

South Dakota
DEMOCRATIC PARTY

November 2, 2009

Mr. Chris Nelson
Secretary of State
State Capitol Building
500 East Capitol Avenue
Pierre, South Dakota 57501-5070

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S.D. SEC. OF STATE

Dear Secretary of State Nelson:

This letter is to inform you of changes made to the Constitution of the South Dakota Democratic Party (SDDP).

The South Dakota Democratic State Central Committee (SCC) voted on a number of changes to the SDDP Constitution on October 3, 2009 in Chamberlain, SD. Please see the enclosed Constitution for all of our revisions. The most significant of which was to open the Democratic Primary to Independent voters. The other significant change was to put the action of electing precinct committeemen and committeewoman at precinct level. The SCC removed the role of the County Auditor and ballot election from the process.

Please don't hesitate to call with any questions or concerns.

Sincerely,



Cheryl Chapman
Chair

Filed this 2nd day of
November .09
Chris Nelson
SECRETARY OF STATE

Paid for by the South Dakota Democratic Party, Bill Nibbelink, Treasurer

South Dakota Democratic Party Constitution

Revised October 3, 2009

PREAMBLE

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PREAMBLE

We, the members of the Democratic Party of South Dakota, in order to make more effective the principles of our party, which are dedicated to the welfare, opportunity and security of all the citizens of South Dakota, and holding an unwavering confidence in the founding principles of these United States, do hereby establish this Constitution for the governance of our party.

Article I: GENERAL PROVISIONS

SECTION 1: Any person 18 years of age, who is a registered Democrat in South Dakota may participate fully in any public Party meetings and be elected to any Party office, except where specifically prohibited by law.

SECTION 2: All meetings at all levels of the Democratic Party are open to all members of the Democratic Party of South Dakota.

SECTION 3: The time and place for all meetings of the Democratic Party of South Dakota at all levels shall be publicized fully and in such a manner as to assure timely notice to all interested persons. Such meetings shall be held in places accessible to all Party members and large enough to accommodate all interested persons.

SECTION 4: The Democratic Party on all levels shall support the broadest possible registration.

SECTION 5: The Democratic Party shall publicize fully, and in such manner as to assure notice to all interested parties, a complete description of the legal and practical qualifications and duties for all officers and representatives of the State Democratic Party. Such publication shall be done in a timely manner so that all prospective candidates for all elected or appointed positions within the State Party will have full and adequate opportunity to compete for office.

SECTION 6: The South Dakota Democratic Party in all its endeavors will strive to contribute to the growth and influence of the Democratic Party, to develop leadership, to increase Party effectiveness, and to promote unity within the Party.

SECTION 7: It shall further be the policy of this organization to foster and encourage political activity among the voters of this State and those approaching voting age and to acquaint all people with the programs and principles of the Democratic Party. In furtherance thereof, South Dakota voters registered as Democrat or Independent may cast a vote in the Democratic primary election.

SECTION 8: The organization within the Democratic Party of South Dakota shall be Precinct Committeewomen and Committeemen, County Central Committees, Legislative District Chairs, State Central Committee and Executive Board, all of whom shall be registered Democrats.

Article II: PRECINCT COMMITTEEWOMEN AND COMMITTEEMEN

SECTION 1: The officers of a precinct shall consist of a Precinct Committeewoman and a Committeeman.

SECTION 2: The precinct committeewoman and committeeman shall be elected in their respective precinct by the registered Democratic voters of the precinct at a called and publicized meeting to be held between January 1 and April 1 of an even numbered year. If vacancies remain subsequent to the election they may be filled by the County Central Committee from the County atlarge. Public notice of the meeting must be made 30 days prior to the scheduled election. Publication of this notice is the responsibility of the county executive board of the county in which the precinct lies. In unorganized counties the Executive Director of the State Democratic Party with the approval of the State Party Chair, may undertake this function.

