



2019-2020 MUNICIPAL AND SCHOOL ELECTION WORKSHOP

Sponsored by
Secretary of State's Office
South Dakota Municipal League
Associated School Boards of South Dakota

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ELECTION TYPES AND DATES

Municipalities have *three* options: set your date by **January 14** if choosing a date other than the second Tuesday in April (SDCL 9-13-1).

1. Second Tuesday in April (SDCL 9-13-1).
 - April 14, 2020
2. First Tuesday after the first Monday in June (SDCL 9-13-40).
 - June 2, 2020
3. Combine with the school on the second Tuesday in April, first Tuesday after the first Monday in June (*Primary date in 2018*) or the third Tuesday in June (SDCL 9-13-1.1).
 - a. If the municipal election is combined with a school election on a date other than the second Tuesday in April, all dates follow SDCL 13-7, except if combining with a Primary election you would also follow Title 12.

ELECTION TYPES AND DATES

Schools have *many* options: school board sets election date **no later than first regular meeting in January** (SDCL 13-7-10). Dates listed below are the most common.

1. Anytime from the second Tuesday in April through the third Tuesday in June (SDCL 13-7-10).
2. Combine with municipality on the second Tuesday in April, first Tuesday after the first Monday in June or on the third Tuesday in June (SDCL 13-7-10.1).
3. In even-numbered years, you may combine with the Primary Election on the first Tuesday after the first Monday in June (SDCL 13-7-10.3). Follow Title 12 for election dates. This won't apply to elections in odd years because there are no Primary or General elections.



Election Types and Dates

COMBINING ELECTIONS

- Any election may be combined *if* deadlines permit ([SDCL 12-2-6](#))
- Have a written agreement with contingencies if one jurisdiction doesn't have an election, will you combine notices, do both jurisdictions print in the same paper etc.
 - Ask your colleagues for sample agreements

BENEFITS OF COMBINING ELECTIONS

- Popular option
- Increase voter turnout
- Fewer trips to the polls for voters
- Shared election board workers
- Time and money saver



NOW WE ARE GOING TO LOOK AT THE ELECTION CALENDARS ONLINE

[HTTPS://SDSOS.GOV/ELECTIONS-VOTING/UPCOMING-
ELECTIONS/MUNICIPAL-SCHOOL-INFORMATION/DEFAULT.ASPX](HTTPS://SDSOS.GOV/ELECTIONS-VOTING/UPCOMING-ELECTIONS/MUNICIPAL-SCHOOL-INFORMATION/DEFAULT.ASPX)



PUBLIC NOTICES

Refer to the Election Calendar for Notices and the deadlines.

Other items to note:

- All public notices required by law by jurisdiction, shall include an inscription listing the approximate cost of the newspaper publication.
- This inscription shall be printed in the same type size as the body of the notice and located at the top or bottom of the public notice ([SDCL 17-2-28](#)).

PUBLIC NOTICES

- **Notice of Vacancy** (*two notices to publish*)
 - School Board (ARSD 5:02:04:14)
 - Municipalities (ARSD 5:02:04:06)
- **Notices of Deadline for Voter Registration** (*two notices to publish*)
 - ARSD 5:02:04:04
- **Notices of Election** (*two notices to publish*)
 - School Board (ARSD 5:02:04:15)
 - Municipalities (ARSD 5:02:04:08)
- Publish **facsimile ballot** in the calendar week prior to the election (SDCL 9-13-13 & 13-7-8).



PUBLIC NOTICES

WHAT IF I MISSED A NOTICE?

- **Do not panic!**
- Be sure to inform your attorney and follow his/her advice.
- Have the paper publish the missed notice if there is still time before the deadline.
 - If the paper failed to publish the notice, get in writing from them that it was their error
- Post the notice in areas within your jurisdiction (post office, grocery store, bank, etc....)
- Mail notice to all residents or registered voters.
- The election may still be challenged due to the missed or incorrect notices.
- Proofread ALL notices very carefully!

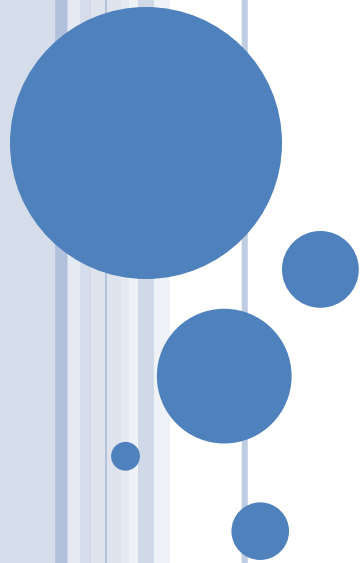


IMPORTANT WEBSITES WE WILL REVIEW

- Secretary of State:
 - www.sdsos.gov
 - Elections & Voting
 - City/School Resources
- Legislative Research Council:
 - www.sdlegislature.gov



CANDIDATE ELIGIBILITY REQUIREMENTS



CANDIDATE ELIGIBILITY REQUIREMENTS

MUNICIPALITIES

- Must have resided in the municipality for 3 months immediately prior to the election (SDCL 9-14-2).
- May not be a defaulter to the municipality (SDCL 9-14-2).
 - Talk to the SDML and/or your city attorney if this question comes up.
- Must reside in the Ward they are seeking election to.
- Must file a nominating petition or a vacancy is created (SDCL 9-13-14.3).



CANDIDATE ELIGIBILITY REQUIREMENTS

SCHOOLS

- Cannot be a teacher in the district they are seeking election to (SDCL 13-43-1).
- If representation areas exist, a school board member candidate must reside within the school board member representation area (SDCL 13-8-7.1).
- Must be a **resident voter** of the school district they are seeking nomination to (SDCL 13-7-6).
- Candidates should review SDCL 13-7-3 and determine if any other duties or offices they hold would be incompatible with a school board membership.



PETITIONS

Petitions forms are prescribed by the State Board of Elections and found in ARSD 5:02:08.

Petitions forms were updated in 2015 and 2016:

- Nominating petition for a **school board** member (ARSD 5:02:08:11).
- Nominating petition for a **municipal election** (ARSD 5:02:08:13).
- **The person in charge of the election** has to be **available until 5:00 pm on the petition filing deadline day** to accept petitions (this could fall on a Friday). SDCL 9-13-7 and 13-7-6.
 - Work with your attorney if you are not going to be available on a deadline day
- **CANDIDATES** need to plan ahead on who will notarize their declaration of candidacy. *Snow birds have limited options on who is able to notarize their petition when they are in another state.* SDCL 18-3-1 and 13-8-15 outline who is authorized.
- **CANDIDATES** cannot fill out and sign the Declaration of Candidacy prior to the first day of circulation.

NOMINATING PETITION FOR MUNICIPAL ELECTION

INSTRUCTIONS TO CANDIDATE: The heading of this petition and the declaration of candidacy must be fully completed before the petition is circulated for signatures.

WE, THE UNDERSIGNED qualified voters of the municipality of _____ in the state of South Dakota, nominate _____ whose residence address is _____, _____, South Dakota, _____ and whose mailing address is _____, _____, South Dakota, _____ as a candidate for a _____-year term for the office of _____ at the Municipal Election to be held on the _____ day of _____, _____.

DECLARATION OF CANDIDATE

I, _____ (print name here exactly as you want it on the election ballot) under oath, declare that I reside and am registered to vote in the municipality of _____ and that I am eligible to seek the office for which I am a candidate. If nominated and elected, I will qualify and serve in that office. If I am an alderman candidate, I declare that I reside and am registered to vote in Ward _____.

(Signed) _____

Sworn to before me this _____ day of _____, _____.

(Seal)

Signature of Officer Administering Oath

My Commission Expires _____

Title of Officer Administering Oath

INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

NAME	RESIDENCE	DATE/COUNTY
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
1 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
2 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION



NOMINATING PETITION FOR SCHOOL BOARD MEMBER

SCHOOL DISTRICT # _____

INSTRUCTIONS TO CANDIDATE: The heading of this petition and the declaration of candidacy must be fully completed before the petition is circulated for signatures.

WE, THE UNDERSIGNED qualified voters of _____ school district number _____, state of South Dakota, nominate _____ whose mailing address is _____, _____, South Dakota, _____, and whose residence address is _____, _____, South Dakota, _____, for a _____-year term (in _____ representation area, if applicable) on the school board at the school board election to be held on the _____ day of _____, 20____.

DECLARATION OF CANDIDATE

I, _____ (print name here exactly as you want it on the election ballot), under oath, declare that I reside in _____ school district number _____, South Dakota; that I am a registered voter of the district; and that I am eligible to seek the office for which I am a candidate. If nominated and elected, I will qualify and serve in that office.

(Signed) _____

Sworn to before me this _____ day of _____, 20____.
(Seal)

Signature of Officer Administering Oath

My Commission Expires _____

Title of Officer Administering Oath

INSTRUCTIONS TO SIGNERS:

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3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

NAME	RESIDENCE	DATE/COUNTY
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
1 _____ PRINT	_____ CITY OR TOWN	_____ COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
2 _____	_____	_____



13 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
14 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
15 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
16 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
17 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
18 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
19 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
20 PRINT	CITY OR TOWN	COUNTY OF REGISTRATION

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Print name of the circulator _____ Residence Address _____ City _____ State _____

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Sworn to before me this _____ day of _____, 20____.
(Seal)

My Commission Expires _____

Form Revised 2015 - 5:02:08:11

Signature of Circulator _____

Signature of Officer Administering Oath _____

Title of Officer Administering Oath _____



PETITIONS

SIGNATURE REQUIREMENTS

- Inactive and Active voters may sign petitions (SDCL 12-4-34).
- When calculating signature agreements, use active voters only.



SIGNATURE REQUIREMENTS

- **1st and 2nd class municipalities (SDCL 9-13-9):**
 - At large candidates: Signed by 5% of the registered voters of the municipality based on the number of registered voters recorded by the county auditor on the **second Tuesday in January of the year of the election.**
 - Ward candidates: 5% of registered voters of a ward based on the number of registered voters the ward recorded by the county auditor on **the second Tuesday in January of the year of the election.**
 - Contact your county Auditor for the number of registered voters.
 - No candidate would need more than 50 valid signatures.
 - Voter can only sign as many petitions as there are positions.



