

LEGISLATION

1. REPEAL OF THE SOUTH DAKOTA GAG LAW ON STATE AGENCIES ('01)

WHEREAS: In 1995 and 1996 The South Dakota Legislature passed South Dakota Law 1-27-27 through 1-27-32 (commonly known as the "gag law"), which says that any state agency which is authorized by law to investigate, examine, or audit the papers books, records, financial condition or other information held by or concerning a private entity may not disclose that it is conducting such an investigation, examination or audit; and

WHEREAS: Violation of this law is classified as a felony offense; and

WHEREAS: South Dakota is the only state in the nation to have a gag law; and

WHEREAS: This law had to be amended in 1997 because it made it illegal for environmental inspectors to comply with federal law which requires full public disclosure of companies that pollute the environment; and

WHEREAS: This law has since been used to block citizens from knowing if specific enforcement measures are being taken by state agencies; and

WHEREAS: It has been recognized by the *Argus Leader* and others that this law creates a situation in which "any state official may be perceived as being handcuffed by the law while using it to assure that the interests of the rich and powerful are not held to the same standard as average individuals, or the cloak of secrecy could be used to hide the fact that the state doesn't care to address a ticklish issue"; and

WHEREAS: The public has a right to know whether state agencies are enforcing the law; and

WHEREAS: There are other state and federal laws to protect the rights of individuals currently under investigation.

THEREFORE BE IT RESOLVED: The South Dakota Stockgrowers Association calls for the repeal of South Dakota Codified Law 1-27-27 through 1-27-32 (commonly known as the "gag law").

2. TO RESTORE AMERICA'S SOVEREIGNTY ('02)

WHEREAS: American sovereignty is increasingly subjected to a take-over by a never-ending supply of United Nations treaties and conventions: The Wildlands Project and Grizzly Bear Recovery Plan, the UN and US Biosphere Program, the International Union for Conservation of Nature and Natural Resources, the Commission on Global Governance, to name a few; and

WHEREAS: Our Federal Government has limited its rights of sovereignty over many of America's revered heritage sites which have then become world heritage sites under the UN; and

WHEREAS: The United Nations is striving to gain control over all of Americas land, to tax many areas of commerce, to control all natural resources, environmental and election laws, to outlaw guns, to educate and control our children and decide how many you can have; and

WHEREAS: American armed forces are fighting wars or standing guard in over 70 nations all under the control and command of the UN and our troops have been "granted" a period of only 12 months of exemption until the United Nations Criminal Court should begin prosecuting them from charges, and under judges, from terrorist-dominated countries; and

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WHEREAS: America's constitution states that no law or treaty can properly be made unless it is “in pursuance thereof” and “under the authority of the constitution,” and which has been supported by five supreme court rulings that treaties cannot authorize what the constitution forbids, as well as statements of the founding fathers, such as George Mason: “The power which can make treaties...cannot dismember the empire.”

THEREFORE BE IT RESOLVED: The South Dakota Stockgrowers respectfully but firmly requests all members of the South Dakota Congressional Delegation, and all candidates seeking such office, to diligently work to cut off any and all United States financial support for the United Nations and to support House Bill 1146, the American Sovereignty Restoration Act, to get America out of the United Nations.

3. LEGISLATIVE OVERSIGHT OF GUBERNATORIAL APPOINTMENTS (09)

WHEREAS: The primary conceptual building block of our government is the separation of powers, those being legislative, executive, and judicial and

WHEREAS: The protection of private property, individual rights, and liberty lie in a balance of power among the three governmental branches, and

WHEREAS: The legislature has passed laws creating executive regulatory boards and commissions without concurrent legislative influence over appointments to those boards and commissions, and

WHEREAS: The proliferation and increase in power of executive branch boards and commissions has resulted in rulemaking and policy formation with the power of law but without legislative oversight.

THEREFORE BE IT RESOLVED: That the South Dakota Stockgrowers Association request the legislature to enact a law requiring legislative approval of all executive board and commission appointments, and

BE IT FURTHER RESOLVED: That the legislation take the following format: The four legislators consisting of the Senate and House minority and majority leaders select a committee of five legislators other than themselves to review and approve or disapprove by majority vote, all gubernatorial appointments to boards and commissions.