



## 2023 South Dakota Legislature

# House Bill 1175

Introduced by: **Representative Arlint**

1 **An Act to update references to the Governor, lieutenant governor, and other**  
 2 **persons.**

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

4 **Section 1. That § 1-1-21 be AMENDED:**

5 **1-1-21.** Except as to criminal offenses and civil causes of action arising on any  
 6 ~~highways~~highway, as ~~the term is defined~~ in chapter 31-1, the jurisdiction provided for in  
 7 § 1-1-18 ~~shall not be deemed~~is not assumed or accepted by this state, and §§ 1-1-18 and  
 8 1-1-20 ~~shall is~~ not be considered in effect, unless and until the Governor of the State of  
 9 South Dakota, if satisfied that the United States of America has made proper provision for  
 10 the reimbursement to this state and its counties for the added costs in connection with  
 11 the assumption of said jurisdiction, has issued ~~his a~~a proper proclamation duly filed with  
 12 the secretary of state declaring the said jurisdiction to be assumed and accepted.

13 **Section 2. That § 1-7-1 be AMENDED:**

14 **1-7-1.** The Governor shall possess the powers and perform the duties entailed  
 15 ~~upon him~~ by the Constitution and by special provisions throughout this code and among  
 16 others, but without limiting other prescriptions of ~~his the Governor's~~the Governor's powers and duties,  
 17 as follows:

- 18 (1) ~~He shall~~To supervise the official conduct of all executive and ministerial officers;
- 19 (2) ~~He shall~~To see that the laws of the state are faithfully and impartially executed;
- 20 (3) ~~He shall~~To make appointments and fill vacancies in the public offices as required  
 21 by law;
- 22 (4) ~~He is~~To be the sole official organ of communication between the government of  
 23 this state and the government of any other state of the United States;
- 24 (5) ~~He shall~~To issue patents for land as required by law and prescribed by the  
 25 provisions of this code;

- 1       (6) ~~He may~~To offer rewards, not exceeding one thousand dollars each, payable out of  
 2       the general fund, for the apprehension of any convict who has escaped from the  
 3       penitentiary or for any person who has committed or is charged with the  
 4       commission of an offense punishable with imprisonment for life;
- 5       (7) ~~He is authorized to~~To appoint a private secretary and to employ such clerks and  
 6       stenographers as ~~he shall deem~~the Governor deems necessary for the proper  
 7       discharge of ~~his~~ official duties, each of whom shall serve during the pleasure of the  
 8       Governor and receive such compensation as shall be provided by the Legislature;
- 9       (8) ~~He shall~~To have such other powers and must perform such other duties as are or  
 10      may be devolved upon ~~him~~the Governor by law.

11      **Section 3. That § 1-7-1.2 be AMENDED:**

12               **1-7-1.2.** The Governor or ~~his~~the Governor's designee shall conduct an annual  
 13      meeting with representatives of the United States Forest Service to discuss forest service  
 14      land management programs that affect agricultural productivity on leased forest service  
 15      land.

16      **Section 4. That § 1-7-4 be AMENDED:**

17               **1-7-4.** Every provision of this code relating to the powers and duties of the  
 18      Governor, and to the acts and duties to be performed by others towards ~~him~~the Governor,  
 19      extends to the person performing for the time being the duties of Governor.

20      **Section 5. That § 1-8-1 be AMENDED:**

21               **1-8-1.** It is the duty of the secretary of state:

22      (1) To file official acts of the Governor to which attestation over ~~his~~the Governor's  
 23      signature and the great seal is required;

24      (2) To affix the great seal and his attestation to all commissions, pardons, and other  
 25      public instruments to which the signature of the Governor is required except such  
 26      as relate to school and public lands, and also in attesting and authenticating all  
 27      certificates, charters, and any and all other documents properly issued by the  
 28      secretary;

29      (3) To record in proper books all conveyances made to the state, all appointments and  
 30      commissions made by the Governor and all official bonds filed in ~~his~~the secretary's  
 31      office, except bonds of notaries public. All deeds, abstracts of title, and other title

