



# Secretary of State

Jason M. Gant

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August 18, 2014

South Dakota Libertarian Party  
Emmett Reistroffer, Chairman  
PO Box 1375  
Rapid City, SD 57709

Dear Mr. Reistroffer,

On August 11, 2014, the Secretary of State's office received the official certification of statewide candidates for the South Dakota Libertarian Party that were nominated at the state convention held August 9, 2014 pursuant to South Dakota Codified Law (SDCL) § 12-5-22. The certification lists the following candidates: Chad Haber for Attorney General, Emmett Reistroffer for Secretary of State, Kurt Evans for State Auditor, Ken Santema for State Treasurer, Ryan Gaddy for Public Utilities Commissioner and John English for Commissioner of School and Public Lands.

In checking the voter registrations of the candidates listed above on August 11, 2014, two of them were found to be registered Republicans, Chad Haber and Ryan Gaddy. Pursuant to SDCL § 12-6-3.2, no person may sign a declaration of candidacy or be nominated as a political party candidate for a party unless that person is a registered voter with that party affiliation.

On August 13, 2014, the Minnehaha County Auditor's office received, in the mail, a voter registration form from Chad Haber dated August 9, 2014, changing his political party affiliation from Republican to Libertarian. On August 14, 2014, the Minnehaha County Auditor's office received another voter registration form from Chad Haber dated August 8, 2014. This time, the voter registration form came via Driver's Licensing pursuant to SDCL § 12-4-2.

On August 13, 2014, the Minnehaha County Auditor's office received, in the mail, a voter registration form from Ryan Gaddy dated August 9, 2014, changing his political party affiliation from Republican to Libertarian. Pursuant to SDCL § 12-4-6.1, a voter registration shall be considered to be effective on the date in which the card is received by the county auditor. However, if the card was completed at one of the agencies listed in § 12-4-2, is received by the auditor within five days following any voter registration deadline and is dated by the deadline, the card shall be considered to be effective on the date in which it was signed at the agency.

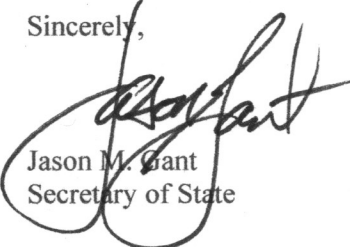
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Since Mr. Haber completed a voter registration form at an approved agency pursuant to § 12-4-2, prior to a voter registration deadline, his nomination is certified. Mr. Gaddy's voter registration form was received after his nomination at the state convention, he was considered a Republican at the time of the nomination. Therefore, Ryan Gaddy cannot be certified as candidate for Public Utilities Commissioner.

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

Sincerely,



Jason M. Grant  
Secretary of State

JMG:bj

Cc: Chad Haber  
Ryan Gaddy