

BY-LAWS OF THE
SOUTH DAKOTA DEPARTMENT OF LABOR EMPLOYEE'S
RETIREMENT BOARD

ARTICLE I. MEETINGS

Section 1. The Board shall meet at least twice a year.

Section 2. At its first meeting, after the commencement of a fiscal year, the Board shall determine the dates and the location of its required meeting for that fiscal year.

Section 3. Special meetings of the Board may be called by the secretary of Labor, the chairman of the Board, the written request of at least three members of the Board, or a petition signed by at least twenty-five (25) members of the retirement system. The special meeting must be called within thirty (30) days of the receipt of the call by the Department of Labor.

ARTICLE II. Officers of the Board

Section 1. At its initial meeting and thereafter at its first meeting after the beginning of each fiscal year, the Board shall elect from its membership a chairman and a vice-chairman. Officers shall serve for one year and until their successors are elected and qualified.

Section 2. The chairman shall preside at all meetings, appoint committees and perform such other duties as authorized by statute, policy, agreement, these by-laws and as delegated by the Board.

Section 3. The vice-chairman shall assume the duties of chairman when ordered or when the chairman is absent or otherwise unable to serve.

Section 4. The secretary of the Department of Labor and the chairman of the Board shall sign all documents according to established practice and perform official duties as the Board may from time to time determine.

Section 5. If a vacancy occurs in any of the offices of the Board, the Board shall fill the vacancy at any regular or special meeting for the unexpired term of the office.

Section 6. Elections for an office shall be by secret ballot unless there is only one candidate for a particular office.

ARTICLE III. Procedure

Section 1. Four members for the Board are a quorum.

Section 2. A majority of the members present and voting is sufficient to conduct any business of the Board.

Section 3. All business of the Board shall be conducted by motions or resolutions. Motions and resolutions have equal validity and the most recent adoptions prevails in the event of a conflict.

Section 4. On questions of parliamentary procedure, Robert's Rules of Order prevails.

ARTICLE IV. Committees

Section 1. The Board may establish standing committees with prescribed jurisdiction that may meet independently of the Board and may from time to time appoint ad hoc committees for specific purposes.

Section 2. Committees are appointed by the chairman of the Board. The term of a member of the committee shall be for one year for standing committees and such other period of time not to exceed one year as established by the Board in case of an ad hoc committee. The chairman of the Board is an ex-officio member with a vote of all standing committees.

Section 3. A committee may meet prior to each regularly scheduled Board meeting. A committee may take one of the following actions on any item before or prior to reporting back to the Board:

- a. Recommend Board adopt;
- b. Recommend Board adopt with amendments;
- c. Recommend Board not adopt;
- d. Without recommendation for Board action;
- e. That Board action be deferred to a date certain;
- f. Refer item back to the same committee for further study and hearings;
- g. Recommend to the Board to refer to another committee, and;
- h. Receive for informational purposes.

A committee must report an item back to the full Board and may not table it or postpone it indefinitely.

Section 4. A majority of the committee members present and voting is a quorum. The affirmative vote of a majority of the Board members present may bring any item of business on a committee agenda before the full Board and the committee is discharged from further consideration of that item.

Section 5. A special meeting of any committee may be called by the chairman of the Board, the Secretary of the Department of Labor or the chairman of the committee.

Section 6. The rules of procedure followed by the Board shall be the rules of procedure of a committee.

ARTICLE V. Agenda

Section 1. Before a Board meeting or committee meeting, the chairman of the Board or chairman of a committee shall prepare or have prepared an agenda showing the items of business to be conducted at the meeting.

Section 2. The agenda shall be mailed to each member of the Board or committee at least five (5) days before the meeting.

Section 3. A Board member may have an item placed upon the agenda of the Board meeting or a committee meeting by notification to the chairman. Persons who are not members of the Board may request agenda items to be placed upon the Board agenda or committee agenda by request to the chairman. The chairman has discretion as to whether the items should be placed on the agenda.

Section 4. The official agenda shall constitute the principal business at regular meetings of the Board and of each committee.

Section 5. A vote of two-thirds of the entire membership of the Board or of a committee shall be required to add an item to the agenda.

ARTICLE VI. Communications

Section 1. All communications to the Board from persons not members thereof shall be submitted in writing to the chairman of the Board at least ten (10) days prior to the Board meeting.

Section 2. The chairman of the Board is the only member of the Board authorized to make official pronouncements for the Board and then only as instructed by the Board.

ARTICLE VII. Records and Minutes

Section 1. The Board and committees shall keep complete records and minutes of its proceedings which shall be open to public inspection pursuant to law.

Section 2. Each member of the Board shall receive an official copy of the minutes of the Board and all committees.

ARTICLE VIII. Amendments

Section 1. These by-laws may be amended or repealed at any regular meeting of the Board provided that the full text of the amendments is given to each member of the Board when the agenda is distributed.

Section 2. The Board may by a two-thirds vote of the entire membership of the Board amend the by-laws at any meeting in the event that notice has not been given prior to the meeting.

ARTICLE IX. Notice to Plan Participants

Section 1. The chairman shall give ten (10) days notice of meetings to all plan participants and a synopsis or minutes of the meeting will be sent to all plan participants no later than thirty (30) days after the meeting.

THESE BY-LAWS WERE ADOPTED ON THE
11th day of November, 1989.
Signed by Robert Riter, Jr., Chairman

THESE BY-LAWS WERE AMENDED ON THE
1st day of June, 1990.
Signed by Robert Riter, Jr., Chairman