATE MICROFILMED Dec. 3 1985  
CAMERA OPERATOR Mike Vogel

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 80-5

DEPT. OF COMMERCE

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary of  
State on the 14th day of Jan. 1980

*Alice Lunder*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

EXECUTIVE ORDER 80-5  
EXECUTIVE REORGANIZATION ORDER #5 OF 1980

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 55th Legislative Assembly on the 5th legislative day, being the 14th day of January, 1980:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #5 of 1980."

Section 2. Any agency not enumerated in this order, but established by law within another agency which is transferred to a principal department under this order, shall also be transferred in its current form to the same principal department and its functions shall be allocated between itself and the principal department as they are now allocated between itself and the agency within which it is established.

Section 3. "Agency" as used in this order shall mean any board, commission, department, bureau, division or any other unit or organization of state government.

Section 4. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency, whether or not specifically provided for by law.

THIS IS TO CERTIFY THAT THE MICROFILMED IMAGE APPEARING ON THIS SLIDE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 35:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Vogel

Section 5. Unless otherwise provided by this order, division directors shall be appointed by the head of the department or bureau of which the division is a part, and shall be removable at the pleasure of the department or bureau head, provided, however, that both the appointment and removal of division directors shall be subject to approval by the Governor. Departments and bureaus shall submit for approval to the commissioner of personnel minimum qualifications for the division director positions within their departments or bureaus.

Section 6. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

Section 7. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 8. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law, unless the statutory authority for such rules is superseded by this order.

Section 9. It is hereby declared that the sections, clauses, sentences and parts of this executive order are severable, are not matters of mutual essential inducement, and any of them may be excised by any court of competent jurisdiction if any section, clause, sentence or part of this executive order would otherwise be unconstitutional or ineffective.

Section 10. In the event that it has been determined that a function of a transferred agency, which has not been eliminated by this order, and its associated records, personnel, equipment, facilities, unexpended balances or appropriations, allocations or other funds have not been clearly allocated to an agency, the Governor shall specify by interim procedures the allocation of the function and its associated resources. At the next legislative session following the issuance of such interim procedures, the Governor shall make recommendations concerning the proper allocation of the functions of transferred agencies which are not clearly allocated by this order. Any interim procedures issued in conjunction with this section shall be filed with the secretary of state.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE  
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LAW 1-27-41. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC  
REPRODUCTIONS.  
REDUCTION 35:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Dugg



Section 11. The rights, privileges and duties of the holders of bonds and other obligations issued, and of the parties to contracts, leases, indentures, and other transactions entered into, before the effective date of this order, by the state or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein, remain in effect, and none of those rights, privileges, duties, covenants, or agreements is impaired or diminished by the abolition of an agency in this order. The agency to which functions of another agency are transferred is substituted for that agency and succeeds to its rights and leases, indentures, and other transactions.

Section 12. No judicial or administrative suit, action or other proceeding lawfully commenced before the effective date of this order by or against any agency or any officer of the state, in his official capacity or in relation to the discharge of his official duties, shall abate or be affected by the reason of the taking effect of any reorganization under the provisions of this order. The court may allow the suit, action or other proceeding to be maintained by or against the successor of any agency or any officer affected by this order.

Section 13. If any part of this order is ruled to be in conflict with federal requirements which are a prescribed condition to the receipt of federal aid by the state, an agency or a political subdivision, that part of this order has no effect and the Governor may by executive order make necessary changes to this order to receive federal aid, and the changes will remain in effect until the last legislative day of the next legislative session or until the Legislature completes legislation addressed to the same question, whichever comes first.

Section 14. The effective date of the Executive Reorganization Order #5 of 1980 shall be ninety days after its submission to the Legislature.

Section 15. Any provisions of law in conflict with this order are superseded.

Section 16. Whenever a function is transferred by this order, all personnel, records, property, unexpended balances of appropriations, allocations on other funds utilized in performing the function are also transferred by this order.

## COMMERCE

Section 17. The functions of the department of labor relating to private employment agencies found in chapter 60-6A are transferred to the department of commerce.

Section 18. The South Dakota savings and loan board as found in chapter 52-2 shall be expanded to consist of five members to be appointed by the Governor. The new member shall be a lay person and serve a term of three years.


Section 19. The functions of the director of banking and finance relating to approving applications for a branch office of a savings and loan found in §52-5-7 are transferred to the savings and loan board.

Section 20. The qualifications of the director of banking and finance as found in §51-16-2 are changed to the extent that the director shall have such professional and business experience that, in the opinion of the secretary of commerce, equip him to discharge the duties and fulfill the responsibilities of the office of the director.