- 1 papers pertaining to lands owned by the state or by any department or institution  
 2 of the state, except those under the control of the commissioner of school and  
 3 public lands, ~~shall~~ must be filed and preserved in the office of the secretary of  
 4 state;
- 5 (4) To file any document, official oath, official bond, articles of incorporation and  
 6 amendments thereof, and letters of acceptance which the law requires to be filed  
 7 in ~~his~~ the secretary's office;
- 8 (5) To furnish on demand to any person, company, or corporation having paid the  
 9 lawful fees therefor, a certified copy or copies of all or any part of any law, record,  
 10 or other instrument kept on file in ~~his~~ the secretary's office;
- 11 (6) To prepare immediately previous to any regular session of the Legislature, from  
 12 the proper election returns filed in his office, a roll of all senators elect, and deliver  
 13 the same to the president of the senate at least thirty minutes before the time  
 14 fixed by law for the opening of the session; to prepare from such election returns  
 15 a roll of all the members elected to the house of representatives, and at the time  
 16 fixed by law to call such members to order and preside until a speaker is elected;
- 17 (7) To receipt all fees collected by ~~him~~ the secretary under any provision of law, with  
 18 the date, name of payor, and the nature of the services in each case, which fees  
 19 so collected by ~~him~~ the secretary shall be paid into the state treasury monthly and  
 20 report thereof made as provided by law;
- 21 (8) To cause to be published and distributed a sufficient number of copies of the title,  
 22 "Elections" for all election officers and to publish and distribute from time to time  
 23 any amendments made thereto or to the general election laws of this state;
- 24 (9) To perform such other duties as are required of ~~him~~ the secretary by law.

25 **Section 6. That § 1-11-8 be AMENDED:**

26 **1-11-8.** Whenever the attorney general ~~shall~~, upon ~~his~~ the attorney general's own  
 27 relation ~~commence~~, commences an investigation, the attorney general shall obtain the  
 28 consent of the Governor ~~shall be obtained~~ by attaching to the record provided in § 1-11-  
 29 9 a written request for ~~such~~ the consent. A copy of the record and request ~~shall~~ must be  
 30 provided to the Governor for ~~his~~ the Governor's file and the Governor shall acknowledge  
 31 receipt of ~~such~~ the request in writing on the original, which the attorney general shall be  
 32 retained by the attorney general retain. The request ~~shall~~ must state in general terms the  
 33 reasons for the request, and, if denied, ~~such~~ the denial ~~shall~~ must be in writing ~~containing~~  
 34 and contain a statement in general terms of the reasons for the denial.

1 **Section 7. That § 1-16A-4 be AMENDED:**

2 **1-16A-4.** The authority shall consist of seven members to be appointed by the  
3 Governor who ~~shall be~~ are residents of the state. Not more than four of ~~said the seven~~  
4 members of the authority ~~shall may~~ be of the same political party. At least one of the  
5 members to be appointed by the Governor ~~shall must~~ be or ~~shall must~~ have been a trustee,  
6 director, comptroller, or other employee of a public or of a private nonprofit hospital  
7 knowledgeable in hospital and health care construction and financing. At least one of ~~such~~  
8 the appointed members ~~shall must~~ be or ~~shall must~~ have been a trustee, director,  
9 comptroller, or other employee of a public or nonprofit private college or university  
10 knowledgeable in the construction and financing of such educational facilities. At least one  
11 ~~such~~ appointed member ~~shall must~~ be a person experienced in and having a favorable  
12 reputation for skill, knowledge, and experience in the field of state and municipal finance.  
13 At least one of ~~such the~~ appointed members ~~shall must~~ be a person experienced in and  
14 having a favorable reputation for skill, knowledge, and experience in the field of health  
15 facility architecture. At least one of ~~such the~~ appointed members ~~shall must~~ be a person  
16 experienced in and having a favorable reputation for skill, knowledge, and experience in  
17 the field of higher educational facility architecture. In making appointments, the Governor  
18 shall take into consideration nominees recommended ~~to him~~ for appointment by  
19 professional organizations of hospitals, long term care facilities, higher education  
20 associations, investment banking, and architects.

21 **Section 8. That § 1-29-1 be AMENDED:**

22 **1-29-1.** Whenever, due to an emergency resulting from the effects of enemy  
23 attack, or the anticipated effects of a threatened enemy attack, it becomes imprudent,  
24 inexpedient, or impossible to conduct the affairs of state government at the normal  
25 location of the seat thereof in the city of Pierre, Hughes County, South Dakota, the  
26 Governor shall, as often as the exigencies of the situation require, by proclamation,  
27 declare an emergency temporary location, or locations, for the seat of government at such  
28 place, or places, within or ~~without~~ outside of this state as ~~he the Governor~~ may deem  
29 advisable under the circumstances, and shall take such action and issue such orders as  
30 ~~may be~~ necessary for an orderly transition of the affairs of state government to such  
31 emergency temporary location, or locations. ~~Such The~~ emergency temporary location, or  
32 locations, ~~shall must~~ remain as the seat of government until the Legislature ~~shall by law~~

1 ~~establish~~establishes a new location, or locations, or until the emergency is declared to be  
2 ended by the Governor and the seat of government is returned to its normal location.

