

Chapter 1
2007 South Dakota
Legislative Manual
The Mount Rushmore State



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Setting the Historical Stage by Robert F. Karolevitz*

*Summer heat or snows,
Mountain, plain or prairie fields,
South Dakota's people are
The grandest crop she grows.*

- Badger Clark

South Dakota lies in the very heartland of North America. A total of 77,047 square miles of diverse land area - approximately 370 miles long by 210 miles wide - constitutes the mid-continental common-wealth which is 16th among the 50 United States in size, 46th in population (2000 census: 754,844), 39th or 40th (with its twin, North Dakota) in admission to the Union.

The dam-harnessed Missouri River - which has been known popularly through the years as the "Big Muddy" or the "Old Mizzou" - divides the state into two distinct sections, geographically and philosophically.

It has been called a "land of savage extremes," with temperatures ranging from 40 degrees below zero to 116 above, although these low and high points are relatively infrequent. It offsets its eerie Badlands - called "hell with the fires burned out" by George Armstrong Custer - with the richly productive black loam of the southeastern corner of the state. It has known blizzards, floods, dust storms and drouth - but one day of a South Dakota springtime or its matchless Indian summer makes one forget immediately the rigors of a chilling winter or a scorching July.

It is an expansive country with soaring eagles and darting prairie dogs. Beneath the earth are the splendors of Jewel Cave, and above it stand gnarled cottonwoods old enough to have witnessed the total period of organized government in the region. In April and May each year, the lavender-hued pasque - the official state flower - bursts from untilled sod on pastures and hillsides to signal a new planting season on farmlands lying under open skies in the center of the nation.

While its food and fiber production affects all the states, it physically adjoins six neighbors: North Dakota, which separates it from Canada; Minnesota and Iowa on the east; Montana and Wyoming on the west; and Nebraska to the south. Before 1889 it was part of the vast Dakota Territory. Earlier it was an undefined portion of the Louisiana Purchase from France in 1803 - and before that the Spanish claimed the prairie expanse.

Boundaries are important, of course, because they establish specific political land units and make the application of laws possible, but it must be remembered, too, that a state also means the people living within the particular borders. In other words, the geographic features of South Dakota are like a skeleton; to give it life, the flesh and blood of the citizenry must be added.

Without people there would have been no progress, no problems, no challenges, no achievement nor failures, no sorrow nor joy - the stuff of which history is made.

The parade of people - beginning with the Asiatic ancestors of the American Indians - has both brightened and bloodied the land, but viewed in proper context, the abrasions created by successive waves of newcomers (red and white included) are explainable and understandable - if not always defensible.

By knowing what lured or impelled various groups to migrate to the region which ultimately became South Dakota, one can grasp more readily the substance of the collision of cultures rather than belaboring the surface sore spots. The story is exciting and dramatic, often lighthearted and occasionally tragic. It is, after all, a continuing saga of people of many different backgrounds and the challenges they faced on a specific portion of the earth's real estate.

*Robert F. Karolevitz, *CHALLENGE: THE SOUTH DAKOTA STORY*, (Sioux Falls: Brevet Press, Inc., 1975), pp. 3-5. Edited paragraph one.

Chronology*

The State of South Dakota is a part of that vast domain which was acquired by the United States through the celebrated Louisiana Purchase in 1803. President Thomas Jefferson purchased the territory, which includes the present states of Missouri, Kansas, Nebraska, Iowa, Minnesota, North and South Dakota, Montana, and Idaho, from France for fifteen million dollars and the assumption of certain claims held by citizens of the United States against France.

Although nine states eventually were organized out of the Louisiana Purchase, during their existence as territories the boundaries of these divisions were subject to frequent and marked changes, and names appeared and disappeared.

South Dakota was originally part of what was called the Louisiana Territory. In 1812, that part of South Dakota lying west of the Missouri River became known as the "Mandan Territory," and the area lying east of the Missouri River became incorporated into the Missouri Territory. The eastern half of South Dakota was included in the Michigan Territory in 1834, and two years later, part of the Wisconsin Territory. In 1849, after the organization of Wisconsin as a state, the area east of the Missouri River was included in the Minnesota Territory. The portion of South Dakota west of the Missouri River was included in the Nebraska Territory in 1854. However, the admission of Minnesota as a state in 1858, left all the country west of its boundaries along the Big Sioux River to the Missouri River without any organization, legal name or existence.