PETITIONS – Signature Requirements *cont'd*

- **3rd class municipalities** (SDCL 9-13-9):
 - At large and Ward: shall be signed by not less than three registered voters of the municipality
 - Voter can sign more than one petition.
- **School board candidate petitions** (SDCL 13-7-6):
 - 20 registered voters.



PETITIONS

FILING PROCEDURE

- Date stamp and time stamp received petitions.
- Verify signatures pursuant to ARSD 5:02:08:00 and 5:02:08:00.01.
- Check voter registration status of signers for school board member petitions.
 - Cities are not required to check voter registration status.
- Check to make sure the Candidate is registered in the right jurisdiction, representation area and/or ward they are running in.
- File or reject petitions.
 - Date and time stamp each filed petition.



PETITIONS

FILING PROCEDURE

- Contact the candidate via phone and mail once petition is filed or rejected.
- Anyone may challenge a filed or rejected petition.
 - 5 business days to challenge a filed petition.
 - A rejected petition must be challenged to court.
 - More detail regarding challenging coming up.
- Petition does not become a public record until your validation process is complete (SDCL 12-1-39).



PETITIONS

GUIDELINES FOR ACCEPTANCE

- Look at ARSD 5:02:08:00 for a complete listing of the guidelines.
- Make sure the petition is in the form required by this chapter;
- The petition contains the minimum number of valid signatures, counted according to 5:02:08:00.01. One or more invalid signatures on a petition section do not throw out the entire petition sheet;



PETITIONS

GUIDELINES FOR ACCEPTANCE

- Each section of the petition contains an identical heading and is verified by the circulator.
- The circulator may add the printed name, address, county of registration and date for a signer before the circulator completes the verification.
- Residence addresses may be abbreviated. The state is not required.
- The circulator verification must be completed and signed before an officer authorized to administer oaths.



PETITIONS

Guidelines for Acceptance

- The declaration of candidacy must contain the original signature of the candidate. Additional sheets may have an original or photocopied signature of the candidate.
 - ~~No professional titles of Candidates are allowed on the petition~~ This is being removed from the rule effective Sept. 29, 2019.
- The governing board or person authorized by statute to accept the petition shall, if requested, allow the petition circulator the opportunity to add missing information on the signature lines or circulator's verification on his or her petition provided the filing deadline has not passed.



PETITIONS

Guidelines for Acceptance

- Following the presentation of the petition for filing, names may not be removed from the petition.
- Except for petitions to nominate candidates for school boards, the person who is authorized to accept petitions for filing need not check for voter registration of the signers.
- Petitions containing signatures in excess of the minimum number may be filed, but the excess signatures will be disregarded (ARSD 05:02:08:00).



PETITIONS

CITY AND SCHOOL LOOKUP SITE

- URL: cityandschoollookup.sdsos.gov
- If you do not remember your username and password contact us and we will get that to you.
- If there are additional staff you want usernames and passwords for we will be able to provide those to you.
- This URL is not to be shared with anyone nor used for personal reasons. And should only be used for petition signature checking. **Candidates or elected officials do not have the authority to access this information.**
- Let's take a look at the look up site.



PETITIONS

GUIDELINES FOR COUNTING SIGNATURES

- Look at ARSD 5:02:08:00.01 for a complete list.
- **No signature on a petition sheet may be counted** if one of the following conditions is present:
 - The form of the petition is not identical to the form in administrative rule.
 - The **circulator's verification is not completed** or is improperly completed. If the missing information is completed elsewhere on the petition sheet that would be acceptable. It is considered complete if it includes the printed name of the circulator, the circulator's residence address and complete date.
 - *The Title of the Officer Administering the Oath* is not required but it is helpful to have that filled out



PETITIONS

GUIDELINES FOR COUNTING SIGNATURES

- **No signature on a petition sheet may be counted if...**
 - **The declaration of candidacy has not been completed** on or after the first date authorized by statute to circulate the petition, and signed by the candidate and the signature witnessed by an official empowered to administer oaths in South Dakota.
 - **The circulator's verification was signed by more than one circulator.**



PETITIONS

GUIDELINES FOR COUNTING SIGNATURES

- An **individual signature on a petition sheet may not be counted** if one of the following conditions is present:
 - The date of signing is **prior** to when the candidate signed the **declaration of candidacy**.
 - The date of signing is **after** the circulator completed the circulator **verification**.
 - The **date of signing**, including month and day, is **not provided**.
 - The signer's name is not printed **and** readable.
 - The signer's **county of voter registration** is **not provided**.



PETITIONS

GUIDELINES FOR COUNTING SIGNATURES

- The residence address does not include a street and house number or a rural route and box number and the town. If the signer is a resident of a second or third class municipality, a post office box number may be used. If the signer does not have a residence address or post office box number, a description of the residence location must be provided. If the signer is a resident of a building with a publicly known name, the building name may be used.



CANDIDATE NOMINATING PETITION REQUIREMENTS CHECKLIST

Form

- Petition sheet must be a single, self-contained sheet of paper printed front and back side (not glued, stapled, or taped etc.).
- Must be in the exact format as prescribed in Administrative Rule (5:02:08) - the candidate nominating petition can have 20 signatures lines on letter size sheet of paper or 30 signature lines on legal size sheet of paper (these are suggestions and how we have created petitions to be downloaded).
- Header matches prescribed format.
- Instructions to Voters must be included.
- Signature lines are numbered in order.
- A candidate can complete the declaration of candidacy and have his/her signature notarized and then prior to collecting any signatures he/she can make photocopies of that petition sheet to circulate. **NOTE:** You must receive a petition with an original signature on the declaration in order to count any signatures on the photocopied petition sheets. You **CANNOT** count any petition sheets that have photocopied voter signatures lines on them.
- Verification of Circulator section must be included.
- If the petition is not in the format prescribed by administrative rule, that petition sheet is thrown out.

Circulator

- Circulator must print their name otherwise petition sheet is thrown out.
- Circulator must sign their name otherwise petition sheet is thrown out.
- Circulator must be a South Dakota resident and list an in-state, residential address (NO PO BOX OR OUT OF STATE ADDRESS IS ALLOWED) otherwise petition sheet is thrown out.
- Circulator **CANNOT** be the notary for the circulator's verification otherwise petition sheet is thrown out.
- Only one circulator may sign otherwise petition sheet is thrown out.
- Circulator **CAN** be a signer on the petition.
- Circulator is allowed to fill in all of a signer's information on a signature line except for the voter's signature.
- If at the time of submission and if the filing deadline has not passed, you find that there is missing information on the petition; the person in charge of the election needs to allow the circulator to add the missing information (circulator cannot add the voter's signature).
- If missing info from circulator's verification can be found elsewhere on the petition then that is acceptable (ex. Circulator does not list his/her residence address in the circulator verification section, but the circulator is also the candidate and you can find his/her residence address in the candidate declaration section of the petition).

Notary

- On the Declaration of Candidacy, must be a South Dakota Notary otherwise petition sheet is thrown out.
- Notary Seal or Imprint must be on petition otherwise the petition sheet is thrown out (if County Auditor, Municipal Finance Officer or School Business Manager - they can use their jurisdiction seal but that is not required).
- Notary must sign otherwise petition sheet is thrown out.
- Date of notarization must be fully complete including day/month/year or petition sheet is thrown out.
- Notary's full expiration date must be listed including day/month/year otherwise petition sheet is thrown out (if County Auditor, Municipal Finance Officer or School Business Manager - they do not need to list an expiration date).
- Notary **CANNOT** notarize the circulator's verification and sign petition otherwise signature line is thrown out (SDCL 18-1-12.2). Notary **CANNOT** be the candidate otherwise petition sheet is thrown out (SDCL 12-6-8).
- Notary must verify **AFTER** circulator signed and dated, otherwise petition sheet is thrown out.
- The title of person administering the oath is not required.



Signatures	If the date of signature of voter is before the date the candidate signed the declaration of candidacy the signature line is invalid.
	Date of voter's signature must be on or before the notary signs the petition
	Date includes Month, Date (Can be spelled out or numerical, the year is not required)
	Date of voter's signature must be on or after the voter's registration date
	All six boxes on each signature line must be completed
	Ditto marks are not allowed
	Signers printed name must be legible and they can sign how they usually sign - DOES NOT need to match his/her voter registration record
	Signer's address DOES NOT need to match the address listed in their voter registration record
	On the signature line, the County of voter registration must match the county listed in their voter registration record.
	Both active and inactive voters can sign petitions
	The petition must meet the signature requirements for the office the candidate is running for. You only need to validate signatures up to the number required and then you can stop. You do not need to verify extra signatures above the required number.
	If the voter lives in a 1st class municipality, he/she must list a residential address (no PO Boxes are allowed). 1st Class Municipalities are: Aberdeen, Belle Fourche, Box Elder, Brandon, Brookings, Harrisburg, Huron, Madison, Mitchell, Pierre, Rapid City, Sioux Falls, Spearfish, Sturgis, Vermillion, Watertown, and Yankton.
Acceptable	If voter signed in the printed box and printed in the signed box (same with the other boxes – if they are mixed up but all the information is there) you accept that signature line.
	Common abbreviation marks are acceptable.
	Name of a well-known building is acceptable (ex: Golden Living Nursing Home).
	If signature lines are skipped you still count the other signature lines that meet all of the qualifications included in this checklist.
	Description of residence location if the person does not have an address (ex: 7 miles West on Grey Goose Road, brown house across the street from the red barn) is acceptable.
Additional Notes	If a voter contacts you and wants his/her name removed from the petition, the only way for that to be removed is for the voter to contact the circulator on that petition and request his/her name be removed. The circulator is not required to remove the signature. This has to be done prior to the petitions being submitted to you.
	Petition sheets are public documents but only after you have validated the signatures and either filed or rejected the petition. Any individual can request a copy of the petition form once the validation process is completed and you will charge your normal copy fee.
	If you receive a petition that does not look like it is in the proper form and/or you have other questions, please call or email our office or talk with your city attorney.



NOMINATING PETITION FOR PARTISAN ELECTION REPUBLICAN PARTY

INSTRUCTIONS TO CANDIDATE: The heading of this petition and the declaration of candidacy must be fully completed before the petition is circulated for signatures.

WE, THE UNDERSIGNED qualified voters of Legislative District 10 of South Dakota and members of the Republican Party, nominate Gene G. Abdallah, of Lincoln County, South Dakota, whose mailing address is 4908 S Glenview Road, Sioux Falls, SD 57108, as a candidate for the office of State Senate, District 10 at the Primary Election to be held June 4, 2002.

