



# Secretary of State

**Jason M. Gant**

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July 18, 2014

Lora Hubbel  
4605 W. Graceland Ct.  
Sioux Falls, SD 57106

Dear Ms. Hubbel,

This letter is in response to the Certification of Running Mate received in our office on July 15, 2014.

The procedures for the nomination of independent candidates for Governor and their running mates are covered in South Dakota Law (SDCL) Chapter 12-7. SDCL 12-7-1 provides in part "An independent candidate for Governor shall certify the candidate's selection for lieutenant governor to the secretary of state prior to the circulation of the candidate's nominating petition. The candidate and the candidate's selection for lieutenant governor shall sign the certification before it is filed." In this case, Ms. Collier was properly certified before the circulation of the petition. Because the time for petition circulation and the filing deadline have passed, there is no statute allowing certification of another independent candidate for lieutenant governor. Additionally, an independent candidate for lieutenant governor cannot simply drop off the ballot. Article IV section 2 of the South Dakota Constitution requires that the governor and lieutenant governor be jointly elected.

If Michael Myers is elected as Governor he may appoint a new lieutenant governor subject to confirmation by majority members of each house of the legislature pursuant the South Dakota Constitution Article IV section 6.

If you have any further questions, please do not hesitate to contact the office.

Sincerely,

Jason M. Gant  
Secretary of State

JMG:bj

cc: Michael J. Myers

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