



The South Dakota affiliate of the  
Libertarian Party of the United States

## South Dakota Libertarian Party

**The Party of Principle**

**No one -- neither a mugger in some alley nor a group of suits in some capitol -- no one has the right to initiate force or commit fraud to achieve personal or political goals.**

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### Platform of the Libertarian Party of the United States

As adopted in Convention, May 2012, Las Vegas, Nevada and endorsed by the So. Dak. Libertarian Party

#### PREAMBLE

As Libertarians, we seek a world of liberty; a world in which all individuals are sovereign over their own lives and no one is forced to sacrifice his or her values for the benefit of others.

We believe that respect for individual rights is the essential precondition for a free and prosperous world, that force and fraud must be banished from human relationships, and that only through freedom can peace and prosperity be realized.

Consequently, we defend each person's right to engage in any activity that is peaceful and honest, and welcome the diversity that freedom brings. The world we seek to build is one where individuals are free to follow their own dreams in their own ways, without interference from government or any authoritarian power.

In the following pages we have set forth our basic principles and enumerated various policy stands derived from those principles.

These specific policies are not our goal, however. Our goal is nothing more nor less than a world set free in our lifetime, and it is to this end that we take these stands.

#### STATEMENT OF PRINCIPLES

We, the members of the Libertarian Party, challenge the cult of the omnipotent state and defend the rights of the individual.

We hold that all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever manner they choose.

Governments throughout history have regularly operated on the opposite principle, that the State has the right to dispose of the lives of individuals and the fruits of their labor. Even within the United States, all political parties other than our own grant to government the right to regulate the lives of individuals and seize the fruits of their labor without their consent.

We, on the contrary, deny the right of any government to do these things, and hold that where governments exist, they must not violate the rights of any individual: namely, (1) the right to life -- accordingly we support the prohibition of the initiation of physical force against others; (2) the right to liberty of speech and action --

### SDLP By-Laws

#### ARTICLE I

##### NAME AND PURPOSE

These bylaws shall govern the South Dakota Libertarian Party, a political party organized under the laws of South Dakota. Throughout these bylaws, the terms party and SDLP may be used interchangeably, referring to the same entity. The purpose of the SDLP is to promote libertarian solutions to contemporary problems through the political process.

#### ARTICLE II

##### MEMBERS

Section 1. Anyone who is registered in South Dakota as a Libertarian or who is a member of the U.S. National Libertarian Party is eligible to become a voting member upon payment of membership fees.

Section 2. Membership fees for the following year shall be set by the Executive Committee ( ExCom ) no less that three (3) months after the annual meeting, to become effective upon official notification of membership. Membership shall run for twelve (12) months following payment of dues. Dues may be paid in part by providing service/labor at a rate approved by the ExCom.

Section 3. Dues will be paid current no less than one (1) hour before the beginning of the annual party meeting.

Section 4. Members must be present at meetings to vote, or provide written proxies.

#### ARTICLE III

##### OFFICERS AND EXECUTIVE COMMITTEE

Section 1. Officers. Members filling the positions of officers must be current paid members of the

SDLP and reside in South Dakota. The following positions shall be filled by election during the annual party meeting: Chair, Vice-Chair, Membership Director, Treasurer.

## Section 2. Duties of officers.

**Chair.** The Chair or a member of the ExCom designated by the Chair shall conduct all meetings of the SDLP and the ExCom. The Chair or the Chair's designee shall be one of the SDLP delegates to the National Libertarian Party convention. The Chair has authority to speak on behalf of SDLP for all public relations activities and other duties assigned by the ExCom.

**Vice-Chair.** The Vice-Chair shall be chief assistant to the Chair holding such executive powers as the chair shall delegate, and shall perform such duties as shall be assigned by the Chair or ExCom. The Vice-Chair shall make an annual report to the ExCom. The Vice-Chair shall perform or make provisions for performance of any legal assistance the party may require. If the office of Chair becomes vacant, the Vice-Chair shall conduct meetings of the ExCom and the SDLP until the office of Chair is filled.