3 **Section 9. That § 1-30-11 be AMENDED:**

4 **1-30-11.** Any dispute concerning a question of fact arising under this chapter with  
5 respect to an office in the executive branch of the state government ~~(, except a dispute~~  
6 ~~of fact relative to the Office of Governor)~~ shall, must be adjudicated by the Governor ~~(, or~~  
7 other official authorized under the Constitution or this chapter to exercise the powers and  
8 discharge the duties of the Office of Governor), ~~and his~~ the Governor's decision shall be is  
9 final.

10 **Section 10. That § 1-33-4 be AMENDED:**

11 **1-33-4.** Except as provided by § 1-33-10, the heads of the bureaus within the  
12 Department of Executive Management ~~shall be~~ are appointed by the Governor and serve  
13 at ~~his~~ the Governor's pleasure, and ~~shall~~ each have the title of commissioner.

14 **Section 11. That § 1-53-25 be AMENDED:**

15 **1-53-25.** Notwithstanding any other ~~provisions~~ provision of law, funds and the  
16 proceeds of the trust assets which are not authorized to be administered by the secretary  
17 of agriculture of the United States under the provisions of § 1-53-24 ~~shall~~ must be received  
18 by the commissioner of the Governor's Office of Economic Development under the  
19 application made pursuant to § 1-53-23, ~~and by him~~ deposited by the commissioner with  
20 the state treasurer for use by the commissioner of the Governor's Office of Economic  
21 Development ~~for such of~~ the rural rehabilitation purposes permissible under the charter of  
22 the now dissolved South Dakota Rural Rehabilitation Corporation, ~~as may from time to~~  
23 time be agreed upon by the commissioner of the Governor's Office of Economic  
24 Development with the approval of the Governor and the secretary of agriculture of the  
25 United States, ~~subject to the applicable provisions of said~~ Public Law 499, or for the  
26 purposes of § 1-53-24.

27 **Section 12. That § 1-53-26 be AMENDED:**

28 **1-53-26.** The commissioner of the Governor's Office of Economic Development,  
29 with the approval of the Governor, is authorized and empowered to collect, compromise,  
30 adjust, or cancel claims and obligations arising out of or administered under §§ 1-53-23

1 to 1-53-37, inclusive, or under any mortgage, lease, contract, or agreement entered into  
2 or administered pursuant to §§ 1-53-23 to 1-53-37, inclusive, and, if in ~~his~~the  
3 commissioner's judgment, ~~is~~ necessary and advisable, pursue the same to final collection  
4 in any court having jurisdiction.

5 **Section 13. That § 1-54-4 be AMENDED:**

6 **1-54-4.** Before entering into a compact with an Indian tribe on any class III gaming  
7 under the Federal Indian Gaming Regulatory Act, the Governor or ~~his~~the Governor's  
8 designee ~~shall~~ must hold one or more public hearings in the affected area to allow any  
9 interested persons to state their views.

10 **Section 14. That § 2-4-3.1 be AMENDED:**

11 **2-4-3.1.** If the lieutenant governor is not assigned sufficient duties to require ~~his~~  
12 full-time attention, then when carrying out ~~his~~the lieutenant governor's duties as a  
13 member of a board, committee, or commission established by the Legislature, ~~he~~the  
14 lieutenant governor may receive a per diem ~~of~~ not to exceed seventy-five dollars per day  
15 or such amount as may be otherwise provided by law in the legislation establishing the  
16 board, committee, or commission. The per diem as authorized by this section may be paid  
17 for a maximum of sixty days in any calendar year.

18 **Section 15. That § 2-7-20.1 be AMENDED:**

19 **2-7-20.1.** Whenever the Governor certifies, pursuant to paragraph four of section  
20 4 of article IV of the Constitution, that the Legislature has conformed a bill to ~~his~~the  
21 Governor's recommendations, that certificate ~~shall~~ must be typed and signed on the  
22 enrolled bill.

