

# STATE OF KANSAS



## OFFICE OF THE GOVERNOR

State Capitol  
Topeka

ROBERT F. BENNETT  
Governor

### BENNETT EXECUTIVE ORDER NO. 75-1

By virtue of the authority vested in me as Governor of the State of Kansas, and for the purpose of providing for the filing, custody, numbering and indexing of proclamations, executive orders and other documents issued by the Governor of the State of Kansas, it is hereby ordered as follows:

Section 1. There shall be filed with the Secretary of State (1) all Gubernatorial proclamations and Executive orders; (2) such documents or classes of documents as the Governor shall determine from time to time to have general applicability and legal effect; (3) all letters of resignation from appointive or elective offices received for which there is a statutory duty of the Governor to fill a vacancy, of acceptance or resignation, and declarations of vacancies for appointive or elective offices for which there is a statutory duty of the Governor to fill a vacancy; and (4) such documents or classes of documents as may be required so to be filled by act of the legislature.

Section 2. (a) Each Gubernatorial document shall be designated by the Governor to be a proclamation; Executive order; Executive determination; letter of acceptance of resignation, or declaration of vacancy; or such other heading and description as shall be appropriate.

(b) The original or a duplicate copy of letters of resignation or notice of vacancy of an appointive or elective office, for which the

Governor must fill a vacancy, received shall be attached to and filed with letters issued by the Governor accepting the resignation or declaring a vacancy. (c) Gubernatorial documents designated "Executive Order" shall be filed, numbered, indexed, and preserved separate from other Gubernatorial documents. Each class of Gubernatorial documents shall be filed, numbered, indexed and preserved separate from each other.

(d) Each Gubernatorial document filed by the Secretary of State shall, in the event the subject matter thereof is interrelated with any other Gubernatorial document, be cross-indexed. The filing or receipt notation affixed to each Gubernatorial document filed shall refer to any other interrelated document filed with the Secretary of State.

Section 3. (a) Each Executive Order and Proclamation shall be attested to by the Secretary of State before it is filed, but failure of the Secretary of State to so attest shall not affect the validity or legality of any Order or Proclamation executed by the Governor. The Secretary of State shall not refuse to attest to any Executive Order or Proclamation presented for filing if it bears the Governor's signature.

(b) The Secretary of State shall, upon filing a Gubernatorial document, make two certified copies of each such document for separate safekeeping as a duplicate original to protect against destruction of the original document filed pursuant to this Executive Order. In the event the original documents filed are destroyed, the duplicate original of each such document shall be substituted therefor with equal validity, legality and binding effect as the original. One duplicate original shall be kept for these purposes

by the Secretary of State, and one duplicate original shall be kept for these purposes by the Governor.

(c) Certified copies of all such Gubernatorial documents shall be made available to the Governor for his personal use and retention without cost to the Governor.

Section 4. (a) The Secretary of State upon receipt of such Gubernatorial documents shall acknowledge receipt thereon which shall constitute filing as required by this Executive Order.

(b) The Secretary of State shall file, number and index each Gubernatorial document received pursuant to this Executive Order according to the date and time of receipt, subject matter contained therein, and the Governor's designation thereon, beginning with this Executive Order No. 75-1.

(c) The Secretary of State shall have the sole custody of all Gubernatorial documents filed pursuant to this Executive Order. Such Gubernatorial documents shall not be permitted to be taken from the Office of Secretary of State, or from his possession or that of his clerks; but certified copies shall in all cases be given when required, pursuant to K.S.A. 75-408 and 75-409, as amended, except as herein specifically provided otherwise.

Section 5. No document required by this Executive Order to be filed with the Secretary of State shall be valid as against any person who has not had actual knowledge thereof until the duplicate original, or original copy of the document shall have been so filed, and,

unless otherwise specifically provided by statute, such filing of any document, required to be filed pursuant to this Executive Order, shall be sufficient to give notice of the contents of such document to any person subject thereto or affected thereby.

Section 6. All documents required to be filed pursuant to this Executive Order shall be judicially noticed and, without prejudice to any other mode of citation, may be cited by volume and page number if appropriate.

Section 7. All previous Gubernatorial documents issued by any governor of the State of Kansas prior to January 13, 1975, except for those Gubernatorial appointments in effect and which do not expire for a period of longer than one year from the date of this Executive Order, and except for documents designated as "Proclamations", shall be effective for a period of one year from the date this Executive Order is filed, unless specifically rescinded by the Governor and such order rescinding such previous document has been filed pursuant to this Executive Order, at which time such previous Gubernatorial document shall expire and be null and void unless revived by refiling of such document by the Governor pursuant to the terms of this Executive Order, prior to said expiration date.

Section 8. The provisions and requirements of this Executive Order shall be in addition to the requirements of K.S.A. 75-103, 75-104, and 75-105.




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Section 9. This document shall be filed with the Secretary of State as Executive Order No. 75-1.

THE GOVERNOR'S OFFICE

By the  
Governor

April 8, 1975

  
  
Secretary of State  
  
Assistant Secretary of State