**Membership Director.** The Membership Director shall be responsible for keeping records of party membership. The Membership Director shall be responsible for communication activities of the ExCom and state meeting to the membership. The Membership Director shall keep minutes and records as needed for recording the activities of the ExCom and meeting, and communicate these to the members.

**Treasurer.** The treasurer shall receive all money paid to the SDLP, and shall deposit the same in such bank or banks as have been designated by the ExCom, and shall disburse said money upon order of the ExCom. Treasurer shall make a complete financial report to the ExCom and at least annual reports to the membership. Treasurer shall perform all duties required of this office by applicable federal and state law.

**Section 3. Executive Committee.** The Executive Committee (Ex- Com) shall consist of four (4) duly elected officers, plus two (2) members at large. Members elected to the ExCom must be members in good standing of the SDLP. Newly elected members of the ExCom shall serve as ex officio until their terms become effective at the

accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form; and (3) the right to property -- accordingly we oppose all government interference with private property, such as confiscation, nationalization, and eminent domain, and support the prohibition of robbery, trespass, fraud, and misrepresentation.

Since governments, when instituted, must not violate individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by government to deal with one another as free traders; and the resultant economic system, the only one compatible with the protection of individual rights, is the free market.

### 1.0 Personal Liberty

Individuals should be free to make choices for themselves and to accept responsibility for the consequences of the choices they make. No individual, group, or government may initiate force against any other individual, group, or government. Our support of an individual's right to make choices in life does not mean that we necessarily approve or disapprove of those choices.

#### 1.1 Expression and Communication

We support full freedom of expression and oppose government censorship, regulation or control of communications media and technology. We favor the freedom to engage in or abstain from any religious activities that do not violate the rights of others. We oppose government actions which either aid or attack any religion.

#### 1.2 Personal Privacy

Libertarians support the rights recognized by the Fourth Amendment to be secure in our persons, homes, and property. Protection from unreasonable search and seizure should include records held by third parties, such as email, medical, and library records. Only actions that infringe on the rights of others can properly be termed crimes. We favor the repeal of all laws creating "crimes" without victims, such as the use of drugs for medicinal or recreational purposes.

#### 1.3 Personal Relationships

Sexual orientation, preference, gender, or gender identity should have no impact on the government's treatment of individuals, such as in current marriage, child custody, adoption, immigration or military service laws. Government does not have the authority to define, license or restrict personal relationships. Consenting adults should be free to choose their own sexual practices and personal relationships.

#### 1.4 Abortion

Recognizing that abortion is a sensitive issue and that people can hold good-faith views on all sides, we believe that government should be kept out of the matter, leaving the question to each person for their conscientious consideration.

#### 1.5 Crime and Justice

Government exists to protect the rights of every individual including life, liberty and property. Criminal laws should be limited to violation of the rights of others through force or fraud, or deliberate actions that place others involuntarily at significant risk of harm. Individuals retain the right to voluntarily assume risk of harm to themselves. We support restitution to the victim to the fullest degree possible at the expense of the criminal or the negligent wrongdoer. We oppose reduction of constitutional safeguards of the rights of the criminally accused. The rights of due process, a speedy trial, legal counsel, trial by jury, and the legal presumption of innocence until proven guilty, must not be denied. We assert the common-law right of juries to judge not only the facts but also the justice of the law.

#### 1.6 Self-Defense

The only legitimate use of force is in defense of individual rights — life, liberty, and justly acquired property — against aggression. This right inheres in the individual, who may agree to be aided by any other individual or group. We affirm the individual right recognized by the Second Amendment to keep and bear arms, and oppose the prosecution of individuals for exercising their rights of self-defense. We oppose all laws at any level of government requiring registration of, or restricting, the ownership, manufacture, or transfer or sale of firearms or ammunition.