DECLARATION OF CANDIDATE

I, Gene G. Abdallah (print name here exactly as you want it on the election ballot), under oath, declare that I am eligible to seek the office for which I am a candidate, that I am registered to vote as a member of the Republican Party, and that if I am a legislative candidate I reside in the district from which I am a candidate. If nominated and elected, I will qualify and serve in that office.

(Signed)

Gene G. Abdallah

Sworn to before me this 5th day of February, 2002.

(Seal)

My Commission Expires September 17, 2007.

Signature of Officer Administering Oath

Notary Public

Title of Officer Administering Oath

INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer of the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer of the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

	NAME	RESIDENCE	DATE/COUNTY
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
9	<i>Yolanda Ickert</i>	<i>Harrisburg SD 57037</i>	<i>Lincoln</i>
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
10	<i>Norman P. Grogan</i>	<i>26969 480th Ave</i>	<i>2-26-02</i>
PRINT	<i>Norman Grogan</i>	CITY OR TOWN	COUNTY OF REGISTRATION
		<i>Sioux Falls SD</i>	<i>Lincoln</i>
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
11	<i>Jack Phillips</i>	<i>116 SW Kearney St</i>	<i>2-28-02</i>
PRINT	<i>JACK PHILLIPS</i>	CITY OR TOWN	COUNTY OF REGISTRATION
		<i>Sioux Falls SD 57108</i>	<i>Lincoln</i>
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
12	<i>Samuel</i>	<i>5050 Southwest Blvd</i>	<i>2-28-02</i>
PRINT	<i>Red Sorell</i>	CITY OR TOWN	COUNTY OF REGISTRATION
		<i>Sioux Falls S.D</i>	<i>Lincoln</i>
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
13	<i>A Russell Gaulton</i>	<i>4821 Sunflower Trail</i>	<i>2-28-02</i>
PRINT	<i>A. Russell Gaulton</i>	CITY OR TOWN	COUNTY OF REGISTRATION
		<i>Sioux Falls, S.D. 57108</i>	<i>Lincoln</i>
SIGN		STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
14	<i>Ken Bertness</i>	<i>101 Dakota</i>	<i>2/28/02</i>
PRINT	<i>KEN BERTNESS</i>	CITY OR TOWN	COUNTY OF REGISTRATION
		<i>Valley Springs, SD</i>	<i>Meade</i>

RECEIVED

MAR 12 2002

STATE OF SOUTH DAKOTA

Filed this 12th day of March 2002

29

INITIATIVE PETITION

WE, THE UNDERSIGNED qualified voters of the **City of Lead, in the County of Lawrence, in the State of South Dakota**, petition that the following proposed change to the **City Of Lead Commission Resolution of October 15th, 2018, known as The Crosswalk Project**, be submitted to the voters of the **City of Lead, Lawrence County, South Dakota** at the general election on April 9th, 2019, pursuant to the Constitution of the State of South Dakota.

Title:

An Initiative to Change the City of Lead Commission vote of October 15th, 2018, on The Number of Crosswalks in Downtown Lead to be increased from One to Two total in the City of Lead Resolution Known as the Crosswalk Project

General Explanation:

This is an Initiative Petition is to have a vote placed on the ballot for the next Lead City general election cycle on April 9th, 2019 to **change the resolution passed by the Lead City Commission on October 15, 2018 to install only a single crosswalk on the west side of Main Street at the junction of the Lead Library and the Mining Museum in Downtown Lead, SD.** A proposed layout drawing is attached.

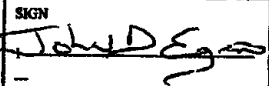
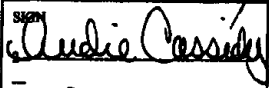
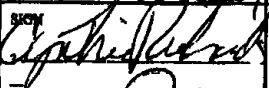
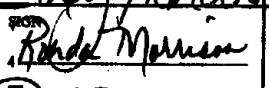

Be it resolved by the people The City of Lead, County of Lawrence, in this state of South Dakota, that the following resolution be adopted by the City of Lead on the so called Cross Walk Project.

This initiative will require the following:

1. The addition of one additional crosswalk will be added at the area between the Stampmill restaurant and the Opera House at or near the alleyway for a total of two which includes the City Commission's resolution of a single west location.

INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

NAME	RESIDENCE	DATE/COUNTY
<small>SIGN</small>  <small>PRINT</small> John DeGroot	<small>STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER</small> 313 McKelvey St. <small>CITY OR TOWN</small> Lead, SD	<small>DATE OF SIGNING</small> 2-21-19 <small>COUNTY OF REGISTRATION</small> LA
<small>SIGN</small>  <small>PRINT</small> Audie Cassidy	<small>STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER</small> 329 E Main St <small>CITY OR TOWN</small> Lead, SD	<small>DATE OF SIGNING</small> 2-21-19 <small>COUNTY OF REGISTRATION</small> LA
<small>SIGN</small>  <small>PRINT</small> Cindy Richards	<small>STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER</small> 330 Quinn Ave <small>CITY OR TOWN</small> Lead SD	<small>DATE OF SIGNING</small> 2-21-19 <small>COUNTY OF REGISTRATION</small> LA
<small>SIGN</small>  <small>PRINT</small> Ronda Morrison	<small>STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER</small> 328 Washington St. <small>CITY OR TOWN</small> Lead, SD	<small>DATE OF SIGNING</small> 2-21-19 <small>COUNTY OF REGISTRATION</small> Lawrence
<small>SIGN</small>  <small>PRINT</small> Mike Schmidt	<small>STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER</small> 21 Park Ave <small>CITY OR TOWN</small> Lead, SD	<small>DATE OF SIGNING</small> 2-21-19 <small>COUNTY OF REGISTRATION</small> Lawrence

(5)

NAME	RESIDENCE	DATE/COUNTY
SIGN 6. <u>Amy Boyesen</u> PRINT Amy Boyesen	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>305 W. Main St.</u> CITY OR TOWN <u>Lead SD</u>	DATE OF SIGNING <u>2-21-19</u> COUNTY OF REGISTRATION <u>Lawrence</u>
SIGN 7. <u>Marty Verburg</u> PRINT Marty Verburg	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>209 W. Main</u> CITY OR TOWN <u>Lead</u>	DATE OF SIGNING <u>2/21/19</u> COUNTY OF REGISTRATION <u>Lawrence</u>
SIGN 8. <u>Mike Bailey</u> PRINT MIKE BAILEY	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>719 W. MAIN</u> CITY OR TOWN <u>LEAD</u>	DATE OF SIGNING <u>2/21/19</u> COUNTY OF REGISTRATION <u>LAW</u>
SIGN 9. <u>Maria Barrera</u> PRINT Maria Barrera Thorson	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>107 Alert St</u> CITY OR TOWN <u>Lead SD</u>	DATE OF SIGNING <u>2/21/19</u> COUNTY OF REGISTRATION <u>Lawrence</u>
SIGN 10. <u>Justin Thorson</u> PRINT Justin Thorson	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>107 Alert St</u> CITY OR TOWN <u>Lead SD</u>	DATE OF SIGNING <u>2/21/19</u> COUNTY OF REGISTRATION <u>Lawrence</u>
SIGN 11. <u>Amy Young Bear</u> PRINT Amy Young Bear	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>709 Sawyer</u> CITY OR TOWN <u>Lead, SD</u>	DATE OF SIGNING <u>2/21/19</u> COUNTY OF REGISTRATION <u>Law</u>

(6)

To participate in this petition, you must be a registered voter in the Municipality of Lead, SD.

No title

	Name (Printed)	Address	City or Municipality of Registration	Date	Signature
1.	Albert Rabe	117 Grand Ave	Lead	2/5/19	[Signature]
2.	Marty Vending	209 W. Main	Lead	2/5/19	[Signature]
3.	Justin Thorsen	3107 Alert St.	Lead	2/5/19	[Signature]
4.	Jennifer Bennett	118 Cyanide St.	Lead	2/5/2019	[Signature]
5.	Laura Stewart	120 Alert St	Lead	2/5/19	[Signature]
6.	Jesse Lewton	705 Upper Adick	Lead	2/5/19	[Signature]
7.	Steven Stewart	120 Alert St	Lead	2/5/19	[Signature]
8.	Joel Egan	214 Washington	Lead	2/5/19	[Signature]
9.	Jennifer Smith	1103 Grand St	Lead	2/5/19	[Signature]
10.	Carl Smith	322 W. Main	Lead	2/6/19	[Signature]
11.	Jon Palmer	809 S. Park	Lead	2-6-19	[Signature]
12.	David Harnish	1024 Washington	Lead	2/6/19	[Signature]
13.	Wickett Tolsma	608 Ridge Rd	Lead	2/7/19	[Signature]
14.	Logan Tolman	28 McKinley	Dardwood	2/7/19	[Signature]
15.	Bob Bratcher	108 Spruce	Lead	2/7/19	[Signature]
16.	CHAS HANNA	515 W. MAIN	LEAD	2/7/19	[Signature]
17.	Tyler Goffe	211 S. Main	Lead	2/7/19	[Signature]
18.	Patrick D. Johnson	711 Highland	Lead	2/2/19	[Signature]
19.	John Dickinson	711 Highland	Lead	2/7/19	[Signature]
20.					
21.					
22.					
23.					

*Improper Petition
No county*

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Print name of the circulator

Residence Address

City

State

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.



Sworn to before me this

2

day of

Nov

2015

Signature of Circulator

Signature of Officer Administering Oath

Title of Officer Administering Oath

<p>SIGN 19 PRINT</p> <p><i>Lucy-George Cooper</i></p>	<p>STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER</p> <p>2201 W 46th</p> <p>CITY OR TOWN</p> <p>Sioux Falls SD 57105</p>	<p>DATE OF SIGNING</p> <p>5-18-15</p> <p>COUNTY OF REGISTRATION</p> <p>Minnehaha</p>
<p>SIGN 20 PRINT</p> <p><i>Barbara Littel</i></p>	<p>STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER</p> <p>208 Sunset Cir</p> <p>CITY OR TOWN</p> <p>Deer Rapids</p>	<p>DATE OF SIGNING</p> <p>5-18-15</p> <p>COUNTY OF REGISTRATION</p> <p>Minnehaha</p>

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Print name of the circulator

Residence Address

City

State

NOMINATING PETITION FOR WATER DEVELOPMENT DISTRICT DIRECTOR NONPARTISAN ELECTION

INSTRUCTIONS TO CANDIDATE: The heading of this petition and the declaration of candidacy must be fully completed before the petition is circulated for signatures.