This part was, by common consent, designated by the name of Dakota. Dakota is an Indian name which means "confederated" or "leagued together" and was originally derived from the great associated tribe of Indians, known in their own language as Dakotas.

In 1861, President James Buchanan signed the Organic Act (a copy of the document is found in this Blue Book) creating the Dakota Territory, which included the present states of North and South Dakota, Montana, Wyoming, and a small part of Nebraska. However, by 1868, Dakota Territory consisted of only what are North and South Dakota today. In 1889, the "Omnibus Bill" or the Enabling Act (a copy of the document is found in this Blue Book) was adopted which provided for the dividing of Dakota Territory into the states of North and South Dakota, and enabled the two Dakotas, Montana, and Washington to formulate constitutions.

Today, South Dakota is located in the heartland of the United States. It is a rectangular area approximately 370 miles by 210 miles. Its 77,047 square miles make it the 16th largest among the fifty states in size. South Dakota has a population of around 755,000.

* The introductory material to the chronology was substantially derived from the "Introductory," **Revised Code of South Dakota**, 1903, and the "Dakota Historical Sketch," **South Dakota Manual**, 1905.

Events of 2005

Ellsworth Air Force Base, a 63-year-old base that houses about half of the nation's B1-B bombers and is the state's second-largest employer, narrowly escaped a round of military base closings. In May, the Pentagon released its Base Realignment and Closure (BRAC) list which included shutting Ellsworth down. But state and community leaders lobbied hard to keep Ellsworth open. In June, at least 7,000 people attended a hearing hosted by three BRAC commissioners in Rapid City. In August, the BRAC commission voted 8-1 to take Ellsworth Air Force Base off of the Pentagon's list of recommended closures. The move saved the state thousands of jobs and nearly \$300 million.

An 11th-hour ruling by U.S. District Judge Karen Schreier blocked a South Dakota abortion bill from becoming law on July 1. The legislation would have required abortion doctors to tell women that abortion ends the lives of human beings and poses various medical and psychological risks.

Lightning ignited a tree in a branch of Stagebarn Canyon in the Black Hills on the night of Saturday, July 9. The resulting Ricco Fire burned 4,000 acres in rugged country west of Piedmont, forcing the evacuation of dozens of homes and destroying one. Temperatures in the 100s and high winds helped the fire spread fast. Ricco was named a national priority fire, and a "Type 1" management team, comprising the most highly trained firefighters, was called in to fight the blaze, along with more than 800 other firefighters. The fire eventually burned an area 4 miles long and 2 miles wide, from South Stagebarn Canyon on the south to Little Elk Canyon on the north. On the west, campers at Dalton Lake were evacuated. The fire was contained by Sunday, July 17. Estimated cost of containment was \$2.3 million.

In October, state lawmakers meeting in special session approved \$19.9 million to help fund an interim underground laboratory in the closed Homestake Mine at Lead. The National Science Foundation also narrowed its choice on constructing a lab to Homestake and a mine in Colorado.

South Dakota's first-ever mountain lion hunting season could have endured as long as Dec. 15, but it ended Oct. 24, when the fifth breeding-age female was shot and killed. A total of 13 lions were killed after the season opened Oct. 1.

A late-fall ice and snow storm paralyzed a big portion of the state. The brunt of the storm hit central and eastern South Dakota on November 27-28. Heavy snow and ice knocked out power to 65,000 homes and businesses. More than 100 communities went without lights or heat in below-freezing temperatures as crews

worked around the clock to repair 10,000 miles of downed power lines. The governor started a door-to-door campaign to get people into emergency shelters. Crews worked continuously to get power back on, and it was mid-December before some rural areas were restored. Three storm-related deaths were reported. The President declared the hardest hit communities across South Dakota disaster areas.

In November, the Sioux Falls-based Dakota, Minnesota & Eastern Railroad said it would apply for a \$2.5 billion federal loan for its long-discussed coal-train project. Officials said the application would be filed in 2006.

The demolition company charged with demolishing the Zip Feed Mill in Sioux Falls said tipping the tallest building in the city would be as easy as chopping down a tree. But when the blast went off, the weight of the structure pushed one side deep into its foundation. Video of the demolition was seen around the world. The building sat at an angle for weeks, as a wrecking ball reduced the mill to a pile of rubble.