### 2.0 Economic Liberty

Libertarians want all members of society to have abundant opportunities to achieve economic success. A free and competitive market allocates resources in the most

beginning of the following calendar year, unless immediate assumption of their duties is approved by the annual meeting or the ExCom.

**Section 4: Standing and Ad Hoc Committees.** The ExCom shall have the power to appoint committees. It may create and dissolve committees at any meeting of the ExCom by majority vote.

**Section 5: Meetings.** The ExCom shall meet at least quarterly at such times and places as may be determined by the action of the committee, by call of the Chair, or by written request of at least two (2) members of the ExCom. It may meet more frequently as necessary and per request of one-third (1/3) of the members. Either a written, telephone, or e-mail notice shall be given at least fourteen (14) days before a meeting. The ExCom may transact business by mail, telephone, or electronic media. The ExCom shall be prohibited from conducting any closed-door meetings and shall not disallow any Party member in good standing from attending meetings.

**Section 6: Quorum.** A quorum is present when two-thirds (2/3) of the membership of a committee is present.

**Section 7: Voting.** A majority vote of those present at a meeting shall rule. In the event of a tie, the proposed action, business, or resolution fails.

**Section 8: Terms of Office.** Terms of office for the officers and ExCom shall be one (1) year. A member may serve unlimited consecutive terms of office.

## ARTICLE IV

### CONVENTIONS AND MEETINGS

**Section 1: Annual Convention and Party Meeting.** The annual meeting shall be held at a date, time, and place determined by the ExCom with the provision that the dates should normally be during the pe- riod between 1 June and 31 August.

**Section 2. Notice of Convention.** Notices of the Convention will be mailed to all registered SDLP members, and other registered Libertarians in South Dakota (when such names and addresses are known) at least fourteen (14) days prior to the convention date. Such notice shall include the date, time, place, and any proposed actions to be taken by the membership. In addition, press releases of notice of the annual convention will be published in major newspapers in Aberdeen, Pierre, Rapid City, and Sioux Falls, at a minimum, at least fourteen (14) days in advance of the annual convention.

**Section 3. Special Membership Meetings.** A special meeting of the members may be called as determined by the ExCom following the same procedures as Section 2 above.

## ARTICLE V

### NOMINATIONS AND ELECTIONS

**Section 1. Eligibility.** To be eligible for any Party office, a candidate must be a member in good

efficient manner. Each person has the right to offer goods and services to others on the free market. The only proper role of government in the economic realm is to protect property rights, adjudicate disputes, and provide a legal framework in which voluntary trade is protected. All efforts by government to redistribute wealth, or to control or manage trade, are improper in a free society.

## 2.1 Property and Contract

Property rights are entitled to the same protection as all other human rights. The owners of property have the full right to control, use, dispose of, or in any manner enjoy, their property without interference, until and unless the exercise of their control infringes the valid rights of others. We oppose all controls on wages, prices, rents, profits, production, and interest rates. We advocate the repeal of all laws banning or restricting the advertising of prices, products, or services. We oppose all violations of the right to private property, liberty of contract, and freedom of trade. The right to trade includes the right not to trade — for any reasons whatsoever. Where property, including land, has been taken from its rightful owners by the government or private action in violation of individual rights, we favor restitution to the rightful owners.

## 2.2 Environment

We support a clean and healthy environment and sensible use of our natural resources. Private landowners and conservation groups have a vested interest in maintaining natural resources. Pollution and misuse of resources cause damage to our ecosystem. Governments, unlike private businesses, are unaccountable for such damage done to our environment and have a terrible track record when it comes to environmental protection. Protecting the environment requires a clear definition and enforcement of individual rights in resources like land, water, air, and wildlife. Free markets and property rights stimulate the technological innovations and behavioral changes required to protect our environment and ecosystems. We realize that our planet's climate is constantly changing, but environmental advocates and social pressure are the most effective means of changing public behavior.

## 2.3 Energy and Resources

While energy is needed to fuel a modern society, government should not be subsidizing any particular form of energy. We oppose all government control of energy pricing, allocation, and production.