SECTION 3: The election of Precinct Committeewomen and Committeemen shall be conducted in a location accessible to all voters of the precinct, by secret ballot, with election by a majority vote of those present. Any candidate who has no opposing candidate shall be automatically elected. The election shall be conducted in accordance with rules and procedures to be specified by the State Executive Board and provided to all County Chairs. A current list of Precinct Committeewomen and Committeemen shall be provided to the county auditor by the County Party Secretary or other county party official designated by the County Executive Board.

SECTION 4: Precinct Committeewomen and Committeemen shall hold office for a term of two years or until successors are elected.

SECTION 5: The position of Precinct Committeewoman or Committeeman shall be deemed vacant if no one is elected, or if an incumbent Precinct Committeewoman or Committeeman dies, moves to another voting precinct or resigns. Vacancies shall be filled as provided in Article IV, Section 2.

SECTION 6: The duties of the precinct committeewoman and committeeman shall be a) to represent the precinct at county meetings b) to participate in the election of their county officers c) to participate in the State Convention d) such other duties as requested or assigned by the County Central Committee.

Section 7: Failure to attend three consecutive County Central meetings without a valid excuse

may result in the County Executive Board declaring a vacancy. Appeals of a declared vacancy may be made in accordance with the procedure in Article IV, Section 1.

Article III: COUNTY CENTRAL COMMITTEE

SECTION 1: The County Central Committee shall be composed of all elected or appointed Precinct Committeewomen and Committeemen, the State Central Committeewoman and Committeeman, and the County Officers, who shall each have one vote, if present.

SECTION 2: The Executive Board of the Democratic Party in each county shall consist of the following: County Chair, Vice Chair, Secretary, Treasurer (or Secretary-Treasurer), State Central Committeewoman or Committeeman and other such persons as the County Central committee designates.

SECTION 3: The County Executive Board shall be the policy-making body of the Party at the County level. The County Committee shall have the primary responsibility of election of county Democratic candidates, and shall assist in providing support for the State Party.

SECTION 4: The County Central Committee, as defined in Section 1, together with the elected Democratic County and Legislative officeholders, shall meet at a public meeting between April 1 and May 31 of odd-numbered years to elect a County Chair and Vice Chair, who should be of the opposite gender if at all possible; a Secretary-Treasurer or a Secretary and a Treasurer; a State Committeewoman and a State Committeeman, who shall hold their offices for two years or until their successors have been elected. The nominees for these offices need not be elected Precinct Committeewomen or Committeemen. A majority vote of those present shall constitute an election which shall be certified within 30 days to the County Auditor, except that the election of the State Committeewomen and Committeemen and the County Chair shall be certified to the Secretary of State. SDCL 12-5-14

SECTION 5: Each County Central Committee shall attempt to achieve geographic diversity in the selection of State Central Committee members.

SECTION 6: The duties of the County Officers (Chair, Vice Chair, Secretary, Treasurer (or Secretary –Treasurer)) shall be the same as set forth in Article VII, but on a County level. The Chair and Vice Chair shall support the goals and policies of the State Party, including fundraising.

SECTION 7: The duties of the State Central Committeewoman and Committeeman shall be to represent the County at the State Party meetings, to serve on the Executive Board of the County Party, and to support the goals and policies of the State Party, including fundraising.

SECTION 8: If a County party fails to have a County Party election as called for in Section 4 of this Article, the State Party Chair may deem that County inactive. In such case, the State Chair may call a public meeting of registered Democrats in the County in order to recruit County Officers and Precinct Committeewomen and Committeemen. Election of the County Officers shall be by a majority vote of registered Democrats attending said public meeting. The State Chair may appoint a temporary County Chair until such time as the new County officers are elected. Term of the appointed Chair shall not exceed one (1) year.