South Dakota lost six soldiers in 2005 as fighting continued in Iraq. One of the soldiers died in Kuwait. Three of the casualties were in the National Guard and three served in the Army. That brought the total of those serving in South Dakota units who died in the region to 15 since early 2003. Pfc. Gunner D. Becker, Forestburg; Army Staff Sgt. Jason Munterfering, Parkston; Chief Warren Officer Paul Pillen, Keystone (died in Kuwait); Army Spc. Daniel D. Bartels, Huron; Sgt. 1st Class Richard Schild, Tabor; and Staff Sgt. Daniel M. Cuka, Yankton.

Events of 2006

The rain did not fall, cattle were sold and crops were destroyed in much of central and western South Dakota this year. The hot and dry weather brought one of the most severe droughts in the country to South Dakota.

Senator Tim Johnson was hospitalized with stroke-like conditions. The senator underwent surgery Dec. 13 to repair a malformed cluster of blood vessels in his brain, called an arteriovenous malformation. A month later, he was transferred to the hospital's rehabilitation center, where he began speech, physical and vocational therapy. Rehabilitation continued into 2007.

An abortion ban was passed by the state legislature in an attempt to challenge Roe versus Wade. The measure was referred to a vote of the people and in November, voters rejected it 56 percent to 44 percent.

Governor Rounds decided to stop South Dakota's first execution in almost sixty years. Four hours before Elijah Page would be put to death Governor Rounds postponed execution because he didn't want to violate a state law that said an execution required the use of two drugs not three.

Sixty school districts sued the state over education funding. The school districts alleged that the state was under-funding education by more than 100 million dollars a year. The lawsuit was expected to go to trial in the spring of 2008.

Ellsworth Air Force Base was picked as the location for a new consolidated financial services call center. Reports expected 800 new jobs within seven years at the center. The plans for the new center called to consolidate Air Force financial services that were currently handled at 93 separate locations.

The Dakota, Minnesota and Eastern coal train project received final regulatory approval but was later denied a 2.3 billion dollar loan from the Federal Railroad Administration. The company pledged to pursue other means of financing the six-billion-dollar project.

South Dakota lost four soldiers in 2006 as fighting continued in Iraq. Army Sgt. Jeremiah Boehmer, Parkston; Army Spc. Patrick Herried, Sioux Falls; Spc. Allen D. Kokesh Jr., Yankton; and Staff Sgt. Gregory A. Wagner, Mitchell. One South Dakota civilian died. Roland Carrol Barvels from Aberdeen was killed when a roadside bomb hit a convoy near the city of Basra.

State Seal and State Emblems



The design of **the Great Seal of South Dakota** is provided for in Article XXI of the State Constitution. It bears the motto: "Under God the People Rule" and the year in which the state was admitted to the Union, 1889.

The seal serves as a symbol of life in South Dakota. The plowman and the field of corn symbolizes farming, the smelting furnace depicts the mining industry, the cattle feeding on the plain represents ranching and dairying, the steamboat designates transportation and commerce, the trees indicate lumbering, the building portrays manufacturing, the river denotes the Missouri River, and the hills in the background identify the Black Hills.

State Flag and Pledge

The South Dakota flag features the state seal surrounded by a golden blazing sun in a field of sky blue. Letters reading "South Dakota, The Mount Rushmore State" -- the official state nickname -- are arranged in a circle around the sun.

The official pledge to the state flag is: "I pledge loyalty and support to the flag and state of South Dakota, land of sunshine, land of infinite variety."



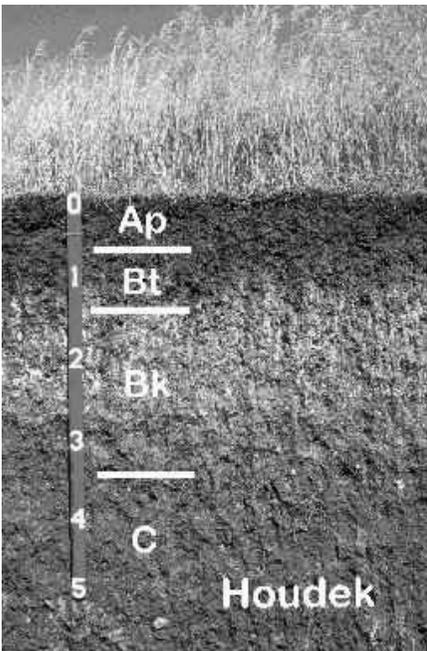
The pledge to the flag and to the state may not preempt, replace or be recited before the pledge of allegiance to the flag of the United States.