WE, THE UNDERSIGNED registered voters of District 3 (insert the director area the candidate is to represent) of the Central Plains Water Development District, nominate Greg Lorenz of Sully County, State of South Dakota, whose mailing address is Box 81, South Dakota 57564, as a candidate for the office of director, representing Central Plains (insert the director area the candidate is to represent) of the Central Plains Water Development District for a 4 year term, in the primary held on June 7, 2016.

RECEIVED
APR 14 2016

DECLARATION OF CANDIDATE

I, Greg Lorenz (print name here exactly as you want it on the election ballot) do hereby declare that I am a resident and registered voter in the director area that I will represent and that I am eligible to seek the office for which I am a candidate. If nominated and elected, I will qualify and serve in that office.

Sworn to before me this 8th day of April, 2016. (Signed)

(Seal)
Seal of the County Auditor
Sully County, South Dakota
My Commission Expires
No Commission

end of term

Susan B. Lamb

Signature of Officer Administering Oath

Auditor
Title of Officer Administering Oath

INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

NAME	RESIDENCE	DATE/COUNTY
SIGN 1 <u>Roxy Marshall</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>PO Box 21</u>	DATE OF SIGNING <u>4-4-16</u>
PRINT <u>Roxy Marshall</u>	CITY OR TOWN <u>Onida, SD 57564</u>	COUNTY OF REGISTRATION <u>Sully</u>
SIGN 2 <u>Deann Rausch</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>PO Box 271 801 Cedar Ave</u>	DATE OF SIGNING <u>4-4-16</u>
PRINT <u>Deann Rausch</u>	CITY OR TOWN <u>Onida</u>	COUNTY OF REGISTRATION <u>Sully</u>
SIGN <u>Ernie Unruh</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>31095 185th St</u>	DATE OF SIGNING <u>4-4-16</u>
PRINT <u>Ernie Unruh</u>	CITY OR TOWN <u>Onida, SD</u>	COUNTY OF REGISTRATION <u>Sully</u>
SIGN <u>Dean Unruh</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>1018 9th St</u>	DATE OF SIGNING <u>4-4-16</u>
PRINT <u>Dean Unruh</u>	CITY OR TOWN <u>Onida S.D.</u>	COUNTY OF REGISTRATION <u>Sully</u>
SIGN <u>Todd Frank</u>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>Onida SD</u>	DATE OF SIGNING <u>4-4-16</u>

NAME		RESIDENCE	DATE/COUNTY
SIGN 14 PRINT	<i>Les Korse</i> Les Korse	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1716 S Abernethy Cir CITY OR TOWN SIOUX FALLS SD 57106	DATE OF SIGNING 4/27/09 COUNTY OF REGISTRATION Minnehaha
SIGN PRINT	<i>Brian Bissel</i> Brian Bissel	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 2126 S Dakota CITY OR TOWN SIOUX FALLS SD 57105	DATE OF SIGNING 4/28/09 COUNTY OF REGISTRATION
SIGN 16 PRINT	<i>Carey Borgstrom</i> Carey Borgstrom	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 304 N. Hiwanis Ave Apt 301 CITY OR TOWN	DATE OF SIGNING 7-28-09 COUNTY OF REGISTRATION

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Print name of the circulator Dustin Wastell Residence Address 314 Birch Ave City Brookings State SD

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Dustin Wastell ; ID - Drivers License

Signature of Circulator

Sworn to before me this 16 day of June 2009.
(Seal)

My Commission Expires 1-31-12

Form Revised 2007 - 5:02:08:08



PAMELA M. RICE

NOTARY PUBLIC MINNESOTA

My Commission Expires 01-31-2012

Signature of Officer Administering Oath

Administering Oath

NOMINATING PETITION FOR WATER DEVELOPMENT DISTRICT DIRECTOR NONPARTISAN ELECTION

INSTRUCTIONS TO CANDIDATE: The heading of this petition and the declaration of candidacy must be fully completed before the petition is circulated for signatures.

WE, THE UNDERSIGNED registered voters of Area 5 (insert the director area the candidate is to represent) of the Vermillion Basin Water Development District, nominate Ron Globke of Turner County, State of South Dakota, whose mailing address is 301 E Wagner St, Marion, SD 57043 South Dakota, as a candidate for the office of director, representing Area 5 (insert the director area the candidate is to represent) of the Vermillion Basin Water Development District for a 2 year term, in the primary election to be held on June 20, 2016.

RECEIVED

DECLARATION OF CANDIDATE

I, Ron E Globke (print name here exactly as you want it on the election ballot), under oath, declare that I am a resident and registered voter in the director area that I will represent and that I am eligible to seek the office for which I am a candidate. If nominated and elected, I will qualify and serve in that office.

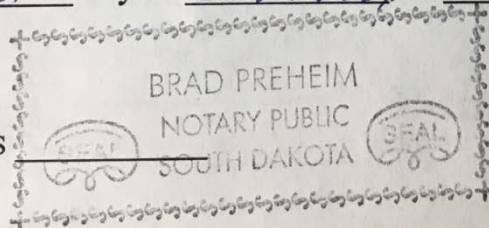
(Signed) Ron E Globke

Sworn to before me this 20 day of January 2016.

(Seal)

My Commission Expires

6-3-16



Brad Preheim

Signature of Officer Administering Oath

Notary Public

Title of Officer Administering Oath

INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote

3	SIGN <i>Kristin Mattson</i> PRINT <i>Kristin Mattson</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <i>3440 Cornell</i> CITY OR TOWN <i>Rapid City SD</i>	DATE OF SIGNING <i>4/11/09</i> COUNTY OF REGISTRATION <i>Remai</i>
4	SIGN <i>Craig E. Mattson</i> PRINT <i>Craig E. Mattson</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <i>DITTO</i> CITY OR TOWN <i>DITTO</i>	DATE OF SIGNING <i>4/11/09</i> COUNTY OF REGISTRATION <i>Remai</i>
5	SIGN <i>Chris Siska</i> PRINT <i>Chris Siska</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <i>3721 Seward Pitt Lane</i> CITY OR TOWN <i>Rapid City SD</i>	DATE OF SIGNING <i>4-11-09</i> COUNTY OF REGISTRATION <i>Penn</i>

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Print name of the circulator *Peggy Clarke* Residence Address *1010 East 7th* City *Rapid City* State *SD*

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

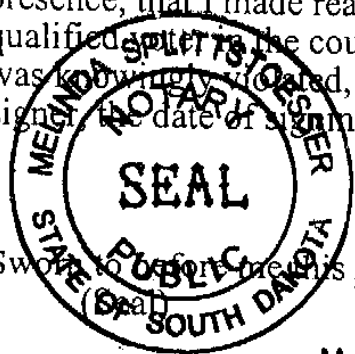
Signature of Circulator *Peggy Clarke*

Sworn to before me this *28* day of *MAY*, *09*.

Signature of Officer Administering Oath

Title of Officer Administering Oath

My Commission Expires *February 12, 2015*



VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

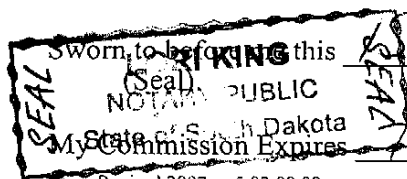
Print name of the circulator

Residence Address

City

State

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.



Form Revised 2007 - 5:02:08:08

day of

June

Signature of Circulator

Signature of Officer Administering Oath

Title of Officer Administering Oath

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Print name of the circulator

Residence Address

City

State

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Sworn to before me this
(Seal)

4

day of

May

2009

Signature of Circulator

Signature of Officer Administering Oath

Title of Officer Administering Oath

My Commission Expires

Form Revised 2007 - 5:02:08:08

SIGN 7 PRINT <i>Orville Roberts</i> Orville Roberts	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 615 6th St NE CITY OR TOWN Watertown, SD	DATE OF SIGNING 4-15-09 COUNTY OF REGISTRATION Codington
SIGN 8 PRINT <i>Audrey Luker</i> Audrey Luker	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1625 Northridge Dr, #312 CITY OR TOWN Watertown, SD	DATE OF SIGNING 4-14-09 COUNTY OF REGISTRATION Codington
SIGN 9 PRINT <i>Vern Luker</i> VERN LUKER	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1625 Northridge Dr #312 CITY OR TOWN WATERTOWN, SD	DATE OF SIGNING 4-14-09 COUNTY OF REGISTRATION Codington
SIGN 10 PRINT <i>Paul Luker</i> Paul Luker	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 550 Summit Ave NW CITY OR TOWN Watertown, SD	DATE OF SIGNING 4-14-09 COUNTY OF REGISTRATION Codington

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Print name of the circulator Paul Luker, Residence Address 550 Summit Ave NW, City Watertown, State SD

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Signature of Circulator Paul Luker

Sworn to before me this 16 day of April, 2009.
(Seal)

My Commission Expires 8/13/09

Signature of Officer Administering Oath Audrey Luker

Title of Officer Administering Oath Notary

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

BARBARA J EDWARDS 12170 Camp Rd Custer SD
Print name of the circulator Residence Address City State

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Signature of Circulator

Sworn to before me this _____ day of _____,
(Seal)

My Commission Expires _____

Form Revised 2007 - 5:02:08:08

Signature of Officer Administering Oath

Title of Officer Administering Oath

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Frieda Ten Fingers HC66 23B HC66 23B Chadron NE 6937
Print name of the circulator Residence Address City State

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Frieda Ten Fingers
Signature of Circulator

Sworn to before me this 1st day of October, 2015.