Article IV: RECALL AND VACANCIES

SECTION 1: Any elected official of the party may be recalled by the following procedure: one-half of the members eligible to vote for the position must sign a recall petition and present it at an official meeting of the body of the elected party officer. A vote to recall the officer must be held within 30 days of the presentation of the petition and two-thirds vote of those eligible to vote and present are required for recall. Appeal of a recall or declared vacancy may be brought before an Appeals Committee whose members shall be recommended by the State Chair and approved by the State Central Committee. Members of the Appeals Committee shall serve until their successors are appointed. A vacancy caused by recall shall be filled according to the procedures set out in SECTIONS 2-5 of this Article. Precinct Committeewomen and Committeemen are not subject to recall, but can be removed in accordance with Article II, Section 7.

SECTION 2: Vacancies occurring in a Precinct or other County position by reason of death, resignation, or otherwise, shall be filled by the County Central Committee. (SDCL 12-5-15)

SECTION 3: A vacancy occurring in any State position, such as National Committeewoman or Committeeman, State Chair, by death, resignation, or otherwise, shall be filled by a vote of the State Central Committee. (SDCL 12-5-24).

SECTION 4: A vacancy occurring in any of the ten Regional members to the Executive Board positions shall be filled at the next Central Committee meeting as provided by Article VIII, Section 1, by the State Central Committee members of the Region in which the vacancy occurs.

SECTION 5: The State Chair shall, after consulting with the Executive Board and elected Democratic State Legislators, fill any vacancies that may occur in the office of Legislative District Chair and Vice Chair.

Article V: LEGISLATIVE DISTRICT CHAIR AND VICE CHAIR

SECTION 1: Legislative District Chairs and Vice Chairs, who should be of the opposite gender if at all possible, shall be elected by the elected Democratic State Legislators and the County Central Committee of each County within the Legislative District in multi-County Districts or by the elected Democratic State Legislators and the County Central Committee in a single County District. Such elections shall take place within 60 days after the election of new County Officers, as provided in Article III, Section 4 of this Constitution. All elections shall take place at a time and place specified by the State Chair.

SECTION 2: The Legislative District Chair may hold meetings of the County Officers and elected Democratic State Legislators within his or her region to conduct business and he or she shall preside over those meetings.

SECTION 3: The Legislative District Vice Chair, in the absence of the Chair, shall preside at the District meetings.

SECTION 4: The duties of the Legislative District Chair and Vice Chair shall be to serve on the State Central Committee, participate in non-weighted voting at State Central Committee meetings, and to coordinate the recruiting and election of candidates in the District.

SECTION 5: The boundaries of and the number of Districts shall be the same as the Districts of the State Legislature.

Article VI: STATE CENTRAL COMMITTEE

SECTION 1: The State Central Committee shall be composed of all the County State Central Committeewomen and Committeemen, the Chairs and Vice Chairs of each County, Legislative District Chairs and Vice Chairs, and the elected State Party Officers.

SECTION 2: The State Party Officers shall consist of Chair, Vice Chair, the Regional Vice Chairs, Secretary and Treasurer.

SECTION 3. State Party Officers shall be elected by the State Central Committee at its first meeting following the gubernatorial election at a time and place selected by the State Executive Board. The Regional Vice Chairs shall be elected from their respective regions as set forth in Article VIII Section 1.

SECTION 4. The votes for the State Party Officers shall be weighted. Each County shall cast the number of votes equal to the County's proportionate vote for the Democratic candidate for governor in the last gubernatorial election. The County members of the State Central Committee present at the election of State Party Officers shall split the votes entitled to the County equally. For the Regional Vice Chair elections the votes shall be weighted within the Region.

SECTION 5: The terms of office of the Chair, Vice-Chairs, Secretary and Treasurer shall be four years, or until successors are elected and installed. Officers shall take offices on the first day of January following their election.

SECTION 6: The National Committeewoman and Committeeman shall be elected as provided for in Article IX, Section 14, of this Constitution. The term of office for the National Committeewoman and Committeeman shall be four years or until his or her successors are elected and qualified.

SECTION 7: The State Central Committee shall be the governing body of the South Dakota Democratic Party and shall be responsible for the proper financing of the party. The State Central Committee shall be primarily responsible for the elections of the Constitutional Candidates.