**State Animal - Coyote** (*Canis latrans*)

A natural predator of small game and rodents, the adaptable coyote hunts the open prairies and fields over the entire state, but occurs in greatest numbers along the Missouri River, its tributaries and in the Black Hills.

State Bird - Ring-Neck Pheasant

(*Phasianus colchicus*) was introduced to South Dakota in 1898. Easily recognized by its colorful plumage, the pheasant is also known for its delicious meat. Since it is primarily a Midwestern bird, pheasant is considered a delicacy in many states.



State Soil - Houdek Soil (fine-loamy, mixed, mesic typic argiustolls) was designated the state soil in 1990.

State Drink-Milk (lac vaccun) was adopted as the official state drink in 1986.



State Insect - Honey Bee

(*Apis mellifera* L) South Dakota is a leader in honey production. In recognition of its importance to the state's farm economy, the honey bee was adopted as the state insect in 1978. The state's mild clear clover honey is often shipped out-of-state to be blended with darker honey.

State Fossil - The Triceratops

A horned dinosaur of the late Cretaceous period (approximately 68 million years ago), is the state fossil. It was a vegetation-eating dinosaur and used its horns for defense. Discovered in Harding County in 1927, the skeleton is now on display in the Museum of Geology in Rapid City.

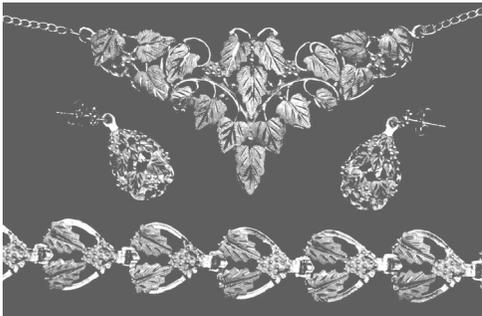


**State Grass - Western Wheat**

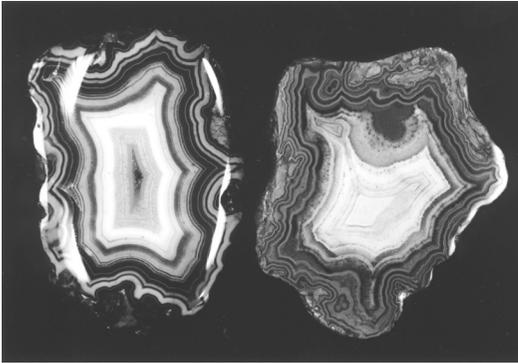
(*Agropyron smithii*) is a common grass to South Dakota, grown primarily as feed for livestock but also harvested for its seed.

State Flower - American Pasque

(*Pulsatilla hirsutissima*) is also called the May Day flower. It grows wild throughout the state and its blooming is one of the first signs of spring in South Dakota. A member of the anemone family, the Pasque is a five-petaled lavender flower.

**State Jewelry - Black Hills Gold**

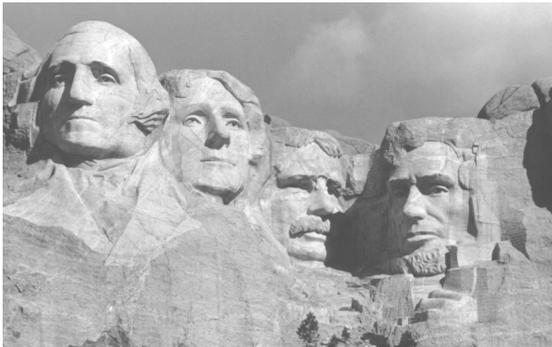
is created and manufactured exclusively in the Black Hills. Each design incorporates the motif of grapes and leaves in tri-color combinations of green, rose and yellow gold.



State Gemstone - Fairburn Agate - is a semi-precious stone first discovered near Fairburn, SD. Found primarily in an area extending from Orella, NE to Farmingdale, SD, it is used in jewelry and is a favorite of rock collectors.