## 2.4 Government Finance and Spending

All persons are entitled to keep the fruits of their labor. We call for the repeal of the income tax, the abolishment of the Internal Revenue Service and all federal programs and services not required under the U.S. Constitution. We oppose any legal requirements forcing employers to serve as tax collectors. Government should not incur debt, which burdens future generations without their consent. We support the passage of a "Balanced Budget Amendment" to the U.S. Constitution, provided that the budget is balanced exclusively by cutting expenditures, and not by raising taxes.

## 2.5 Money and Financial Markets

We favor free-market banking, with unrestricted competition among banks and depository institutions of all types. Individuals engaged in voluntary exchange should be free to use as money any mutually agreeable commodity or item. We support a halt to inflationary monetary policies and unconstitutional legal tender laws.

## 2.6 Monopolies and Corporations

We defend the right of individuals to form corporations, cooperatives and other types of companies based on voluntary association. We seek to divest government of all functions that can be provided by non-governmental organizations or private individuals. We oppose government subsidies to business, labor, or any other special interest. Industries should be governed by free markets.

## 2.7 Labor Markets

We support repeal of all laws which impede the ability of any person to find employment. We oppose government-fostered forced retirement. We support the right of free persons to associate or not associate in labor unions, and an employer should have the right to recognize or refuse to recognize a union. We oppose government interference in bargaining, such as compulsory arbitration or imposing an obligation to bargain.

## 2.8 Education

Education is best provided by the free market, achieving greater quality, accountability and efficiency with more diversity of choice. Recognizing that the education of children is a parental responsibility, we would restore authority to

standing of the Party and must reside in South Dakota.

Section 2. Nominations and Elections of Officers and Executive Committee. Nominations shall be made by Party members. The names of all nominees, in order nominated, shall be clearly posted during the Party meeting and immediately prior to voting. In the event only one (1) nomination is made, the Chair shall request a voice acclamation of the nominee from the members present to confirm the acceptance of the nominee. If there are two (2) or more nominations, a secret ballot shall be cast by members. Two members shall be appointed by the Chair to tally the votes. Any member may inspect the ballots cast and bring discrepancies to the attention of the convention.

Section 3. Endorsement of Political Office Seekers. The members shall endorse Libertarian candidates that have obtained a majority vote from the primary election. In the event no primary election was required (only one (1) candidate ran for the office on the primary ballot), the Chair shall request a voice acclamation from the members. Primary election voters shall include any registered Libertarian, Independent, and other unaffiliated voters.

Section 4. Vacancies in Positions of Officers and Executive Committee. In the event of a vacancy in the office of Chair, the ExCom shall select a member of the ExCom to serve as Chair. In the event of a vacancy in the position of any other officer or member of the Ex-Com, the ExCom shall, within sixty (60) days of notification of said vacancy, choose, by majority vote, a qualified and consenting member of the SDLP to serve the remaining term of office in said position.

Section 5. Majority Rule. In any Party or ExCom election, the members always have the right to vote for "NONE OF THE ABOVE." If "NONE OF THE ABOVE" wins a majority of the voters cast, nominations will be reopened. The office may be filled by reopening nominations and holding another vote.

Section 6. National Libertarian Party Convention Delegates. At the Party Convention prior to the National Libertarian Party Convention, the members shall nominate members to serve as state co-delegates with the Chair or the Chair's designate. Nomination and election procedures shall be as for Party officers and ExCom. Vacant delegate positions may be filled by appointment by ExCom. Delegates to the National Convention shall vote on the first ballot for the presidential candidate who received the most votes in the South Dakota Libertarian primary election. Delegates shall continue to vote for that candidate through subsequent ballots, until released by that candidate, or until delegates agree that to continue to vote for that candidate would be counterproductive and/or would threaten party unity. If no Libertarian candidate for President of the United States qualifies for the primary ballot in South Dakota, delegates to the National Convention may vote their consciences

parents to determine the education of their children, without interference from government. Parents should have control of and responsibility for all funds expended for their children's education.