(Seal) FRANCES ANN CASEY
NOTARY PUBLIC
SOUTH DAKOTA
My Commission Expires 2-22-2019

Form Revised 2010 - 5:02:08:09

Frances Ann Casey
Signature of Officer Administering Oath

South Dakota Notary
Title of Officer Administering Oath

NAME		RESIDENCE	DATE/COUNTY
SIGN 14 PRINT	<i>Jennifer Slate</i> Jennifer Slate	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 118 Currie St CITY OR TOWN Yankton, SD 57078	DATE OF SIGNING 7/27/15 COUNTY OF REGISTRATION Yankton
SIGN 15 PRINT	<i>Tom & Lucy Leano</i> Tom Lucy Leano	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 101 Winter St. CITY OR TOWN Yankton SD.	DATE OF SIGNING 27 July 15 COUNTY OF REGISTRATION Yankton
SIGN 16 PRINT	<i>Sandra Jensen</i> Sandra Jensen	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 158 Hidden Hollows CITY OR TOWN Yankton SD 57078	DATE OF SIGNING 7/27/15 COUNTY OF REGISTRATION Yankton
SIGN 17 PRINT	<i>Jeanne Devine</i> Jeanne Devine	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 909 EAST 16th ST CITY OR TOWN Yankton SD 57078	DATE OF SIGNING 8/5/15 COUNTY OF REGISTRATION Yankton
SIGN 18 PRINT	<i>Kyle Lichty</i> Kyle Lichty	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 110 Currie St. CITY OR TOWN Yankton, SD 57078	DATE OF SIGNING 8/8/15 COUNTY OF REGISTRATION Yankton
SIGN 19 PRINT	<i>Loryn Lichty</i> Loryn Lichty	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 110 Currie St. CITY OR TOWN Yankton SD 57078	DATE OF SIGNING 8/8/15 COUNTY OF REGISTRATION Yankton
SIGN 20 PRINT	<i>Douglas E Kottal</i> Douglas E Kottal	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 30229 437th CITY OR TOWN Utica SD 57067	DATE OF SIGNING 8-9-15 COUNTY OF REGISTRATION Yankton
SIGN	<i>Diana Samaan</i> Diana Samaan	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 20272 1137th Ave	DATE OF SIGNING 8-10-15

SIGN 2 PRINT	<i>Carol Sambo</i> Carol Sambo	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER PO Box 2112 CITY OR TOWN SD 57101	DATE OF SIGNING 9/19/15 COUNTY OF REGISTRATION Minnehaha
SIGN	<i>Barbara M Vandak</i> Barbara M Vandak	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 12115 S Clark Ave	DATE OF SIGNING 9-10-15

PETITIONS


IMPORTANT REMINDERS

- Give petition processing top priority.
- If the deadline to file is approaching, do not let petitions sit on your desk for days.
- Schools: check registration and residency of signers and candidate.
- Not required for cities to check voter registration but if you do, do it for all petitions.
- Candidate cannot notarize their own petition but they may circulate and sign their own petition.
- Notary cannot notarize the petition and be a signer.



PETITIONS

IMPORTANT REMINDERS

- Notify candidate that petition was filed or rejected (do this immediately if rejected).
 - Business managers have to have a written and signed verification per SDCL 13-7-6.
 - Nominating petition contains the minimum number of signatures
 - That the candidate is a resident voter
 - No form in rule for this.
 - Finance Officers, Business Managers and School Board Presidents may notarize documents without being a notary (SDCL 18-3-1 and 13-8-15).
- 

PETITIONS

PETITION CHALLENGE LAW

- SDCL 12-1-13 to 15.
- Any person may challenge, within 5 working days, after any local election petition is filed.
- Must file affidavit stating deficiencies.
- Affidavit is filed with the person in charge of the election.
- Look at SDCL 12-1-13 for specific items that cannot be challenged to your office. Updated law as of July 1, 2019.
- Person in charge of the election verifies information provided in the affidavit.
 - Work with your attorney.
- A challenge does not prevent any other legal remedy (SDCL 12-1-16).



FEEL FREE TO MOVE AROUND AND STRETCH



FINANCIAL INTEREST STATEMENTS (FIS)

- Required for 1st Class Municipalities and Schools with greater than 2,000 average daily membership (ADM)
- There are two types of FIS's:
 - Candidate FIS (SDCL 12-25-28)
 - Filed within 15 days after filing nominating petition.
 - Appointed official would not need to file this.
 - Elected Official FIS (SDCL 3-1A-4)
 - Filed within 15 days of being elected.
 - ~~Then filed annually, not later than the 1st day of January.~~ Law change as of July 1, 2017.

FINANCIAL INTEREST STATEMENTS (FIS)

- Sample FIS forms can be found at www.sdsos.gov
- These are filed with the person in charge of the election.
- Only check for completeness.
- You are not required to check for accuracy.
 - It is up to the candidate/elected official to provide accurate information.
- It is a petty offense for those that file late and anyone that intentionally does not file may be guilty of a Class 2 misdemeanor.
- Once filed, these are public documents.





Conflict of Interest

CANDIDATE

Statement of Financial Interest

Deadline to file: Within 15 days after filing nominating petitions (Supreme Court Justice files within 15 days of notifying Secretary of State of his intention to place his name on the retention ballot) or certification of convention nomination.

File with: The SECRETARY OF STATE except local candidates file with the office where they file their nominating petition.

Candidates who file: State and Federal Office candidates (United States Senate, United States House of Representatives, Governor, State Legislator, circuit court judge and Supreme Court Justice [SDCL 12-25-28](#));

Convention Nominee candidates (Lieutenant Governor, state treasurer, attorney general, secretary of state, state auditor, public utilities commissioner, commissioner of school and public lands [SDCL 12-25-29](#));

Convention Nominee candidates of a party with alternative political status (US Senate, US House, Governor, Lieutenant Governor, state treasurer, attorney general, secretary of state, state auditor, public utilities commissioner, commissioner of school and public lands or state legislator [SDCL 12-25-29.1](#)); and

Local Office candidates (county commissioner, school board member in a school district with a total enrollment of more than 2,000 students, or commissioner, council member, or mayor in any 1st class municipality [SDCL 12-25-30](#))

Please print:

Full Name _____

COMPLETE Address _____

Office Sought (list District number if applicable) _____

What is your occupation/profession? _____

List any source of funds (business or economic relationship) which contributes more than 10% of or more than \$2,000 to your family's (includes spouse, minor children living at home) gross income in the preceding calendar year. This also includes any enterprise in which you or an immediate family member(s) controls more than 10% of the capital or stock. Identify who receives the income from each enterprise but do not include the value. ([SDCL 12-25-27](#))

**The intent of this form is to collect specific information, not generalities. Do not put N/A or leave the grid blank.*

Name of Candidate or Family Member	Name the Source of Funds (Ex: current employer, SD Legislature, 401K, benefits, etc.)	Relationship to funds (Ex employee, officer, director, associate, partner, shareholder, owner, member, proprietor, etc.)

I declare and affirm under the penalties of perjury that the information above has been examined by me and to the best of my knowledge and belief is a true, correct and complete representation of myself and my immediate family's financial interests for the preceding calendar year.

(Signature)

(Date)



Conflict of Interest

ELECTED OFFICIAL

Statement of Financial Interest

Deadline to file: Within 15 days after the person assumes office.

File with: The SECRETARY OF STATE except local candidates file with the office where they file their oath of office.

Elected Officials who file: State Office elected officials (governor, lieutenant governor, state treasurer, attorney general, secretary of state, state auditor, public utilities commissioner, commissioner of school and public lands, state legislator, circuit court judge and supreme court justice [SDCL 3-1A-2](#));

Gubernatorial Appointee for whom senate confirmation is required shall file with the secretary of state a statement of financial interest before confirmation [SDCL 3-1A-3](#).

Local Office officials (county commissioner, school board member in a school district with a total enrollment of more than 2,000 students, or commissioner, council member, or mayor in any 1st class municipality [SDCL 3-1A-4](#))

Please print:

Full Name _____

Complete Address _____

Office (list District number if applicable) _____

What is your occupation/profession? _____

***If there are no changes from your previously filed CANDIDATE Financial Interest Statement check the box and sign and date below. ☐ NO Changes**

List any source of funds (business or economic relationship) which contributes more than 10% of or more than \$2,000 to your family's (includes spouse, minor children living at home) gross income in the preceding calendar year. This also includes any enterprise in which you or an immediate family member(s) controls more than 10% of the capital or stock. Identify who receives the income from each enterprise but do not include the value. ([SDCL 3-1A-1](#))

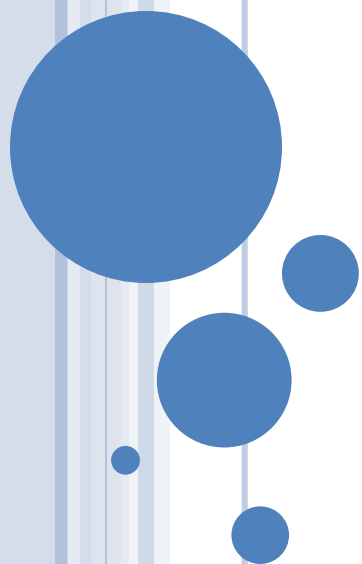
**The intent of this form is to collect specific information, not generalities.*

Name of Candidate or Family Member	Name the Source of Funds (Ex: current employer, SD Legislature, 401K, benefits, etc.)	Relationship to funds (Ex: employee, officer, director, associate, partner, shareholder, owner, member, proprietor, etc.)

I declare and affirm under the penalties of perjury that the information above has been examined by me and to the best of my knowledge and belief is a true, correct and complete representation of myself and my immediate family's financial interests for the preceding calendar year.

(Signature)

(Date)



BALLOT PREPARATION

- Types of ballots:
 - Paper Ballots – make your own or have them professionally printed.
 - Automated Tabulating System Ballots (optical scan).
- Candidate order:
 - We encourage you to notify the candidates of the date for the drawing. Candidates may have witnesses present when drawing for candidate order.
 - Schools – draw by lot (SDCL 13-7-13).
 - Municipalities – draw by lot (SDCL 9-13-21).
- List names on the ballot exactly as they appear on the petition.
- Do not include titles or political party affiliation on the ballot. A title is not a part of the name.

BALLOT PREPARATION

BALLOT FORM:

- Municipal Election (ARSD 5:02:06:12)
- School Board Election (ARSD 5:02:06:15)
- Special Elections (ARSD 5:02:06)
- If a combined election and you use hand-counted paper ballots:
 - One of the ballots must be **white**.
 - Contrasting colors for the other ballots.
 - **Cannot** use yellow paper for ballots as that must be the color used for Sample Ballots.
 - You cannot combine ballots into one ballot, unless you are using optical scan ballots.