23 **Section 16. That § 2-7-20.2 be AMENDED:**

24 **2-7-20.2.** Whenever the Governor vetoes any bill or any items of a bill ~~which was~~  
25 presented to ~~him~~the Governor five or more calendar days before an adjournment or a  
26 recess of the Legislature, ~~he~~the Governor shall transmit ~~his~~the Governor's veto message  
27 with the original bill to the secretary of the Senate or chief clerk of the House of  
28 Representatives, whichever was the house of origin, on the date of ~~his~~the Governor's  
29 exercise of the power, but no later than noon on the last legislative day prior to  
30 adjournment or recess. The officer of the house receiving the veto message shall certify

1 on the original copy of the bill whether reconsideration was had and the vote on any  
2 reconsideration and shall transmit the bill and veto message to the secretary of state for  
3 filing when the time for reconsideration has passed.

4 **Section 17. That § 2-7-20.3 be AMENDED:**

5 **2-7-20.3.** Whenever the Governor vetoes a bill or any items of a bill ~~which was~~  
6 presented to ~~him~~ the Governor during the final four days preceding an adjournment or a  
7 recess, and it cannot be transmitted to the house of origin in session, ~~he~~ the Governor  
8 shall transmit the original bill and ~~his~~ the Governor's veto message to the secretary of  
9 state within one day following ~~his~~ the Governor's veto, but no later than the sixteenth day  
10 following adjournment or recess.

11 **Section 18. That § 2-7-20.4 be AMENDED:**

12 **2-7-20.4.** Whenever the Governor fails to veto any bill which shall become law  
13 without ~~his~~ the Governor's signature or the certificate referred to in § 2-7-20.1, ~~he~~ the  
14 Governor shall deliver it to the secretary of state, who shall note, beneath the signature  
15 line provided for the Governor, that it was delivered by the Governor without ~~his~~ the  
16 Governor's signature and without ~~his~~ objections objection. ~~No~~ The secretary of state may  
17 not file or record any communication relating to ~~his~~ the Governor's reasons for not signing  
18 the bill ~~shall be filed or recorded by the secretary of state~~.

19 **Section 19. That § 3-9-6 be AMENDED:**

20 **3-9-6.** The Governor may delegate to each responsible officer of any other  
21 department, agency, or institution the authority to grant written consent for official travel  
22 outside this state. The Governor, ~~in his discretion,~~ may establish ~~such~~ general guidelines  
23 for travel outside the state as ~~he~~ the Governor deems appropriate. For each  
24 outside-the-state expenditure, there ~~shall~~ must be a record signed by the appropriate  
25 responsible officer authorizing the same. State agencies are permitted to follow federal  
26 regulations for payment of travel and other allowances to state employees, dependents of  
27 state employees, or to foreign nationals where the travel and other allowances are funded  
28 entirely by federal or private grants in support of international programs.

29 **Section 20. That § 3-17-4 be AMENDED:**

1           **3-17-4.** Proceedings for the removal of any such officer may be commenced either  
 2 by the Governor on ~~his~~the Governor's own motion, or on written complaint of any citizen  
 3 of the state, filed with the Governor. Written notice of the time and place fixed for the  
 4 hearing of ~~such~~the complaint, together with a copy thereof, ~~shall~~must be personally  
 5 served ~~upon such~~on the officer at least ten days before ~~such~~the hearing.

6           **Section 21. That § 4-7-3 be AMENDED:**

7           **4-7-3.** The Governor, through the Bureau of Finance and Management, shall ~~have~~  
 8 ~~such supervision of~~supervise every public department, agency, commission, institution  
 9 and other governmental units as ~~shall be~~is necessary to secure a uniform and standard  
 10 classification of accounts and financial reports that will promote the efficient and accurate  
 11 financial information necessary to conduct the fiscal affairs of state government. ~~He~~The  
 12 Governor may inquire into the methods of conducting the affairs of any public body; ~~he,~~  
 13 and may prescribe and direct the use of standard forms and uniform records of accounts  
 14 and standard and uniform financial reports, including, if deemed advisable, an  
 15 encumbrance system and an allotment system.

16           **Section 22. That § 4-7-8 be AMENDED:**

17           **4-7-8.** The Governor, before submission of the budget report to the Legislature,  
 18 shall examine the statements and estimates with a representative or representatives  
 19 designated by the Legislative Research Council, and shall make or cause to be made such  
 20 further investigations by the Bureau of Finance and Management, with such hearings  
 21 before ~~him~~the Governor as ~~he~~the Governor deems advisable. The Governor shall direct  
 22 such changes or revisions in policy and program and in specific details as ~~he~~the Governor  
 23 finds warranted, provided, however, that such changes or revisions in policy and program  
 24 shall be documented in each budget report submitted.