State Mineral - Rose Quartz

is mined in the southern Black Hills. It was discovered near Custer, SD, in the 1880s and is used primarily for ornaments and jewelry.



State Nickname - Mount Rushmore State - became official in 1992. Before that South Dakota was known as the "Sunshine State" or the "Coyote State."

State Fish - Walleye - (*Stizostedion vitreum*) is the fish most sought after by South Dakota anglers. It is fine eating and one of the most challenging adversaries an angler can face. Found in lakes and rivers across the state, walleyes are most common in the Missouri River system and in the Glacial Lakes area of northeastern South Dakota. The Museum of Wildlife, Science, and Industry located in the city of Webster is designated as the site of the official State Fishing Museum for the State of South Dakota. Photo by South Dakota Tourism.



State Musical Instrument - Fiddle - The fiddle was designated the official state musical instrument of the state in 1989. Wilbur Foss, a Scotland native originated the South Dakota Old Time Fiddlers Association. The association has been in existence for over thirty (30) years.

State Tree - Black Hills Spruce

(*Picea glauca densata*) is a member of the evergreen family. The pyramid shaped tree is characterized by dense foliage of short bluegreen needles and slender cones.



State Dessert - Kuchen -- that quintessential German Russian pastry -- is a sweet dough crust filled with custard which is sometimes served plain or studded with fruit of all kinds. There's prune kuchen and peach, apple and blueberry. Kuchen was designated as the official state dessert in 2000.

Try this recipe for Apple Kuchen and taste for yourself!



For the crust:

*2 cups flour
1/2 cup sugar
1/4 teaspoon kosher salt
1/2 teaspoon vanilla extract
1/2 pound (2 sticks) unsalted butter,
cold and cut into pieces*

For the topping:

*2 tablespoons sugar
1 1/2 teaspoons ground cinnamon
3 Granny Smith apples, peeled, if desired,
cored, and thinly sliced*

For the filling:

*1 pound cream cheese, at room temperature
3/4 cup sugar
1 teaspoon vanilla extract
1 egg, at room temperature*

Preheat the oven to 450 degrees.

Lightly grease and flour a 9x13-inch pan.

Cooking Time: 35 minutes

Place the flour, sugar, and salt in a large bowl or food processor fitted with a steel blade and mix to combine. Add the vanilla and butter, a little at a time. Press into the baking pan and bake in oven until slightly golden but not brown, about 12 to 15 minutes. Cool.

Lower the oven temperature to 400 degrees.

To make the filling: Mix the cream cheese, sugar, and vanilla in mixer (preferably with a paddle) and beat until creamy. Add the egg, mix to combine, and pour over the cooled crust.

Place the sugar and cinnamon in a small bowl and mix to combine.

Place the apples on top of the filling in two or three columns. Sprinkle with the cinnamon sugar and transfer to the oven. Bake until firm and a rich brown, about 20 minutes. Cut into 20 to 24 pieces.

State Sport – Rodeo - became the official sport of the State of South Dakota in 2003.



Photo S.D. Tourism



Photo S.D. Tourism

State Bread – Fry Bread-With House Bill 1205 the 2005 Legislature designated fry bread as the official bread of South Dakota.



State Song - "Hail South Dakota" - is the official state song, adopted in 1943. It is a marching song composed by Deecort Hammitt.

Hail! South Dakota, A great state of the land,
Health, wealth and beauty, That's what makes her grand;
She has her Black Hills, And mines with gold so rare,
And with her scenery, No other state can compare.

Come where the sun shines, And where life's worth your while,
You won't be here long, 'Till you'll wear a smile;
No state's so healthy, And no folk quite so true,
To South Dakota. We welcome you.

Hail! South Dakota, The state we love the best,
Land of our fathers, Builders of the west;
Home of the Badlands, and Rushmore's ageless shrine,
Black Hills and prairies, Farmland and Sunshine.
Hills, farms and prairies, Blessed with bright Sunshine.



State Hall of Fame - The South Dakota Hall of Fame is a non-profit governmental organization recognizing South Dakotans who stand above the rest. Each year The South Dakota Hall of Fame hosts an induction ceremony during which 15 individuals may be inducted into one of the 15 Categories of Recognition. The South Dakota Hall of Fame in Chamberlain was designated as the official Hall of Fame of South Dakota in 1996.