Hand-Counted Paper Ballot

5:02:06:12. Municipal election. The municipal election ballot must be white and must be in the following form:

OFFICIAL MUNICIPAL ELECTION BALLOT
_____, SOUTH DAKOTA
(Election Date)

To vote use a cross (X) or a check mark (✓) in the square in front of the name. DO NOT cast more votes than are allowed in each race.

For Mayor, you may vote for one or leave it blank

- ☐ John Doe
- ☐ Richard Roe

For (City Commission, City Council, Alderman, Trustee), ____ year term, you may vote for up to ____ or leave it blank

- ☐ John Doe
- ☐ Richard Roe
- ☐ John Smith

For (City Commission, City Council, Alderman, Trustee), ____ year term, you may vote for one or leave it blank.

- ☐ John Doe
- ☐ Richard Roe

For City Council at Large, ____ year term, you may vote for up to ____ or leave it blank

- ☐ John Doe
- ☐ Richard Roe
- ☐ John Smith

For City Council at Large, ____ year term, you may vote for one or leave it blank

- ☐ John Doe
- ☐ Richard Roe



Hand-Counted Paper Ballot

5:02:06:15. School board election. The school board election ballot must be white and must be in the following form:

OFFICIAL SCHOOL BOARD ELECTION BALLOT
_____ **SCHOOL DISTRICT NO. _____, SOUTH DAKOTA**
(Election Date)

To vote use a cross (X) or a check mark (✓) in the square in front of the name. DO NOT cast more votes than are allowed in each race.

For School Board Member _____ year term, you may vote for up to _____ or leave it blank

- ☐ John Doe
- ☐ Richard Roe
- ☐ John Smith



IMPORTANT RECOMMENDATION

PROOFRAED the
BALLET!

I do my best proofreading
after I hit send.



DOES ANYONE USE OPTICAL
SCAN BALLOTS?



Additional instructions and language that has to be used for Optical Scan Ballots

5:02:06:01.02. Optical scan ballot instructions

The instructions to voters found on optical scan ballots shall be enclosed in a box. The appropriate instructions shall be placed at the top of the first column containing presidential electors (subdivision 1 and 8) or presidential delegates and alternates (subdivision 2 or 3 and 8), at the beginning of the portion containing other candidates (subdivision 4 and 8) and at the beginning of the portion containing ballot questions (subdivision 5 and 8). The instructions for all elections must be in the following form without the subdivision numbers:

(1) To vote for a group of presidential electors **FILL IN** (Bold) the oval (●) next to the names.

(2) If the delegates and alternates are printed on the ballot use: To vote for a group of presidential delegates and alternates **FILL IN** (Bold) the oval (●) next to the names.

(3) If the political party does not have the delegates and alternates on the ballot use: To vote for a person **FILL IN** (Bold) the oval (●) next to the name.



5:02:06:01.02. Optical scan ballot instructions *cont'd*

(4) To vote for a person **FILL IN** (Bold) the oval (●) next to the name.


(5) To vote on a ballot question **FILL IN** (Bold) the oval (●) next to "yes" or "no".

(6) Use only a pencil or pen.

(7) If you make a mistake, give the ballot back and get a new one.

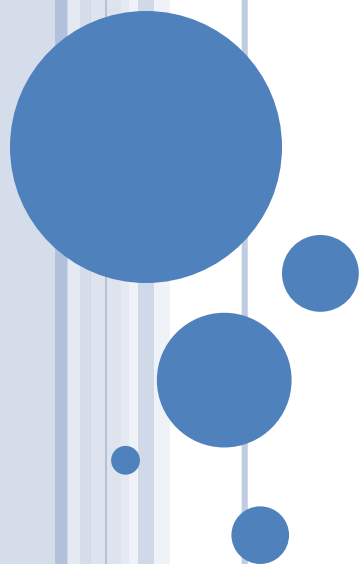
(8) **DO NOT** (Bold) cast more votes than are allowed in each race.

Printers note: Subdivisions 6 and 7 shall be included in the first instruction box only. If the ballot has columns, the words "Go to top of next column" shall be printed on the bottom of any column preceding each column to be voted. If the ballot has races on the back side, the words "Turn page" shall be printed in the lower right corner.



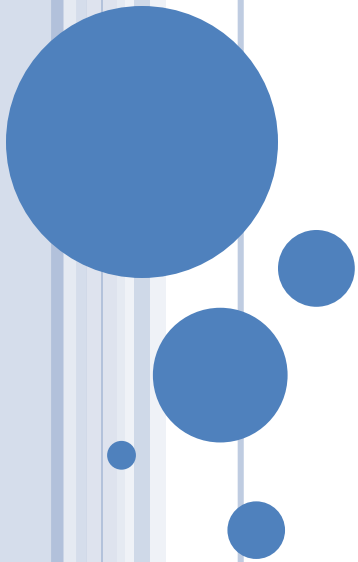
Optical Scan Ballot

OFFICIAL		PARTY PRIMARY ELECTION BALLOT	
June		County, South Dakota	
INSTRUCTIONS TO THE VOTER: Insert appropriate instructions from ARSD 5.02.06.01.02		Ballot Stamp	
For Presidential Delegates and Alternates You may vote for <u>one</u> slate or leave it blank.	For United States Senator You may vote for <u>one</u> or leave it blank.	For State Representative, District _____ (A or B) You may vote for <u>one</u> or leave it blank.	
<input type="radio"/> Candidates preferring John Hall for President Delegates: John Doe Jane Doe Pat Jones Alternates: John Doe Jane Doe Pat Jones <input type="radio"/> Candidates preferring Jane Smith for President Delegates: John Doe Jane Doe Pat Jones Alternates: John Doe Jane Doe Pat Jones <input type="radio"/> Candidates preferring Pat Jones for President Delegates: John Doe Jane Doe Alternates: John Doe Jane Doe Pat Jones	<input type="radio"/> John Doe <input type="radio"/> Jane Smith <input type="radio"/> Pat Jones For United States Representative You may vote for <u>one</u> or leave it blank. <input type="radio"/> John Doe <input type="radio"/> Jane Smith <input type="radio"/> Pat Jones For Governor You may vote for <u>one</u> or leave it blank. <input type="radio"/> John Doe <input type="radio"/> Pat Jones <input type="radio"/> Mary Johnson For State Senator, District _____ You may vote for <u>one</u> or leave it blank. <input type="radio"/> John Doe <input type="radio"/> Jane Smith <input type="radio"/> Pat Jones For State Representative, District _____ You may vote for up to <u>two</u> or leave it blank. <input type="radio"/> John Doe <input type="radio"/> Jane Smith <input type="radio"/> Pat Jones	<input type="radio"/> John Doe <input type="radio"/> Jane Smith <input type="radio"/> Pat Jones For (County Treasurer) or (County Finance Officer) You may vote for <u>one</u> or leave it blank. <input type="radio"/> John Doe <input type="radio"/> Jane Smith <input type="radio"/> Pat Jones For States Attorney You may vote for <u>one</u> or leave it blank. <input type="radio"/> John Doe <input type="radio"/> Jane Smith <input type="radio"/> Pat Jones For Sheriff You may vote for <u>one</u> or leave it blank. <input type="radio"/> John Doe <input type="radio"/> Jane Smith <input type="radio"/> Pat Jones For (County Auditor) or (County Finance Officer) You may vote for <u>one</u> or leave it blank. <input type="radio"/> John Doe <input type="radio"/> Jane Smith <input type="radio"/> Pat Jones	
INSTRUCTIONS TO THE VOTER: Insert appropriate instructions from ARSD 5.02.06.01.02	INSTRUCTIONS TO THE VOTER: Insert appropriate instructions from ARSD 5.02.06.01.02	INSTRUCTIONS TO THE VOTER: Insert appropriate instructions from ARSD 5.02.06.01.02	
For Delegates to Support a Presidential Candidate You may vote for one or leave it blank.	For Delegates to Support a Presidential Candidate You may vote for one or leave it blank.	For Delegates to Support a Presidential Candidate You may vote for one or leave it blank.	
<input type="radio"/> Delegates to support John Doe <input type="radio"/> Delegates to support Jane Smith <input type="radio"/> Delegates to support Pat Jones	<input type="radio"/> Bill Dee <input type="radio"/> Shannon McGee <input type="radio"/> Bill Smith	<input type="radio"/> John Doe <input type="radio"/> Jane Smith <input type="radio"/> Pat Jones For Register of Deeds You may vote for <u>one</u> or leave it blank. <input type="radio"/> John Doe <input type="radio"/> Jane Smith <input type="radio"/> Pat Jones	
Go to top of next column	Go to top of next column	Turn Page	




WHO MAY VOTE?

Voter Registration and Residency



VOTER REGISTRATION LOCATIONS

- County Auditor's office
 - **City finance office** – you are an official voter registration location
 - City Finance Officers' it is your duty to insure the form is complete, [SDCL 12-4-7.2](#)
 - **YOU must deliver or mail** that registration to the County Auditor's office
 - A voter registration completed at a city finance office during any given week commencing on Tuesday through the following Monday shall be sent to the appropriate county auditor no later than the following Wednesday.
 - Driver's license station
 - Public assistance agencies providing food stamps, TANF or WIC
 - Department of Human Services offices which provide assistance to the disabled
 - Military recruitment offices
 - Secretary of State's Office
- 

VOTER REGISTRATION PROCESS

- Ways for someone to register to vote:
 - **Drivers Licensing application**
 - There is a section to register to vote.
 - This voter registration information is sent electronically to the County Auditor.
 - **Voter Registration Application (paper)**
 - **Online Voter Registration System**
 - Only individuals who are in the military or uniformed services, their spouse or dependent(s) or an overseas citizen may use this electronic voter registration system.
 - **2020 Legislative Proposal:** to allow all individuals to register via an online system