Section 21. The director of the division of insurance as found in chapter 58-2, the director of the division of securities as found in chapter 47-31, and the director of banking and finance as found in chapter 51-16 shall be appointed by the secretary of the department of commerce and may be removed at the pleasure of the secretary. The appointment and removal of the division directors shall be subject to approval by the Governor.

Dated this 14th day of January, 1980.

Respectfully submitted,

  
William J. Danklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State



STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CENTRAL FILE OF DOCUMENTS  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.  
REDUCTION 25:1 ROLL NO. 1  
DATE MICROFILMED Aug. 3, 1985  
CAMERA OPERATOR Mike Vogel

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION

35:1

ROLL NO

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DATE MICROFILMED

Dec. 3, 1985

CAMERA OPERATOR

Alice Lundert

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 80-6

DEPT. OF HEALTH

State of South Dakota

Office of Secretary of State

ss.

Filed in the office of the Secretary of

State on the 14th day of Jan.

1980

*Alice Lundert*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

EXECUTIVE ORDER 80-6  
EXECUTIVE REORGANIZATION ORDER #6 OF 1980

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 55th Legislative Assembly on the 5th legislative day, being the 14th day of January, 1980:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #6 of 1980."

Section 2. Any agency not enumerated in this order, but established by law within another agency which is transferred to a principal department under this order, shall also be transferred in its current form to the same principal department and its functions shall be allocated between itself and the principal department as they are now allocated between itself and the agency within which it is established.

Section 3. "Agency" as used in this order shall mean any board, commission, department, bureau, division or any other unit or organization of state government.

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DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel

Section 4. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency, whether or not specifically provided for by law.

Section 5. Unless otherwise provided by this order, division directors shall be appointed by the head of the department or bureau of which the division is a part, and shall be removable at the pleasure of the department or bureau head, provided, however, that both the appointment and removal of division directors shall be subject to approval by the Governor. Departments and bureaus shall submit for approval to the commissioner of personnel minimum qualifications for the division director positions within their departments or bureaus.

Section 6. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

Section 7. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 8. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law, unless the statutory authority for such rules is superseded by this order.

Section 9. It is hereby declared that the sections, clauses, sentences and parts of this executive order are severable, are not matters of mutual essential inducement, and any of them may be excised by any court of competent jurisdiction if any section, clause, sentence or part of this executive order would otherwise be unconstitutional or ineffective.

Section 10. In the event that it has been determined that a function of a transferred agency, which has not been eliminated by this order, and its associated records, personnel, equipment, facilities, unexpended balances or appropriations, allocations or other funds have not been clearly allocated to an agency, the Governor shall specify by interim procedures the allocation of the function and its associated resources. At the

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REDUCTION 35:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Lloyd

next legislative session following the issuance of such interim procedures, the Governor shall make recommendations concerning the proper allocation of the functions of transferred agencies which are not clearly allocated by this order. Any interim procedures issued in conjunction with this section shall be file with the secretary of state.

Section 11. The rights, privileges and duties of the holders of bonds and other obligations issued, and of the parties to contracts, leases, indentures, and other transactions entered into, before the effective date of this order, by the state or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein, remain in effect, and none of those rights, privileges, duties, covenants, or agreements is impaired or diminished by the abolition of an agency in this order. The agency to which functions of another agency are transferred is substituted for that agency and succeeds to its rights and leases, indentures, and other transactions.

Section 12. No judicial or administrative suit, action or other proceeding lawfully commenced before the effective date of this order by or against any agency or any officer of the state in his official capacity or in relation to the discharge of his official duties, shall abate or be affected by the reason of the taking effect of any reorganization under the provisions of this order. The court may allow the suit, action or other proceeding to be maintained by or against the successor of any agency or any officer affected by this order.

Section 13. If any part of this order is ruled to be in conflict with federal requirements which are a prescribed condition to the receipt of federal aid by the state, an agency or a political subdivision, that part of this order has no effect and the Governor may by executive order make necessary changes to this order to receive federal aid, and the changes will remain in effect until the last legislative day of the next legislative session or until the Legislature completes legislation addressed to the same question, whichever comes first.

Section 14. The effective date of the Executive Reorganization Order #6 of 1980 shall be ninety days after its submission to the Legislature.

Section 15. Any provisions of law in conflict with this order are superseded.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1  
DATE MICROFILMED Dec. 3 1985  
CAMERA OPERATOR Kyle Lloyd

Section 16. Whenever a function is transferred by this order, all personnel, records, property, unexpended balances of appropriations, allocations on other funds utilized in performing the function are also transferred by this order.