SECTION 8: At the State Central Committee meetings State Central Committeewomen and Committeemen, County Chairs and Vice Chairs, Legislative District Chairs and Vice Chairs, elected State Democratic Officials and State Party Officers shall have a vote in any matter brought before such meeting. Each member present shall have one vote and a majority of those present carries any issue before the meeting. However, when voting for Presidential Electors, State Party Officers, and the National Committeewoman and Committeeman voting shall be as provided in Section 4 of this Article.

SECTION 9: State Central Committee members representing at least eight counties may require the State Chair to call a State Central Committee meeting within 30 days after the Chair receives notice of such action.

SECTION 10: A quorum of the State Central Committee meeting shall consist of not less than 14 counties. No business shall be conducted without the said quorum being present.

SECTION 11: The State Chair may convene a meeting of the State Central Committee by teleconference. A teleconference is a meeting of the State Central Committee in which Committee members are in different locations, connected by electronic means, either audio,

video or both. The State Central Committee may use teleconferences for all purposes in connection with any meeting within the Committee's responsibilities. All votes taken during a teleconference meeting shall be by roll call. During the teleconference, at least a quorum of the members of the Central Committee shall participate from locations within the state. Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. The Constitution and the South Dakota Democratic Party policies, procedures and bylaws shall apply equally to meetings that are conducted by teleconference.

SECTION 12: The State Central Committee may authorize the appointment of party positions prescribed in South Dakota law.

Article VII: DUTIES OF STATE OFFICERS AND NATIONAL COMMITTEEWOMAN AND COMMITTEEMAN

SECTION 1: The State Chair shall preside at all meetings of the State Central Committee and State Executive Board, serve as a member of the Democratic National Committee, and with any limitations stated in this Constitution, act for the affairs of the Party as its Chief Administrative Officer. However, the Chair shall consult with the State Executive Board on all major policy matters and abide by the vote of the majority of such Board. The State Chair may recommend creation of committees, appointments to committees and to the Executive Board subject to approval by the State Central Committee.

SECTION 2: The State Vice Chair shall preside over the State Central Committee and State Executive Board meetings in the absence of the Chair, serve as a member of the Democratic National Committee, act for the Chair when the Chair is absent from the State or otherwise disqualified, act conjointly with the Chair under the direction of the State Central Committee in the direction and control of all campaigns and in promotion of Party policies and financial affairs, and perform such other duties as may be prescribed by State law or assigned by the Chair.

SECTION 3. All Regional Vice Chairs shall have fundraising as a primary duty, as well as other duties as assigned by the Chair. The State Chair may assign the chairmanship of committees to Vice Chairs.

SECTION 4: The State Secretary shall maintain and keep record of the meetings of the State Central Committee and the State Executive Board, file them as permanent records in the Democratic Party State Headquarters.

SECTION 5: The State Treasurer shall receive and disburse all funds of the Party and shall make all necessary reports covering the financial conditions of the Party, as those required by State and Federal law. A bi-annual audit shall be made and prepared for the State Central Committee and the State Executive Board.

SECTION 6: The National Committeewoman and Committeeman, State Chair and Vice Chair shall represent the Democratic Party of South Dakota at national, regional and other meetings of the Democratic Party, serve as members of the Democratic National Committee, and perform such other duties as may be prescribed by State law. They shall consult with the Executive Board of the State Central Committee as members of the Board on all matters pertaining to the welfare of the Party on the state and national levels.

SECTION 7: Other positions not prescribed by State law, such as Executive Director, Finance

Director, special assistants and office personnel, may only be appointed by the State Chair with the approval of the State Executive Board. Their appointments shall terminate at the will of the State Chair.

Article VIII: STATE EXECUTIVE BOARD

SECTION 1: The Executive Board of the State Democratic Party shall consist of the: State Chair, State Vice Chair, five (5) Regional Vice Chairs, State Secretary, State Treasurer, National Committeewoman, National Committeeman, two Regional Members, one male and one female, of the State Central Committee elected from each of the five regions and the President of the Young Democrats.