25           **Section 23. That § 4-7-12 be AMENDED:**

26           **4-7-12.** The Governor-elect and ~~his~~the Governor-elect's designated budget  
 27 representatives ~~shall be~~are entitled to examine the budget report in process and the  
 28 Bureau of Finance and Management shall provide ~~him~~the Governor-elect with every  
 29 practicable facility for familiarizing ~~himself~~the Governor-elect with its contents.

30           In case of a change of administration, the outgoing Governor shall deliver the  
 31 budget report to the Legislature with ~~his~~a message, and the incoming Governor shall then



1 have ten legislative days in which to review the budget as prepared and delivered by his  
2 the Governor-elect's predecessor, and ~~he~~ the Governor-elect may send to the Legislature  
3 a supplementary budget message making suggestions for any changes ~~which he deems~~  
4 wise.

5 **Section 24. That § 4-8-17 be AMENDED:**

6 **4-8-17.** The Governor is authorized and empowered to accept on behalf of the  
7 state any appropriations made or moneys allotted to the state by the United States of  
8 America, as well as the provisions of any act of Congress appropriating or allotting such  
9 funds to the state to be used in cooperation with departments of the federal government  
10 and appropriations and acts of Congress.

11 The Governor shall administer and expend funds received for the State of South  
12 Dakota pursuant to the provisions of this section ~~shall be administered and expended~~  
13 ~~under the immediate supervision of the Governor~~ through such state departments as ~~he~~  
14 shall designate the Governor designates for that purpose, ~~and, shall~~ The funds must be  
15 deposited in the state treasury to be paid out by warrants drawn by the state auditor on  
16 vouchers approved by the Governor.

17 **Section 25. That § 4-8A-9 be AMENDED:**

18 **4-8A-9.** All requests by state departments and institutions for moneys from any  
19 general contingency funds appropriated by the general appropriation act or any special  
20 act ~~shall~~ must be submitted in writing to the Governor, the Bureau of Finance and  
21 Management, and the chairman or chairmen of the special committee, setting forth clearly  
22 the proposed usage and necessity for such funds. If the Governor deems any such request  
23 to be in the public interest and of sufficient necessity, ~~he~~ the Governor shall submit a  
24 recommendation to the special committee, for its consideration and disposition.

25 **Section 26. That § 5-2-11 be AMENDED:**

26 **5-2-11.** Upon application for conveyance of the title, or the granting of an  
27 easement of any kind over or across lands in which the title is in the State of South Dakota,  
28 the board, commission, or other agency of the State of South Dakota having the control  
29 of and administration of such lands shall forward to the commissioner of school and public  
30 lands a certified copy of a resolution of the agency requesting the conveyance, stating the  
31 consideration and citing the specific authority, if any, authorizing the conveyance.

1 Whereupon, the commissioner shall draw easements or conveyances of the title and  
 2 submit the same to the Governor for approval; ~~and, if, If approved by ~~him~~the Governor,~~  
 3 such instruments ~~shall~~ must be signed by the Governor and attested by the commissioner  
 4 of school and public lands, who shall cause such conveyance to be recorded in the office  
 5 of the register of deeds of the county in which said real estate is located. All payments for  
 6 such land, or easements over or across such lands, ~~shall~~ must be paid to the state  
 7 treasurer, who shall credit such payments to the general fund of the State of South  
 8 Dakota, unless such funds are otherwise specifically dedicated by law.

9 **Section 27. That § 5-9-15 be AMENDED:**

10 **5-9-15.** The commissioner of school and public lands shall, on receipt of a report  
 11 that a tract has been sold, if the land is to be paid for in installments, ~~cause to be~~  
 12 ~~prepared~~ prepare a contract of sale for such tract in duplicate, according to a form which  
 13 the commissioner shall prescribe, and shall submit the same to the Governor for ~~his~~  
 14 approval. Should the Governor approve the sale, ~~he~~ the Governor shall certify ~~to~~  
 15 approval and the commissioner shall ~~thereupon~~ execute the same. The approval of the  
 16 Governor and one copy of such contract shall be filed in the office of the commissioner,  
 17 and the other copy of the contract shall be forwarded to the purchaser after the expiration  
 18 of sixty days from the date of sale and a copy of the final abstract of sale shall be forwarded  
 19 to the county auditor for use as noted in § 5-9-28.