#### DEPARTMENT OF HEALTH

Section 17. The public health advisory committee as found in chapter 34-1 is abolished. The functions of the public health advisory committee as set forth in §34-1-13, §34-1-16, §34-1-16.1, §34-1-17, §34-1-20, §34-1-21, §34-1-26, and §34-1-27 are transferred to the state department of health.

Section 18. The resource development advisory council as found in chapter 34-7A is abolished. There is created the health care facilities need advisory council composed of twelve members appointed by the Governor for a term of four years. The members shall not be all of the same political party.

Section 19. The secretary of health shall serve as a member and act as the chairman of the council. Six appointees shall be consumer members and five shall be providers who are associated with the administration or governance of health care facilities. All appointments shall be made in consultation with the secretary of health.

Section 20. The terms of the members who are first appointed after the effective date of this order shall be: Two providers and two consumers for terms of one year; two providers and three consumers for terms of two years; and one provider and one consumer for terms of four years, and such initial terms shall be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

Section 21. The previous functions of the resource development advisory council are transferred to the health care facilities need advisory council.

Section 22. The food service advisory council as found in chapter 34-18 is abolished. There is created a food services board. The board shall consist of five members to be appointed by the Governor for a term of four years. The members shall not be all of the same political party.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - UNIT 111011 OF 111011  
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REDUCTION 25:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR John Vogel


Section 23. The terms of members who are first appointed after the effective date of this order shall be: Two appointed for a term of one year; two appointed for a term of two years; and one for a term of four years, and such initial terms shall be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

Section 24. Four members of the food services board shall be providers of food services.


Section 25. The functions of the food services advisory council are transferred to the food services board.

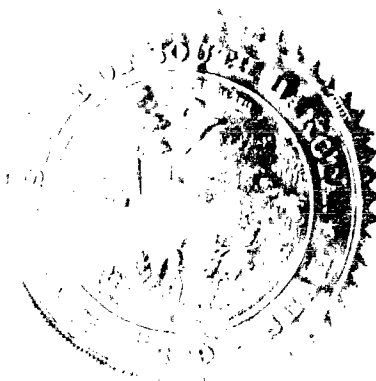
Dated this 14th day of January, 1980.

Respectfully submitted,

  
William J. Janklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State



THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

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DATE MICROFILMED Dec. 3, 1985

CAMERA OPERATOR Mike Lloyd



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REDUCTION

35:1

ROLL NO

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DATE MICROFILMED

Dec. 3, 1985

CAMERA OPERATOR

Julia Vogel

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 80-8

BOARD OF TOURISM DEVELOPMENT

State of South Dakota

Office of Secretary of State

} ss.

Filed in the office of the Secretary of

State on the 14th day of Jan.

19. 80

Alice Lunder  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

EXECUTIVE ORDER 80-8  
EXECUTIVE REORGANIZATION ORDER #8 OF 1980

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 55th Legislative Assembly on the 5th legislative day, being the 14th day of January, 1980:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #8 of 1980."

Section 2. The board of tourism development as found in Section 1-42-10 is expanded to eleven members. The four additional members shall be appointed pursuant to Section 1-42-11.

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 35:1 ROLL NO 1  
DATE MICROFILMED Apr. 3, 1985  
CAMERA OPERATOR Mike Vogel

Section 3. The terms of new members who are first appointed after the effective date of this order shall be: Two appointed for a term of one year and two appointed for a term of two years, and such initial terms shall be designated by the Governor.

Dated this 14th day of January, 1980.

Respectfully submitted,



William J. Janklow

Governor of South Dakota

ATTEST:



Alice Kundert

Secretary of State



THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 35:1 ROLL NO 1

DATE MICROFILMED Dec. 3, 1985

CAMERA OPERATOR Mike Vogel

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
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REPRODUCTIONS. REDUCTION 25:1 ROLL NO 1 DATE MICROFILMED Dec. 3 1985 CAMERA OPERATOR Helen Lloyd

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 80-9

DEPT. OF PUBLIC SAFETY

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary of

State on the 14th day of Jan.

1980

Alice Lunde  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

EXECUTIVE ORDER 80-9  
EXECUTIVE REORGANIZATION ORDER #9 OF 1980

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 55th Legislative Assembly on the 5th legislative day, being the 14th day of January, 1980:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #9 of 1980."

Section 2. Any agency not enumerated in this order, but established by law within another agency which is transferred to a principal department under this order, shall also be transferred in its current form to the same principal department and its functions shall be allocated between itself and the principal department as they are now allocated between itself and the agency within which it is established.

Section 3. "Agency" as used in this order shall mean any board, commission, department, bureau, division or any other unit or organization of state government.

Section 4. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency, whether or not specifically provided for by law.