The five regions will be:

Region 1—East -Minnehaha and Lincoln Counties;

Region 2—Southeast—Sanborn, Miner, Lake, Moody, Davison, Hanson, McCook, Douglas, Hutchinson, Turner, Bon Homme, Yankton, Clay, Union and Aurora Counties;

Region 3—Northeast—Brown, Marshall, Day, Roberts, McPherson, Clark, Codington, Hamlin, Grant, Deuel, Kingsbury, Brookings and Spink Counties;

Region 4—Central—Potter, Faulk, Sully, Hughes, Hyde, Hand, Beadle, Buffalo, Brule, Charles Mix, Gregory, Tripp, Jerauld, Edmunds, Walworth, Campbell, Stanley, and Lyman Counties;

Region 5—West—Harding, Perkins, Corson, Dewey, Ziebach, Haakon, Jackson, Jones, Mellette, Todd, Bennett, Shannon, Fall River, Custer, Pennington, Lawrence, Meade, and Butte Counties.

The ten Regional Members elected to the State Executive Board will be elected by a simple majority vote of the respective Regional Caucuses of the State Central Committee members at the first meeting of the State Central Committee following the county party elections as provided above in Article III, Section 4. Those members elected shall serve for a term of two years or until the election of their successors.

SECTION 2: It shall be the duty of the Executive Board to a) supervise the expenditures and administration of the Party in between meetings of the State Central Committee and b) act upon policy decisions necessary for the functioning of the party until the next State Central Committee Meeting at which time such policy shall be subject to the approval of the State Central Committee.

SECTION 3: The State Executive Board shall submit to the State Central Committee for approval the a) annual budget and b) recommendations of the Party policy

SECTION 4: The State Executive Board shall meet not less than six times each calendar year and shall otherwise meet at the call of the Chair or at the call of any other three State Executive Board Members.

SECTION 5: Any meeting called by the State Chair or three members of the State Executive Board shall be called by written notice to each member of the Executive Board at least five days in advance of the meeting, said notice to clearly state and describe the principle matter of business to be considered at said meeting; provided, however, that the notice requirement shall not restrict action on other business matters.

SECTION 6: A quorum of the Executive Board shall consist of a majority of members and no business may be conducted without the said quorum being present.

SECTION 7: The State Executive Board of the State Party shall have the power to call a meeting of the State Central Committee whenever, in their discretion, the interest of the Party may demand.

SECTION 8: With consent of the State Executive Board, individuals will be appointed to standing committees in order to conduct the business of the South Dakota Democratic Party. Committee members are to be appointed at the beginning of each calendar year and will serve one year. All business conducted by the Committee will be upon approval of the State Executive Board. The Standing Committees will act on the items referred to them by the State Executive Board. The Standing Committees are the Annual Audit Committee, the Finance Committee, and the Coordinated Campaign Committee.

SECTION 9: The State Central Committee may establish committees, councils, caucuses, task forces and partnerships to encourage constituent participation in the State Central Committee and State Executive Board. The State Chair may appoint a representative to the Executive Board from each of such groups subject to approval by the State Central Committee. Groups established by the Democratic National Committee shall be represented on the State Party Executive Board in the same manner as they are represented at the Democratic National Committee. Appointed representatives shall have one vote on the Executive Board. Members so appointed by the authority under this section shall not be counted for the quorum requirement and shall serve until their successors are appointed.

SECTION 10: In addition to the members listed previously in this Article, all Democrats who are currently serving as an elected State-wide Constitutional officer, an elected member of the Public Utilities Commission, the floor leader of the Senate and House, or as a member of the U. S. Congress shall have voting privileges on the Executive Board. Members listed in this section shall not be counted for the quorum requirement. The members may appoint a designee to act on their behalf. If they desire to appoint a designee, the name of the designee shall be provided to the State Chair in writing.