## 2.9 Health Care

We favor restoring and reviving a free market health care system. We recognize the freedom of individuals to determine the level of health insurance they want (if any), the level of health care they want, the care providers they want, the medicines and treatments they will use and all other aspects of their medical care, including end-of-life decisions. People should be free to purchase health insurance across state lines.

## 2.10 Retirement and Income Security

Retirement planning is the responsibility of the individual, not the government. Libertarians would phase out the current government-sponsored Social Security system and transition to a private voluntary system. The proper and most effective source of help for the poor is the voluntary efforts of private groups and individuals. We believe members of society will become more charitable and civil society will be strengthened as government reduces its activity in this realm.

## 3.0 Securing Liberty

The protection of individual rights is the only proper purpose of government. Government is constitutionally limited so as to prevent the infringement of individual rights by the government itself. The principle of non-initiation of force should guide the relationships between governments.

## 3.1 National Defense

We support the maintenance of a sufficient military to defend the United States against aggression. The United States should both avoid entangling alliances and abandon its attempts to act as policeman for the world. We oppose any form of compulsory national service.

## 3.2 Internal Security and Individual Rights

The defense of the country requires that we have adequate intelligence to detect and to counter threats to domestic security. This requirement must not take priority over maintaining the civil liberties of our citizens. The Constitution and Bill of Rights shall not be suspended even during time of war. Intelligence agencies that legitimately seek to preserve the security of the nation must be subject to oversight and transparency. We oppose the government's use of secret classifications to keep from the public information that it should have, especially that which shows that the government has violated the law.

## 3.3 International Affairs

American foreign policy should seek an America at peace with the world. Our foreign policy should emphasize defense against attack from abroad and enhance the likelihood of peace by avoiding foreign entanglements. We would end the current U.S. government policy of foreign intervention, including military and economic aid. We recognize the right of all people to resist tyranny and defend themselves and their rights. We condemn the use of force, and especially the use of terrorism, against the innocent, regardless of whether such acts are committed by governments or by political or revolutionary groups.

## 3.4 Free Trade and Migration

We support the removal of governmental impediments to free trade. Political freedom and escape from tyranny demand that individuals not be unreasonably constrained by government in the crossing of political boundaries. Economic freedom demands the unrestricted movement of human as well as financial capital across national borders. However, we support control over the entry into our country of foreign nationals who pose a credible threat to security, health or property.

## 3.5 Rights and Discrimination

Libertarians embrace the concept that all people are born with certain inherent rights. We reject the idea that a natural right can ever impose an obligation upon others to fulfill that "right." We condemn bigotry as irrational and repugnant. Government should neither deny nor abridge any individual's human right based upon sex, wealth, ethnicity, creed, age, national origin, personal habits, political preference or sexual orientation. Parents, or other guardians, have the right to raise their children according to their own standards and beliefs. This statement shall not be construed to condone child abuse or neglect.

with respect to nomination of a national candidate.

#### ARTICLE VI FINANCE AND ACCOUNTING

Section 1. Budget and Membership. The budget and membership shall run concurrently and begin 1 January and end 31 December each year.

Section 2. Disbursements. All disbursements shall be made by check from a checking account authorized by the ExCom. Section 3. Borrowing. The SDLP may not borrow funds without one-hundred (100) percent concurrence of all members of the ExCom.

#### ARTICLE VII BYLAWS AMENDMENT

Section 1. Required Vote. The bylaws of the SDLP may be added to, changed, amended, replaced, or revoked by seventy-five (75) percent of the members present at any membership meeting of the SDLP or any special membership meeting of the SDLP.

Section 2. Notification. Recommended additions, changes, amendments, replacements, and revocations shall be inserted in the notice of 6 the convention or meeting given to each member (Article IV, Meetings ).

#### ARTICLE VIII MISCELLANEOUS

Section 1. Record keeping. The SDLP shall keep complete books and records. Written minutes of ExCom and member's meetings shall be preserved.