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 25:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Bula Lloyd

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION

25:1

ROLL NO

1

DATE MICROFILMED

Dec. 3, 1985

CAMERA OPERATOR

Section 5. Unless otherwise provided by this order, division directors shall be appointed by the head of the department or bureau of which the division is a part, and shall be removable at the pleasure of the department or bureau head, provided, however, that both the appointment and removal of division directors shall be subject to approval by the Governor. Departments and bureaus shall submit for approval to the commissioner of personnel minimum qualifications for the division director positions within their departments or bureaus.

Section 6. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

Section 7. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 8. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law, unless the statutory authority for such rules is superseded by this order.

Section 9. It is hereby declared that the sections, clauses, sentences and parts of this executive order are severable, and not matters of mutual essential inducement, and any of them may be excised by any court of competent jurisdiction if any section, clause, sentence or part of this executive order would otherwise be unconstitutional or ineffective.

Section 10. In the event that it has been determined that a function of a transferred agency, which has not been eliminated by this order, and its associated records, personnel, equipment, facilities, unexpended balances or appropriations, allocations or other funds have not been clearly allocated to an agency, the Governor shall specify by interim procedures the allocation of the function and its associated resources. At the next legislative session following the issuance of such interim procedures, the Governor shall make recommendations concerning the proper allocation of the functions of transferred agencies which are not clearly allocated by this order. Any interim procedures issued in conjunction with this section shall be filed with the secretary of state.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE  
ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED  
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC  
REPRODUCTIONS. REDUCTION 35:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Lloyd

Section 11. The rights, privileges and duties of the holders of bonds and other obligations issued, and of the parties to contracts, leases, indentures, and other transactions entered into, before the effective date of this order, by the state or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein, remain in effect, and none of those rights, privileges, duties, covenants, or agreements is impaired or diminished by the abolition of an agency in this order. The agency to which functions of another agency are transferred is substituted for that agency and succeeds to its rights and leases, indentures, and other transactions.

Section 12. No judicial or administrative suit, action or other proceeding lawfully commenced before the effective date of this order by or against any agency or any officer of the state, in his official capacity or in relation to the discharge of his official duties, shall abate or be affected by the reason of the taking effect of any reorganization under the provisions of this order. The court may allow the suit, action or other proceeding to be maintained by or against the successor of any agency or any officer affected by this order.

Section 13. If any part of this order is ruled to be in conflict with federal requirements which are a prescribed condition to the receipt of federal aid by the state, an agency or a political subdivision, that part of this order has no effect and the Governor may by executive order make necessary changes to this order to receive federal aid, and the changes will remain in effect until the last legislative day of the next legislative session or until the Legislature completes legislation addressed to the same question, whichever comes first.

Section 14. The effective date of the Executive Reorganization Order #9 of 1980 shall be ninety days after its submission to the Legislature.

Section 15. Any provisions of law in conflict with this order are superseded.

Section 16. Whenever a function is transferred by this order, all personnel, records, property, unexpended balances of appropriations, allocations on other funds utilized in performing the function are also transferred by this order.

DEPARTMENT OF PUBLIC SAFETY

Section 17. The state fire marshal's advisory committee as found in chapter 34-29 is abolished. There is created a state fire marshal's advisory board. The board shall consist of five members to be appointed by the Governor for a term of four years. The members shall not be all of the same political party.


Section 18. The terms of members who are first appointed after the effective date of this order shall be: Two appointed for a term of one year; two appointed for a term of two years; and one for a term of four years, and such initial terms shall be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

Section 19. At least one member shall be from each congressional district. The Governor should attempt to appoint individual members to represent the firefighters, fire equipment industry, and the Fire Underwriter's Bureau.

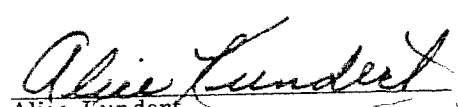
Section 20. The functions previously exercised by the state fire marshal's advisory committee are transferred to the state fire marshal's advisory board.

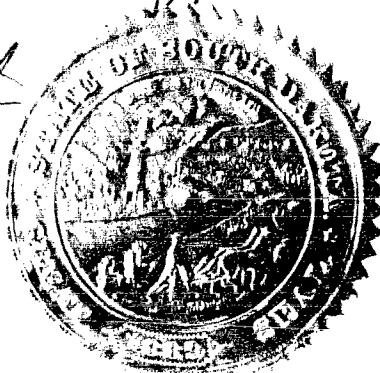
Dated this 14th day of January, 1980.

Respectfully submitted,

  
William J. Jankow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State



THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 85:1 ROLL NO. 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel



Receipt No.

File No.

EXECUTIVE ORDER 80-10

STATE BOARD OF ENGINEERING AND  
ARCHITECTURAL EXAMINERS

State of South Dakota  
Office of Secretary of State

ss.