Article IX: PRE-CONVENTION CAUCUS & STATE PARTY CONVENTION

SECTION 1: The State Central Committee shall convene a meeting, called the Pre-Convention Caucus (Caucus), in March or April of even numbered years for the purpose of recommending nominations for certain statewide offices to be elected at the State Convention, excluding the Governor and Lt. Governor. The date shall be set by the State Central Committee and noticed at least 60 days prior to the date chosen. The Caucus may be held in conjunction with a noticed State Central Committee meeting.

SECTION 2: Delegates to the Caucus shall be selected at the county level at a meeting convened by the County Central Committee. The County Chair or designee shall provide public notice of the meeting at least 30 days in advance. Each County shall be entitled to a minimum of four delegates, one being the County Chair or the next higher officer and three being elected. In addition, the County shall elect one delegate for every 1,500 votes (or major fraction thereof) over 4,000 cast in that County in the last General Election for the Democratic candidate for Governor.

SECTION 3: The caucus delegate selection meeting shall be scheduled for dates, times and

public places which would be most likely to encourage the participation of all Democrats, and must begin and end at reasonable hours.

SECTION 4: In years in which a gubernatorial election is to take place, the caucus shall recommend candidates for the offices of Attorney General, Secretary of State, State Auditor, State Treasurer, Commissioner of Schools and Public Lands, and Public Utilities Commissioner.

SECTION 5: If no candidate for a statewide office is recommended for nomination at the caucus, or a candidate recommended withdraws, or additional candidates wish to seek nomination, nominations for such office may be made at the State Party Convention. As prescribed by South Dakota law Section 12-5-18, such delegate shall vote the number of votes equal to his or her proportionate representation as all delegates present from that County bears to the number of votes in his or her County at the last General Election for the Democratic Party candidate for Governor.

Nominations shall be made by majority vote of the votes cast, and shall be certified to the Secretary of State by the officials of the Convention, immediately at the close of the Convention in accordance with SDCL 12-5-22.

SECTION 6: The State Democratic Party Convention shall be held within a reasonable time after each biennial Primary Election. The State Central Committee shall determine the time of holding such Convention. The State Chair or his or her designee shall notify the Secretary of State at least 30 days prior to the date chosen. The location of the Convention, in accordance with principles of an open Democratic Party, should be publicized fully and in such manner as to assure timely notice to all interested persons. The convention shall be held in places accessible to all Party members and large enough to accommodate all interested persons.

SECTION 7: Each County Central Committee shall send to the State Convention delegates elected in the Primary Election. Each County shall be entitled to a minimum of four delegates, one being the County Chair or the next higher officer and three being elected. In addition, the County shall elect one delegate for every 1,500 votes (or major fraction thereof) over 4,000 cast in that County in the last General Election for the Democratic candidate for Governor.

SECTION 8: Each County Central Committee shall elect by secret ballot a minimum of three alternates. The alternates shall be ranked and Certified to the State Party office at least five days prior to the Convention.

SECTION 9: Democratic Party candidates for the South Dakota legislature whose names are to appear on the general election ballot shall be automatic delegates to the State Convention, with all of the privileges of a delegate except that such legislative candidate delegates shall have no vote on matters coming before the State Convention.

Precinct Committeewomen and committeemen shall be automatic delegates to the State Convention, with all of the privileges of a delegate except that precinct men and women who are not elected delegates shall have no vote on matters coming before the State Convention.

SECTION 10: At the State Convention, if an elected delegate from a County shall not be present, an elected alternate shall be certified by the Credentials Committee in place of the absent delegate.

SECTION 11: As prescribed by South Dakota law SDCL12-5-18, such delegates shall vote

the number of votes equal to his or her proportionate representation as all delegates present from that County bears to the number of votes in his or her County at the last General Election for the Democratic Party candidate for Governor.

SECTION 12: The temporary officers of the biennial Democratic State Convention shall be designated by the State Chair. Notice shall be given at least 20 calendar days prior to the opening of the Convention.