20 **Section 28. That § 12-20-46 be AMENDED:**

21 **12-20-46.** The Governor, or ~~his~~ the Governor's designee, ~~the Chief Justice~~ chief  
 22 justice of the Supreme Court, or ~~his~~ the chief justice's designee, and the secretary of  
 23 state, in the presence of the attorney general shall constitute a board of canvassers to  
 24 canvass the returns of the votes for representatives in Congress, United States Senators,  
 25 and for electors of President and vice president of the United States and all state officers,  
 26 members of the State Legislature, constitutional amendments, initiated measures, and  
 27 referred laws, but no member thereof shall take part in canvassing the votes for any office  
 28 for which he is a candidate.

29 **Section 29. That § 21-36-5 be AMENDED:**

30 **21-36-5.** If the Governor of this state ~~shall have~~ has reason to believe that any  
 31 real or personal property has escheated through defect of other heirs, ~~he~~ the Governor

1 may direct the attorney general or any state's attorney of any county in which the whole  
 2 or any part thereof is situated to institute ~~such proceedings as may be~~ necessary and  
 3 proper to protect and enforce the rights of the state with respect thereto.

4 **Section 30. That § 23-24-4 be AMENDED:**

5 **23-24-4.** When a demand ~~shall be~~is made upon the Governor of this state by the  
 6 executive authority of another state for the surrender of a person ~~se~~ charged with a crime,  
 7 the Governor may call upon the attorney general or any prosecuting officer in this state  
 8 to investigate or assist in investigating the demand, and to report to ~~him~~the Governor  
 9 the situation and circumstances of the person so demanded, and whether ~~he~~the person  
 10 ought to be surrendered.

11 **Section 31. That § 23-24-8 be AMENDED:**

12 **23-24-8.** If the Governor decides that the demand should be complied with, ~~he~~  
 13 the Governor shall sign a warrant of arrest, ~~which shall be~~ sealed with the state seal, and  
 14 ~~be directed~~direct it to any peace officer or other person whom ~~he may think fit to entrust~~  
 15 the Governor entrusts with the execution thereof. The warrant must substantially recite  
 16 the facts necessary to the validity of its issuance.

17 **Section 32. That § 23-24-21 be AMENDED:**

18 **23-24-21.** If a criminal prosecution has been instituted against such person under  
 19 the laws of this state and is still pending, ~~the Governor, in his discretion, either may~~ may  
 20 either surrender ~~him~~the person on demand of the executive authority of another state,  
 21 or hold ~~him~~the person until ~~he~~the person has been tried and discharged or convicted and  
 22 punished in this state.

23 **Section 33. That § 23-24-23 be AMENDED:**

24 **23-24-23.** The Governor may recall ~~his~~the Governor's warrant of arrest or may  
 25 issue another warrant whenever ~~he~~the Governor deems proper.

26 **Section 34. That § 23-24-28 be AMENDED:**

27 **23-24-28.** Whenever the Governor of this state ~~shall demand~~demands a person  
 28 charged with a crime or with escaping from confinement or breaking the terms of ~~his~~  
 29 probation, or parole in this state, from the executive authority of any other state, or from

1 the ~~Chief Justice~~ chief justice or an associate justice of the Supreme Court of the District  
 2 of Columbia authorized to receive such demand under the laws of the United States, ~~he~~  
 3 the Governor shall issue a warrant under the seal of this state, to some agent,  
 4 commanding ~~him~~ the agent to receive the person so charged if delivered to ~~him~~ the agent  
 5 and convey ~~him~~ the person to the proper officer of the county in this state in which the  
 6 offense was committed.

7 **Section 35. That § 23-24A-12 be AMENDED:**

8 **23-24A-12.** The appropriate officer of the jurisdiction in which an untried  
 9 indictment, information, or complaint is pending ~~shall be~~ is entitled to have a prisoner  
 10 against whom ~~he~~ the officer has lodged a detainer and who is serving a term of  
 11 imprisonment in any party state made available in accordance with § 23-24A-17 upon  
 12 presentation of a written request for temporary custody or availability to the appropriate  
 13 authorities of the state in which the prisoner is incarcerated; ~~and provided that the court,~~  
 14 having jurisdiction of such indictment, information, or complaint ~~shall have~~ has duly  
 15 approved, recorded, and transmitted the request; ~~and provided further that there shall~~  
 16 be ~~is~~ a period of thirty days after receipt by the appropriate authorities before the request  
 17 ~~be~~ is honored, ~~within~~ during which period the Governor of the sending state may  
 18 disapprove the request for temporary custody or availability, either upon ~~his~~ the  
 19 Governor's own motion or upon motion of the prisoner; ~~and, the.~~ The prisoner shall receive  
 20 immediate notice of a request and shall be informed of his right to petition the Governor  
 21 of the sending state to disapprove the request.