Filed in the office of the Secretary of  
State on the 14th day of Jan.  
19. 80

*Alice Linder*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

Filed at Request of

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED  
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
AND ON MICROFILM WHICH MEET THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC  
REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 1 DATE MICROFILMED Dec. 3 1985 CAMERA OPERATOR Helen Vogel

EXECUTIVE ORDER 80-10  
EXECUTIVE REORGANIZATION ORDER #10 OF 1980

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 55th Legislative Assembly on the 5th legislative day, being the 14th day of January, 1980:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #10 of 1980."

Section 2. Any agency not enumerated in this order, but established by law within another agency which is transferred to a principal department under this order, shall also be transferred in its current form to the same principal department and its functions shall be allocated between itself and the principal department as they are now allocated between itself and the agency within which it is established.

Section 3. "Agency" as used in this order shall mean any board, commission, department, bureau, division or any other unit or organization of state government.

Section 4. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency, whether or not specifically provided for by law.

STATE OF SOUTH DAKOTA - BUREAU OF ARCHIVES  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.  
REDUCTION 25:1 ROLL NO 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR B. Lee Legg

Section 5. Unless otherwise provided by this order, division directors shall be appointed by the head of the department or bureau of which the division is a part, and shall be removable at the pleasure of the department or bureau head, provided, however, that both the appointment and removal of division directors shall be subject to approval by the Governor. Departments and bureaus shall submit for approval to the commissioner of personnel minimum qualifications for the division director positions within their departments or bureaus.

Section 6. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

Section 7. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 8. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law, unless the statutory authority for such rules is superseded by this order.

Section 9. It is hereby declared that the sections, clauses, sentences and parts of this executive order are severable, are not matters of mutual essential inducement, and any of them may be excised by any court of competent jurisdiction if any section, clause, sentence or part of this executive order would otherwise be unconstitutional or ineffective.

Section 10. In the event that it has been determined that a function of a transferred agency, which has not been eliminated by this order, and its associated records, personnel, equipment, facilities, unexpended balances or appropriations, allocations or other funds have not been clearly allocated to an agency, the Governor shall specify by interim procedures the allocation of the function and its associated resources. At the next legislative session following the issuance of such interim procedures, the Governor shall make recommendations concerning the proper allocation of the functions of transferred agencies which are not clearly allocated by this order. Any interim procedures issued in conjunction with this section shall be filed with the secretary of state.

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 35:1 ROLL NO. 1 DATE MICROFILMED Dec 3 1985 CAMERA OPERATOR Thelma Lloyd

Section 11. The rights, privileges and duties of the holders of bonds and other obligations issued, and of the parties to contracts, leases, indentures, and other transactions entered into, before the effective date of this order, by the state or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein, remain in effect, and none of those rights, privileges, duties, covenants, or agreements is impaired or diminished by the abolition of an agency in this order. The agency to which functions of another agency are transferred is substituted for that agency and succeeds to its rights and leases, indentures, and other transactions.

Section 12. No judicial or administrative suit, action or other proceeding lawfully commenced before the effective date of this order by or against any agency or any officer of the state, in his official capacity or in relation to the discharge of his official duties, shall abate or be affected by the reason of the taking effect of any reorganization under the provisions of this order. The court may allow the suit, action or other proceeding to be maintained by or against the successor of any agency or any officer affected by this order.

Section 13. If any part of this order is ruled to be in conflict with federal requirements which are a prescribed condition to the receipt of federal aid by the state, an agency or a political subdivision, that part of this order has no effect and the Governor may by executive order make necessary changes to this order to receive federal aid, and the changes will remain in effect until the last legislative day of the next legislative session or until the Legislature completes legislation addressed to the same question, whichever comes first.

Section 14. The effective date of the Executive Reorganization Order #10 of 1980 shall be ninety days after its submission to the Legislature.

Section 15. Any provisions of law in conflict with this order are superseded.

Section 16. Whenever a function is transferred by this order, all personnel, records, property, unexpended balances of appropriations, allocations on other funds utilized in performing the function are also transferred by this order.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.  
REDUCTION 25:1 ROLL NO. 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Dugg

Section 17. The state board of engineering and architectural examiners as found in chapter 36-18 is abolished. There is created a commission of engineering and architectural examiners. The commission shall consist of five members to be appointed by the Governor for a term of four years. The members shall not be all of the same political party.


Section 18. The terms of members who are first appointed after the effective date of this order shall be: Two appointed for a term of one year; two appointed for a term of two years; and one for a term of four years, and such initial terms shall be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

Section 19. The commission shall be composed of two licensed professional engineers, two architects and one lay person.