Section 2. Annual Report. The Treasurer shall prepare an annual financial report for distribution to the membership during the annual meeting.

Section 3. Emergency Meetings. In case of an emergency action, the ExCom may hold a meeting with a twenty-four (24) hour notice by the most feasible means possible to include telephone, radio, or other electronic communication.

Section 4. Parliamentary Authority. Robert's Rules of Order, Newly Revised, shall be the parliamentary authority for all matters of procedures not specifically covered in the bylaws or rules of the Party.

Section 5. Malfeasance Removal from Office of Officers or Executive Committee Members. Only in the event of an accusation by a SDLP member of malfeasance or conviction of the commission of a felony on the part of any officer or member of the ExCom, the remaining officers and members of ExCom shall meet within fourteen (14) days, by personal or electronic means, to hear evidence and to make a decision as to whether to remove the accused from office. A majority vote of the non-accused officers and members of the ExCom shall be necessary to remove any accused member of the ExCom. The accused shall have the opportunity to present witnesses and a defense, and shall have the right to be present at all deliberations, and shall have

### 3.6 Representative Government

We support election systems that are more representative of the electorate at the federal, state and local levels. As private voluntary groups, political parties should be allowed to establish their own rules for nomination procedures, primaries and conventions. We call for an end to any tax-financed subsidies to candidates or parties and the repeal of all laws which restrict voluntary financing of election campaigns. We oppose laws that effectively exclude alternative candidates and parties, deny ballot access, gerrymander districts, or deny the voters their right to consider all legitimate alternatives. We advocate initiative, referendum, recall and repeal when used as popular checks on government.

### 3.7 Self-Determination

Whenever any form of government becomes destructive of individual liberty, it is the right of the people to alter or to abolish it, and to agree to such new governance as to them shall seem most likely to protect their liberty.

### 4.0 Omissions

Our silence about any other particular government law, regulation, ordinance, directive, edict, control, regulatory agency, activity, or machination should not be construed to imply approval.

the right to witness a non-secret vote on the removal question. Malfeasance shall be deemed as a significant dereliction of duty, significant violation of the bylaws of the SDLP, or stealing from the SDLP.

Section 6. Local Affiliates. SDLP members may, within a given jurisdiction (legislative district, county, municipality, precinct, or ward), organize a local affiliate, with at least three (3) SDLP members. The affiliate may select an appropriate name and submit a proposal (including bylaws) to the ExCom, and is recognized by the party upon approval of the proposal by the ExCom. An affiliate continues to be recognized as long as it shall annually report in writing or verbally to the ExCom or Annual State Convention. Jurisdictions with less than three (3) SDLP members may be recognized by the ExCom as a provisional affiliate, upon application.

#### ARTICLE IX

##### EFFECTIVE DATE

These bylaws become effective immediately upon approval by the membership.

#### ARTICLE X

##### COUNTY/MUNICIPALITY/PRECINCT COMMITTEES

Section 1. SDLP members and registered Libertarians may in each precinct organize a precinct committee consisting, at minimum, of a chairman and chairwoman, and up to five members or ten (10) percent of the local registered Libertarian voters, whichever is greater.

Section 2. The precinct committee chairman and chairwoman shall be elected as provided by SDCL 12-5. Remaining members of the committee shall be elected in open meeting of the Libertarian Party voting members of the precinct.

Section 3. Each precinct committee shall function as the local affiliate for its precinct, as provided in ARTICLE VIII Section 6, regardless of the number of SDLP members in the precinct.

Section 4. The precinct committee shall act as the local point of contact for all local government agencies, shall coordinate party activities in the precinct, and shall perform such duties as determined by the ExCom and the precinct committee.

Section 5. Two (2) or more precinct committees may organize and elect a municipality and/or county central committee, with approval of the ExCom or the Annual State Convention, which shall be organized in like manner as, and have the same responsibilities as, the precinct committee.