South Dakota Voter Registration Form

County

Use this form to: Register to vote or report a name, address, or party change.					
Please print. Complete the entire form. Return this form to your county auditor.					
The deadline for voter registration is 15 days before any election. Your form must be received by the county auditor by this deadline if you are to vote in the next election. Within 15 days you will receive a notice of your registration. If you do not, contact your county auditor. Any private person or entity registering voters is required to provide you with their contact information. For more information, visit www.sdsos.gov .					
Are you a citizen of the United States of America?				<input type="checkbox"/> Yes <input type="checkbox"/> No	
Will you be 18 years of age on or before the next election?				<input type="checkbox"/> Yes <input type="checkbox"/> No	
If you checked 'No' in response to either of these questions, do not complete this form.					
1	Last Name	First Name	Middle Name(s)/Initial	Suffix	
2	Residence Address	Apt. or Lot #	City	State	Zip Code
3	Mailing Address (if different)		City	State	Zip Code
3a	If Residence Address is a PO Box, rural box, or general delivery, you must give the location of your residence:				
4	Date of Birth (Required): Month / Day / Year	5	Telephone Number	6	South Dakota Driver License Number (Required)
7	Choice of Party – See information in the box below:	8	Email Address	If you do not have a current SD Driver License, provide the last 4 digits of Social Security Number	
Choice of Party Information: If you are currently registered to vote and you leave the choice of party field blank, you will remain registered with your current party affiliation. If you are not currently registered to vote and you leave the choice of party field blank, you will be entered as an independent/no party affiliation voter, which is not a political party in South Dakota.					
Previous Voter Registration Information Required Below. Use this section to cancel your previous voter registration:					
9	Previous Last Name	First Name	Middle Name(s)	Suffix	
10	Previous Address		City	State	Zip Code
11	Previous Driver License Number and State		Previous County	Date of Birth (Required)	
Would you like to be a precinct election worker on election day?				<input type="checkbox"/> Yes <input type="checkbox"/> No	
12	I declare, under penalty of perjury (2 years imprisonment and \$4,000 fine), that: *I am a citizen of the United States of America; *I actually live at and have no present intention of leaving the above address; *I will be 18 on or before the next election; *I have not been judged mentally incompetent; *I am not currently serving a sentence for a felony conviction; and *I authorize cancellation of my previous registration, if applicable.			<div>Signature Required</div> <div>Date: _____ / _____ / _____ Month / Day / Year</div>	

Auditor use only. Agency code:

2019

VOTER REGISTRATION PROCESS *cont'd*

- The voter's registration date is the date the County Auditor **receives** the application, NOT the date the voter signs the application.
 - Business Managers: if a voter comes in to register to vote on the deadline day for voter registration, you may want to suggest they take their application directly to the County Auditor. Since your office IS NOT an official registration site you aren't required to deliver that application by 5:00 pm on the deadline day in order for that voter to vote at the upcoming election
 - Finance Officers: if a voter comes in to register on the deadline day you are able to mail or deliver the application after the deadline has passed and the voter would still be registered in time to vote in the upcoming election (SDCL 12-4-5)
 - **Please place a received date stamp on all voter registration forms** (extremely important).



VOTER REGISTRATION PROCESS *cont'd*

- The voter registration information is entered, by the County Auditor, into the statewide voter file system.
- The voter file goes through nightly checks:
 - **UJS** – felony check, mental competency
 - **Vital Records** – death records
 - **Social Security Administration** – valid social security number
 - **Drivers Licensing** – valid drivers license
- If a voter is flagged regarding any of these checks the county auditor is notified and will review and proceed according to state law.
- The voter file, every odd year, goes through a Federally required *list maintenance* process that cleans up the voter file. This is done by the County Auditors.



FYI - ACTIVE VS. INACTIVE VOTERS

- **Active voter:** any voter who has voted or updated his/her voter registration information in the last four years.
- **Inactive voter:** Any voter who has not voted or updated his/her voter registration information in the last four years.
- Active and Inactive voters **may** sign petitions.
- Inactive voters may vote but are required to fill out a new voter registration form prior to voting.
- When Auditor's **calculate the number of signatures** required for a petition, they only calculate that against **active voters**.
- When the person in charge of the election **calculates voter turnout** for the election, they only calculate that against **active voters**.

SDCL 12-4-34. Registered voters referred to in other statutes. If a statute refers to registered voters, it does not include those in the inactive registration file unless specifically included. However, any voter in the inactive registration file may sign a petition.



VOTER REGISTRATION AND RESIDENCY

MUNICIPAL AND SCHOOL REQUIREMENTS ARE THE SAME

- Registration and residence required to vote in a municipal or school election (SDCL 9-13-4.1 and 13-7-4.2).
 - No person may vote at any municipal or school election unless the person is registered to vote pursuant to Chapter 12-4 and resides in the municipality or school district at the time of the election.
 - A person resides in the municipality or school district if the person actually lives in the municipality or school district for at least thirty days each year, is a full-time postsecondary education student who resided in the municipality or school district immediately prior to leaving for postsecondary education, or is on active duty as a member of the armed forces whose home of record is within the municipality or school district.
 - The residency requirement only applies to city and school elections.



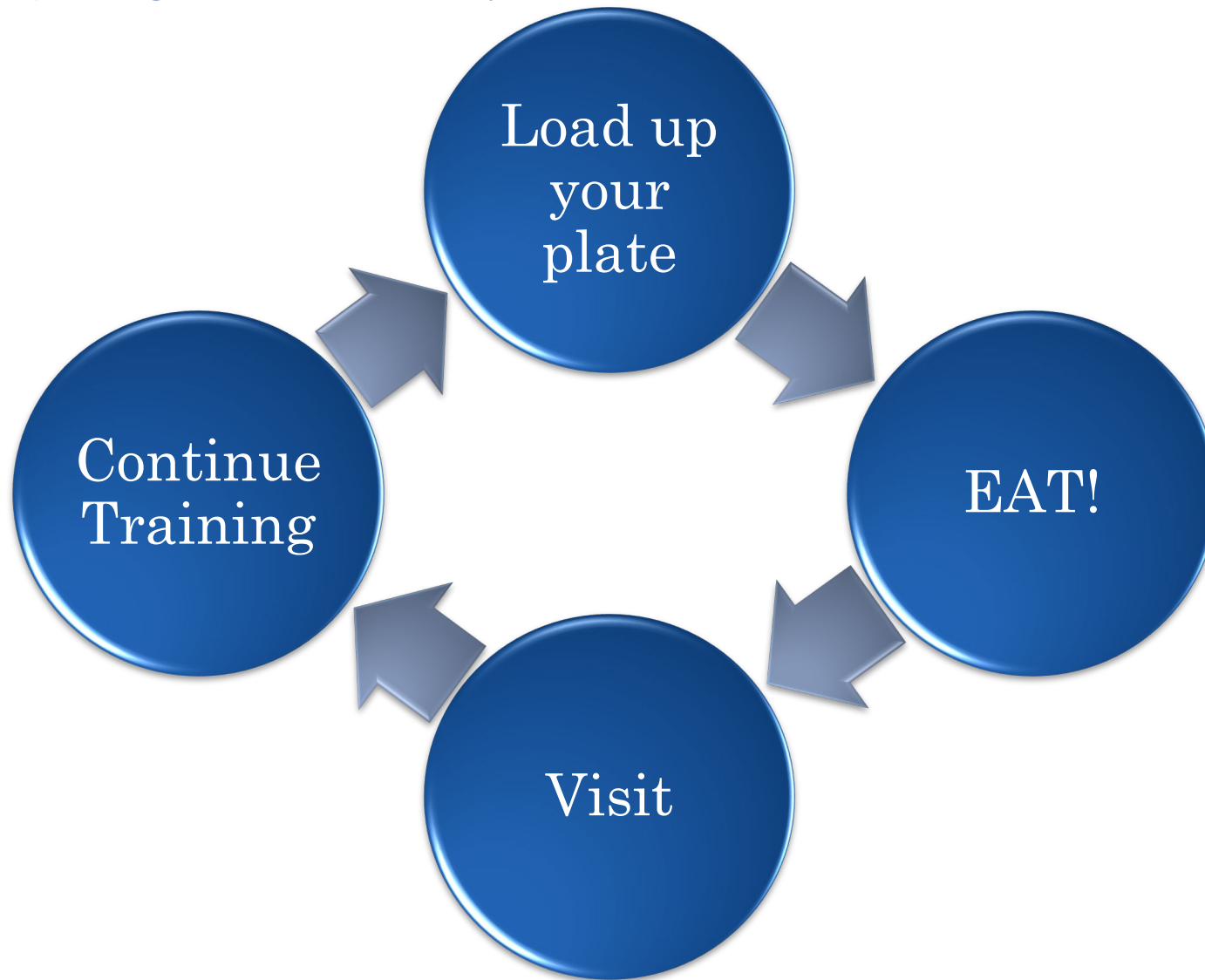
VOTER REGISTRATION AND RESIDENCY

IMPORTANT REMINDERS

- Voter registration deadline is 5:00 p.m. local time fifteen days preceding an election (SDCL 12-4-5).
- The official in charge of local elections shall notify the county auditor in odd numbered years at least 45 days preceding their local elections, of precinct boundary changes if any have been made (SDCL 12-14-1.1).
- The official in charge of local elections shall notify the county auditor in even numbered years at least 100 days before the primary and general elections, of precinct boundary changes if any have been made (SDCL 12-14-1.1).
- When the boundaries of any election precinct shall be changed, the county auditor shall immediately change the registration list (SDCL 12-4-11).



LUNCH TIME?



ELECTION WORKER TRAINING



ONLY 76 SLIDES TO GO!



ABSENTEE VOTING

- Any registered voter, without a reason, may vote by absentee ballot.
- Absentee ballots must be made available no later than fifteen days prior to the election.
- If you combine with a Primary or General Election, the ballots must be available 46 days prior to the election. (SDCL 9-13-21, 13-17-13 and 12-19-1.2)

On the cities and school resource page, there are PDFs available outlining how you conduct absentee voting.

ABSENTEE BALLOT APPLICATION

There are many ways to request an absentee ballot:

- Prescribed form (ARSD 5:02:10:01) can be found at www.sdsos.gov .
- Federal Post Card Application (FPCA).
- Letter (must include everything that is on the absentee ballot application)
- All of the above must be signed, dated and complete.



ABSENTEE BALLOT APPLICATION

- Check registration list before sending an application or ballot.
 - If they aren't registered or they are Inactive include a Voter Registration form with the application.
 - If they aren't registered to vote or are Inactive but have submitted the application, they need to complete and submit a voter registration form before the absentee ballots are processed on election day.
- Give these top priority since there are only 15 days of absentee voting.