Section 20. The previous functions exercised by the state board of engineering and architectural examiners are transferred to the commission of engineering and architectural examiners.

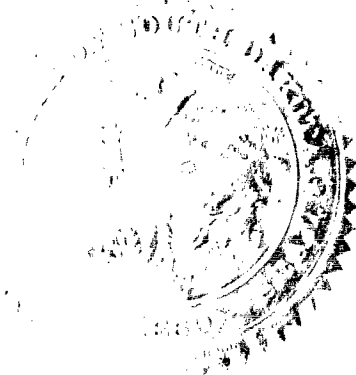
Dated this 14th day of January, 1986.

Respectfully submitted,

  
William J. Janklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State



THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 25:1 ROLL NO. 1 DATE MICROFILMED Dec. 3, 1985 FILED Legal CAMERA OPERATOR

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 25:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Alice Lundert

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 80-11

STATE PLUMBING BOARD

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary of  
State on the 14th day of Jan. 1980

*Alice Lundert*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

EXECUTIVE ORDER 80-11  
EXECUTIVE REORGANIZATION ORDER #11 OF 1980

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 55th Legislative Assembly on the 5th legislative day, being the 14th day of January, 1980:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #11 of 1980."

Section 2. Any agency not enumerated in this order, but established by law within another agency which is transferred to a principal department under this order, shall also be transferred in its current form to the same principal department and its functions shall be allocated between itself and the principal department as they are now allocated between itself and the agency within which it is established.

Section 3. "Agency" as used in this order shall mean any board, commission, department, bureau, division or any other unit or organization of state government.

Section 4. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency, whether or not specifically provided for by law.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.  
REDUCTION 35:1 ROLL NO. 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Deard

Section 5. Unless otherwise provided by this order, division directors shall be appointed by the head of the department or bureau of which the division is a part, and shall be removable at the pleasure of the department or bureau head, provided, however, that both the appointment and removal of division directors shall be subject to approval by the Governor. Departments and bureaus shall submit for approval to the commissioner of personnel minimum qualifications for the division director positions within their departments or bureaus.

Section 6. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

Section 7. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 8. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law, unless the statutory authority for such rules is superseded by this order.

Section 9. It is hereby declared that the sections, clauses, sentences and parts of this executive order are severable, are not matters of mutual essential inducement, and any of them may be excised by any court of competent jurisdiction if any section, clause, sentence or part of this executive order would otherwise be unconstitutional or ineffective.

Section 10. In the event that it has been determined that a function of a transferred agency, which has not been eliminated by this order, and its associated records, personnel, equipment, facilities, unexpended balances or appropriations, allocations or other funds have not been clearly allocated to an agency, the Governor shall specify by interim procedures the allocation of the function and its associated resources. At the next legislative session following the issuance of such interim procedures, the Governor shall make recommendations concerning the proper allocation of the functions of transferred agencies which are not clearly allocated by this order. Any interim procedures issued in conjunction with this section shall be filed with the secretary of state.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICATION  
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LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC  
REPRODUCTIONS. REDUCTION 35:1 ROLL NO. 1  
DATE MICROFILMED Dec. 3, 1985  
CAMERA OPERATOR Mike Vogel



Section 11. The rights, privileges and duties of the holders of bonds and other obligations issued, and of the parties to contracts, leases, indentures, and other transactions entered into, before the effective date of this order, by the state or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein, remain in effect, and none of those rights, privileges, duties, covenants, or agreements is impaired or diminished by the abolition of an agency in this order. The agency to which functions of another agency are transferred is substituted for that agency and succeeds to its rights and leases, indentures, and other transactions.

Section 12. No judicial or administrative suit, action or other proceeding lawfully commenced before the effective date of this order by or against any agency or any officer of the state, in his official capacity or in relation to the discharge of his official duties, shall abate or be affected by the reason of the taking effect of any reorganization under the provisions of this order. The court may allow the suit, action or other proceeding to be maintained by or against the successor of any agency or any officer affected by this order.

Section 13. If any part of this order is ruled to be in conflict with federal requirements which are a prescribed condition to the receipt of federal aid by the state, an agency or a political subdivision, that part of this order has no effect and the Governor may by executive order make necessary changes to this order to receive federal aid, and the changes will remain in effect until the last legislative day of the next legislative session or until the Legislature completes legislation addressed to the same question, whichever comes first.

Section 14. The effective date of the Executive Reorganization Order #11 of 1980 shall be ninety days after its submission to the Legislature.

Section 15. Any provisions of law in conflict with this order are superseded.

Section 16. Whenever a function is transferred by this order, all personnel, records, property, unexpended balances of appropriations, allocations on other funds utilized in performing the function are also transferred by this order.