SECTION 13: On the date and at the hour chosen and fixed, the Convention shall be called to order by the State Chair who shall announce who the temporary officers, which shall consist of a Chair, Secretary and other such officers as the Chair shall designate. These temporary officers shall then proceed with the permanent organization of the Convention. At least 20 days before the date set for the meeting of the Convention, the State Chair shall select from the delegates to the State Convention as certified by the State Party Secretary by the Secretary of State, the following committees consisting of at least five members, one of whom shall be named Chair thereof: Credentials, Rules, Order of Business and Permanent Organization, Platform, and Resolutions.

SECTION 14: The State Chair shall publicize the appointment of such committees and the times and places of their meetings prior to the Convention as shall be necessary to advise the public and the members of the Committee thereof.

SECTION 15: Each Committee shall meet in advance of the Convention at a time and place designated by the State Chair, to consider all matters properly coming before such Committee, and thereupon each, after holding such public hearings as writing to the State Chair prior to the opening of the Convention, which reports shall be made available to each delegate. The Committee on Order of Business and Permanent Organization shall fix the temporary order of business governing the Convention.

SECTION 16: No rule shall be adopted or enforced, the effect of which would be to restrict or prohibit the Convention from consideration of matters not recommended by the several Committees.

SECTION 17: the Convention delegates shall adopt a State Party platform. [SDCL 12-5-19 Repealed SL 2007 Ch. 14 Sec. 13]

SECTION 18: The State Convention shall nominate candidates for Lieutenant Governor, and other constitutional offices as proposed by the pre-convention caucus.. In the years when a President of the United States is to be elected, the Convention shall nominate Presidential Electors and National Committeewoman and Committeeman of the Party.

SECTION 19: Nominations shall be made by majority vote of the votes cast, and shall be certified to the Secretary of State by the officials of the Convention, immediately at the close of the Convention.

SECTION 20: The Secretary of the State Convention shall immediately, upon writing up the minutes of the State Convention, which shall be complete within 60 days following the convention, turn over to the State Executive Board the minutes and all other records of the Convention.

Article X: NATIONAL CONVENTION DELEGATE

The State Central Committee shall adopt a specific plan of Affirmative Action and Delegate

Selection for National Convention Delegates in compliance with South Dakota law and the rules of the Democratic National Committee.

Article XI: MISCELLANEOUS

SECTION 1: Neither the State Central Committee, the State Executive Board nor any County Central Committee shall finance or endorse the candidacy of any person seeking the nomination of the Party in a contested Primary Election.

SECTION 2: Robert's Rules of Order shall govern the proceedings of all areas in which there is no provision governing this Constitution.

SECTION 3: No vote shall be cast by proxy at any meeting of the County Central Committee, State Central Committee, State or County Executive Boards or State Convention of the Democratic Party.

SECTION 4: It is the policy of the Democratic Party to encourage all elected officials responsible for recommending or making policy level appointments to consult with the State Chair, who shall in turn consult with the County Chairman concerning the qualifications of all such prospective appointees.

Article XII: CONFLICTS

SECTION 1: The organization shall be guided, in all its operations, by the applicable laws of the State of South Dakota pertaining to political party organization; by the Democratic Party in Convention assembled; by State Party Officers, functioning with the advice and consent of the State Central Committee of the Democratic Party as provided by this constitution of the South Dakota Democratic Party.

SECTION 2: Any portion of this Constitution that conflicts with South Dakota law shall be deemed amended to conform to South Dakota law and the remainder of the Constitution shall remain in effect.

Article XIII: AMENDMENTS

This Constitution may be amended by a majority vote of those present at a meeting of the State Central Committee of the Democratic Party of South Dakota at any meeting called with written notice having been given of such proposed change at least 10 days prior to the meeting. The State Party Secretary shall certify to and file with the Secretary of State a copy of the Party Constitution and amendments thereof within 30 days of their approval. The Chair is authorized to make editorial revisions for purposes of grammar or style.