22 **Section 36. That § 32-13-1 be AMENDED:**

23 **32-13-1.** The Governor shall administer the highway safety program within this  
 24 state and authorize, direct, and coordinate existing and future activities of agencies of this  
 25 state and its political subdivisions in ~~such~~ the program. ~~He~~ The Governor shall do all things  
 26 necessary to the administration of the program under the Federal Highway Safety Act of  
 27 1966 (~~and~~ Public Law 89-564), as amended and in effect on July 1, 1984.

28 **Section 37. That § 34-48A-6 be AMENDED:**

29 **34-48A-6.** Whenever the Governor ~~in pursuance,~~ pursuant to § 34-48A-5 ~~shall~~  
 30 ~~declare,~~ declares an emergency or disaster to exist within the state, ~~he~~ the Governor may  
 31 authorize and direct the resources of any political subdivision of the state or of any

1 department, commission, or agency of the state to assist another political subdivision with  
2 such resources.

3 **Section 38. That § 46A-1-7 be AMENDED:**

4 **46A-1-7.** The Board of Water and Natural Resources shall establish the statewide  
5 policy on all multi-purpose water facilities, and shall maintain readiness to recommend  
6 significant factors to the Governor or ~~his~~a designated representative of the Governor  
7 concerning official comments on behalf of the State of South Dakota pursuant to any  
8 requirements of federal law.

9 **Section 39. That § 46A-15-6 be AMENDED:**

10 **46A-15-6.** South Dakota's Pick-Sloan settlement framework shall consist of  
11 short-term objectives enumerated in this section, long-term objectives pursuant to § 46A-  
12 15-7, and the Missouri River cost recovery program pursuant to § 46A-15-9. The  
13 short-term objectives shall include, at federal expense, the projects and total project costs  
14 enumerated in this section, subject to nonfederal cost-sharing requirements established  
15 by Congress and agreed to by the Governor or ~~his~~a designated agent~~agents~~agent of the  
16 Governor and the appropriate local project sponsors. The short-term objectives and the  
17 estimated 1986 costs, subject to adjustments as needed, to achieve such objectives are  
18 as follows:

- 19 (1) Completion of the following projects already under construction:
- 20 (a) The Belle Fourche Irrigation Rehabilitation Project at forty-two million two  
21 hundred thousand dollars remaining total cost;
- 22 (b) The WEB Rural Water Development Project at twenty-five million dollars  
23 remaining total cost;
- 24 (2) Development of the following projects proposed for construction, for which  
25 planning has been completed:
- 26 (a) The Lake Andes-Wagner/Yankton Sioux (Marty II) Irrigation Project at one  
27 hundred sixty-five million dollars total cost;
- 28 (b) The Mni Wiconi Rural Water System at one hundred million dollars total  
29 cost;
- 30 (3) Development of the following projects proposed for construction for which further  
31 planning is required:

- 1 (a) Multipurpose water supply and irrigation features of the Gregory County  
2 Hydroelectric Pumped Storage Facility at one hundred million dollars total  
3 cost;
- 4 (b) James River Flood Control at twenty million dollars total cost;
- 5 (c) The Mid-Dakota Rural Water System at one hundred million dollars total  
6 cost;
- 7 (d) Missouri River Fish and Wildlife Mitigation at thirty-five million dollars total  
8 cost;
- 9 (e) Missouri River Streambank Erosion Control at seventy-five million dollars  
10 total cost;
- 11 (f) Integration into the Pick-Sloan program for Missouri River Riverside  
12 Irrigation Projects at five million dollars for federal study purposes, subject  
13 to recommendation by the Missouri River Cost Recovery Authority;
- 14 (g) Rural and municipal water systems at one hundred million dollars total cost;  
15 and
- 16 (h) Lewis and Clark Rural Water System at one hundred million dollars total  
17 cost.