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF THE ABOVE RECORDS WAS IN A MANNER  
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER  
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC  
REPRODUCTIONS. REDUCTION 25:1 ROLL NO 1 DATE MICROFILMED Dec. 3, 1985 CAMERA OPERATOR Mike Long

Section 17. The state plumbing board as found in chapter 36-25 is abolished. There is created a state plumbing commission composed of five members who shall be appointed by the Governor for terms of four years. The members shall not be all of the same political party.


Section 18. The terms of the members who are first appointed after the effective date of this order shall be: Two appointed for a term of one year; two appointed for a term of two years; and one appointed for a term of four years, and such initial terms shall be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

Section 19. One member shall be a plumber. One member shall be a plumbing contractor. One member shall be a representative of the state department of health. Two shall be lay members.

Section 20. The previous functions exercised by the state plumbing board are transferred to the state plumbing commission.

Dated this 14th day of January, 1980.

Respectfully submitted,

  
William J. Janklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State



THIS IS TO CERTIFY THAT THE MICROPHOTGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTGRAPHIC REPRODUCTIONS. REDUCTION 25:1 ROLL NO 1

DATE MICROFILMED Dec. 3, 1985

CAMERA OPERATOR Mike Uggel

Receipt No.

Filed at Request of

File No.

EXECUTIVE ORDER 80-12

SOUTH DAKOTA REAL ESTATE COMMISSION

State of South Dakota  
Office of Secretary of State

} ss.

Filed in the office of the Secretary of  
State on the 14th day of Jan.  
19. 80

*Alice Lunderb*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 35:1 ROLL NO 1

DATE MICROFILMED Dec. 3, 1985

CAMERA OPERATOR *Slide 1-27-4*

EXECUTIVE ORDER 80-12  
EXECUTIVE REORGANIZATION ORDER #12 OF 1980

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

WHEREAS, this executive order has been submitted to the 55th Legislative Assembly on the 5th legislative day, being the 14th day of January, 1980:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

GENERAL PROVISIONS

Section 1. This executive order shall be known and may be cited as the "Executive Reorganization Order #12 of 1980."

Section 2. Any agency not enumerated in this order, but established by law within another agency which is transferred to a principal department under this order, shall also be transferred in its current form to the same principal department and its functions shall be allocated between itself and the principal department as they are now allocated between itself and the agency within which it is established.

Section 3. "Agency" as used in this order shall mean any board, commission, department, bureau, division or any other unit or organization of state government.

Section 4. "Function" as used in this order shall mean any authority, power, responsibility, duty, program or activity of an agency, whether or not specifically provided for by law.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.  
REDUCTION 35:1 ROLL NO. 1  
DATE MICROFILMED Apr. 3, 1985  
CAMERA OPERATOR Mike Dugan

Section 5. Unless otherwise provided by this order, division directors shall be appointed by the head of the department or bureau of which the division is a part, and shall be removable at the pleasure of the department or bureau head, provided, however, that both the appointment and removal of division directors shall be subject to approval by the Governor. Departments and bureaus shall submit for approval to the commissioner of personnel minimum qualifications for the division director positions within their departments or bureaus.

Section 6. It is the intent of this order not to repeal or amend any laws relating to functions performed by an agency, unless the intent is specifically expressed in this order or unless there is an irreconcilable conflict between this order and those laws.

Section 7. If a part of this order is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this order is invalid in one or more of its applications, the part remains in effect in all valid applications.

Section 8. Except when it is inconsistent with the other provisions of this order all rules, regulations and standards of the agencies involved in executive reorganization that are in effect on the effective date of this order, shall continue with full force and effect until they are specifically altered, amended, or revoked in the manner provided by law, unless the statutory authority for such rules is superseded by this order.

Section 9. It is hereby declared that the sections, clauses, sentences and parts of this executive order are severable, are not matters of mutual essential inducement, and any of them may be excised by any court of competent jurisdiction if any section, clause, sentence or part of this executive order would otherwise be unconstitutional or ineffective.

Section 10. In the event that it has been determined that a function of a transferred agency, which has not been eliminated by this order, and its associated records, personnel, equipment, facilities, unexpended balances or appropriations, allocations or other funds have not been clearly allocated to an agency, the Governor shall specify by interim procedures the allocation of the function and its associated resources. At the next legislative session following the issuance of such interim procedures, the Governor shall make recommendations concerning the proper allocation of the functions of transferred agencies which are not clearly allocated by this order. Any interim procedures issued in conjunction with this section shall be filed with the secretary of state.

REPRODUCTION. REDUCTION 35:1 ROLL NO 1 DATE MICROFILMED Dec. 3 1985 CAMERA OPERATOR  
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

Section 11. The rights, privileges and duties of the holders of bonds and other obligations issued, and of the parties to contracts, leases, indentures, and other transactions entered into, before the effective date of this order, by the state or by any agency, officer, or employee thereof, and covenants and agreements as set forth therein, remain in effect, and none of those rights, privileges, duties, covenants, or agreements is impaired or diminished by the abolition of an agency in this order. The agency to which functions of another agency are transferred is substituted for that agency and succeeds to its rights and leases, indentures, and other transactions.

Section 12. No judicial or administrative suit, action or other proceeding lawfully commenced before the effective date of this order by or against any agency or any officer of the state, in his official capacity or in relation to the discharge of his official duties, shall abate or be affected by the reason of the taking effect of any reorganization under the provisions of this order. The court may allow the suit, action or other proceeding to be maintained by or against the successor of any agency or any officer affected by this order.

Section 13. If any part of this order is ruled to be in conflict with federal requirements which are a prescribed condition to the receipt of federal aid by the state, an agency or a political subdivision, that part of this order has no effect and the Governor may by executive order make necessary changes to this order to receive federal aid, and the changes will remain in effect until the last legislative day of the next legislative session or until the Legislature completes legislation addressed to the same question, whichever comes first.

Section 14. The effective date of the Executive Reorganization Order #12 of 1980 shall be ninety days after its submission to the Legislature.

Section 15. Any provisions of law in conflict with this order are superseded.

Section 16. Whenever a function is transferred by this order, all personnel, records, property, unexpended balances of appropriations, allocations on other funds utilized in performing the function are also transferred by this order.

Section 17. The South Dakota real estate commission as found in chapter 36-21 is abolished. There is created a South Dakota real estate board composed of five members who shall be appointed by the Governor for a term of four years. The members shall not be all of the same political party.


Section 18. The terms of the members who are first appointed after the effective date of this order shall be: Two appointed for a term of one year; two appointed for a term of two years; and one appointed for a term of four years, and such initial terms shall be designated by the Governor. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve for only the unexpired portion of the term.

Section 19. Three members shall be active real estate brokers. Two shall be lay members.

Section 20. The previous functions exercised by the South Dakota real estate commission are transferred to the South Dakota real estate board.

Dated this 14th day of January, 1980.

Respectfully submitted,

  
William J. Janklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State



AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 25:1 ROLL NO 1

DATE MICROFILMED

CAMERA OPERATOR

*Belle Vogel*

Filed at Request of

Receipt No.

File No.

EXECUTIVE ORDER 80-13

ABSTRACTORS' BOARD OF EXAMINERS

State of South Dakota }  
Office of Secretary of State } ss.

Filed in the office of the Secretary of  
State on the 14th day of Jan.  
1980

*Alice Lunder*  
Secretary of State

By \_\_\_\_\_  
Assistant Secretary of State

Fee received



EXECUTIVE ORDER 80-13  
EXECUTIVE REORGANIZATION ORDER #13 OF 1980

WHEREAS, the Constitution of the State of South Dakota provides that "except as to elected constitutional officers, the Governor may make such changes in the organization of offices, boards, commissions, agencies and instrumentalities, and in allocation of their functions, powers and duties, as he considers necessary for efficient administration. If such changes affect existing law, they shall be set forth in executive orders, which shall be submitted to the Legislature within five legislative days after it convenes, and shall become effective, and shall have the force of law, within ninety days after submission, unless disapproved by a resolution concurred in by a majority of all the members of either house"; and

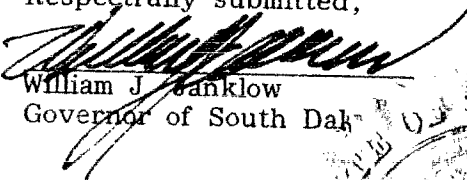
WHEREAS, this executive order has been submitted to the 55th Legislative Assembly on the 5th legislative day, being the 14th day of January, 1980:

IT IS THEREFORE BY EXECUTIVE ORDER directed that the executive branch of state government be reorganized to comply with the following sections of this order.

The abstractors' board of examiners as created by chapter 36-13 shall be composed of four members appointed by the Governor. Three members of the board must be abstractors who have been actively engaged in abstracting of titles in the state for five years prior to the date of their appointment. Two of these abstractor members must be members of the South Dakota Title Association. There shall be one lay member. The members shall not be all of the same political party and their terms shall be four years.

Dated this 14th day of January, 1980.

Respectfully submitted,

  
William J. Banklow  
Governor of South Dakota

ATTEST:

  
Alice Kundert  
Secretary of State



DATE MICROFILMED

CAMERA OPERATOR