Please note:
form last updated
January 4, 2018



South Dakota Absentee Ballot Application Form

County

Please print and return to your county auditor. A new application must be completed each calendar year.			
You may apply for an absentee ballot before 5:00 p.m. the day before the election for any or all general, primary, municipal, school, or any other elections conducted in this calendar year with one request. Additional information on absentee voting is available at sdsos.gov .			
1	Last Name	First Name	Middle Name(s)/Initial
2	Voter Registration Address		City, State
3	Apt. or Lot #		Zip Code
4	Absentee ballot mailing address (if different from Section #2)		City, State
5	Daytime telephone number		Zip Code
SELECT THE ELECTION(S) YOU ARE REQUESTING AN ABSENTEE BALLOT FOR: If your address changes after this is submitted, you must submit a new form. <input type="checkbox"/> All <input type="checkbox"/> General <input type="checkbox"/> Primary <input type="checkbox"/> Municipal <input type="checkbox"/> School <input type="checkbox"/> Any Other If you are registered as an independent/no party affiliation and are requesting a Primary Election ballot, you may have a choice of the following: <input type="checkbox"/> Democratic <input type="checkbox"/> Libertarian <input type="checkbox"/> Non-Political (You can only mark one selection.)			
6	If request is for a municipal or school election: I have lived in that jurisdiction at least 30 days in the last year. <input type="checkbox"/> YES <input type="checkbox"/> NO I am a full-time student who resided in that jurisdiction prior to leaving. <input type="checkbox"/> YES <input type="checkbox"/> NO		
MILITARY AND OVERSEAS CITIZENS ONLY: <input type="checkbox"/> YES <input type="checkbox"/> NO - I am a member of the Uniformed Services or Merchant Marine on active duty <input type="checkbox"/> YES <input type="checkbox"/> NO - I am an eligible spouse or dependent of a member of the Uniformed Services or Merchant Marine on active duty <input type="checkbox"/> YES <input type="checkbox"/> NO - I am a U.S. citizen residing outside the United States If you checked no for all questions, proceed to section #7. If you would like your ballot sent electronically (for Primary and General Elections ONLY) instead of first class mail, provide your e-mail address:			
E-mail address (MILITARY AND OVERSEAS CITIZENS ONLY): *An overseas military, overseas citizen, or stateside military, a spouse or dependent of the same, voter is not required to submit a photocopy of the voter's ID. *Any military and overseas voter may submit a signed application for absentee ballot by fax or e-mail.			
An acceptable ID is: A South Dakota driver's license or non-driver ID card, a passport or other picture ID issued by the United States government, a tribal photo ID, or a current student photo ID issued by a South Dakota high school or postsecondary education institution.			
<input type="checkbox"/> Copy of photo identification is attached OR <input type="checkbox"/> I hereby verify that I am the person named above and these statements made by me on this application are true and correct.			
7	Sworn to me before this _____ day of _____, 20____. (Seal) Notary Signature _____ My commission expires _____		Voter's Signature (required) _____ Voter's Date of Signing (required): ____/____/____ Month / Day / Year
AUTHORIZED MESSENGER REQUEST DUE TO SICKNESS OR DISABILITY ONLY: The deadline to request is 3:00 p.m. on Election Day			
As a registered voter, I authorize...			
8	Last Name	First Name	Daytime telephone
9	Address		City, State
10	Apt. or Lot #		Zip Code
...to serve as my authorized messenger to pick up my absentee ballot. I further certify under penalty of law that I am confined because of sickness or disability and for this reason alone am unable to vote at my polling place on Election Day.		As the authorized messenger, I acknowledge receipt of the ballot for the above named voter on...Date: _____ Time: _____ Are you serving as an authorized messenger for any other voter? <input type="checkbox"/> YES <input type="checkbox"/> NO	
_____ Voter's Signature		_____ Authorized Messenger's Signature	

UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT (UOCAVA)

- UOCAVA voters include:
 - Stateside military members (away from their SD voting residence)
 - Military members stationed outside of the U.S.
 - Overseas citizens
 - A spouse or dependent of any of the above



FPCA FEDERAL POST CARD APPLICATION

Voter Registration and Absentee Ballot Request

Federal Post Card Application (FPCA)

Print clearly in blue or black ink.

This form is for absent Uniformed Service members, their families, and citizens residing outside the United States. It is used to register to vote, request an absentee ballot, and update your contact information. See your State's instructions at FVAP.gov.

1. Who are you? Pick one.

I request an absentee ballot for all elections in which I am eligible to vote AND:

- ☐ I am on active duty in the Uniformed Services or Merchant Marine -OR- ☐ I am an eligible spouse or dependent.
☐ I am an activated National Guard member on State orders.
☐ I am a U.S. citizen living outside the country, and I intend to return.
☐ I am a U.S. citizen living outside the country, and my return is uncertain.
☐ I am a U.S. citizen living outside the country, and I have never lived in the United States.

Last name	Suffix (Jr., II)	Sex	<input type="checkbox"/> Female <input type="checkbox"/> Male
First name	Previous names (if applicable)		
Middle name	Birth date (MM/DD/YYYY)	/	/
Social Security Number	Driver's license or State ID #		

2. What is your address in the U.S. State or territory where you are registering to vote and requesting an absentee ballot?

Your voting materials will not be sent to this address. See instructions on other side of form.

Street address	Apt #
City, town, village	State
County	ZIP

3. Where are you now? You must give your CURRENT address to receive your voting materials.

Your mailing address. (Different from above)

Your mail forwarding address. (If applicable)

4. What is your contact information? This is so election officials can reach you about your request.

Provide the country code and area code with your phone and fax number. Do not use a Defense Switched Network (DSN) number.

Email:	Phone:
Alternate email:	Fax:

5. What is your voting preference? Select One.

How do you want to receive voting materials from your election office?
☐ Mail
☐ Email or online
☐ Fax

What is your political party for primary elections?

6. What additional information must you provide?

The following need more information: Alaska, Arizona, Puerto Rico, Vermont, and Virginia. (Ex. Proof of residency, employer, etc.) You may also use this space to clarify your voter information. See the Voting Assistance Guide at FVAP.gov.

7. You must read and sign this statement.

I swear or affirm, under penalty of perjury, that:

- The information on this form is true, accurate, and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for conviction of perjury.
- I am a U.S. citizen, at least 18 years of age (or will be by the day of the election), eligible to vote in the requested jurisdiction, and
- I am not disqualified to vote due to having been convicted of a felony or other disqualifying offense, nor have I been adjudicated mentally incompetent; or if so, my voting rights have been reinstated; and
- I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States, except the jurisdiction cited in this voting form.

Sign here X

Today's date
(MM/DD/YYYY)

/ /



MAIL-IN ABSENTEE VOTING

- This process is used for any voter who wants to vote absentee through the mail.
- When you receive the absentee ballot application:
 - Is the person a registered voter?
 - Is the application signed and completed?
 - Is the application notarized, or signed by an official authorized to administer oaths, or accompanied by a copy of a photo ID? This step is waived for all voters covered under UOCAVA.
- Send the voter the correct ballot, instructions (ARSD 05:02:10:04) and return envelope (ARSD 05:02:10:05).
- Update absentee voter log (ARSD 05:02:10:06).



UOCAVA VOTERS

- Return envelope for those **military** (stateside or overseas) and **overseas citizen** voters (residing outside of the U.S.) must be in this format [\(05:02:10:08\)](#) which provides free postage for those voters to return their voted absentee ballot to you.
 - The postage is free if mailed in a U.S. postal system.
 - If mailed in a non-U.S. Postal system the voter will have to pay the postage.

NAME AND COMPLETE ADDRESS _____ _____ _____ _____	 OFFICIAL ELECTION MAIL <small>Authorized by the U.S. Postal Service</small>		US POSTAGE PAID 39 USC 3406 PAR AVION
<div>OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST-CLASS MAIL</div> <div>NO POSTAGE NECESSARY IN THE U.S. MAIL - DMM 703.8.0</div> <div>TO: _____ _____ _____</div>			

ABSENTEE BALLOT LOG

- Keep an absentee ballot log – (SDCL 12-19-2)
- This is a public record
- Contents prescribed in 05:02:10:06
 - (1) Date of election and party designation if primary ballot;
 - (2) Name of voter;
 - (3) Current mailing address of voter;
 - (4) Voting precinct;
 - (5) Regular or UOCAVA voter;
 - (6) Date mailed to voter, given to authorized messenger, or voted in office;
 - (7) Name of authorized messenger;
 - (8) Date returned;
 - (9) Date application received;
 - (10) Email address if electronic transmission requested by UOCAVA voter (this is only for an election a county auditor runs, a local election does not have the option to transmit a ballot electronically through the state UOCAVA system); and
 - (11) Voter registration address.



OTHER ABSENTEE PROVISIONS

- Absentee **application** must be received by 5:00 p.m. the day **before** the election.
- One application may apply to all elections in the calendar year if the voter has indicated that.
 - If the voter's absentee ballot mailing address changes, the voter **MUST** submit a new absentee ballot application.
 - If you receive an application for other elections make sure to give a copy of the application to the other jurisdictions.
 - Make sure the County Auditor has the correct email to send absentee ballot applications to you. The voter system that the auditors use, will automatically forward the application to you if the voter requested ballots for city and/or school elections.

OTHER ABSENTEE PROVISIONS *CONT'D*

- A voter **cannot** use a Power of Attorney to sign the application for them. A voter has to make some sort of mark per SDCL 2-14-2 (25).
 - An individual is allowed to attest to the mark by writing the voter's name and then the individual signs and prints their own name indicating they were a witness to the voter making a mark.
- If an absentee voter dies before Election Day, the ballot is not processed or counted.
- Inactive voters must complete a new registration form.
 - Have the voter fill out the form and **mail it back separately** from their ballot or else the ballot **may not** be counted.



AUTHORIZED MESSENGER

- Who can use an authorized messenger?
 - A voter who is confined because of sickness or disability.
 - Work is not considered confinement. Employers are required under law to allow an employee up to 2 hours to be absent to vote (SDCL 12-3-5).
- Voter designates on the application for someone to bring them a ballot.
- If a nursing home requests that you bring ballots to the residents to vote absentee, you are **NOT ALLOWED UNDER LAW** to do so. (SDCL 12-19-9.1)



AUTHORIZED MESSENGER *CONT'D*

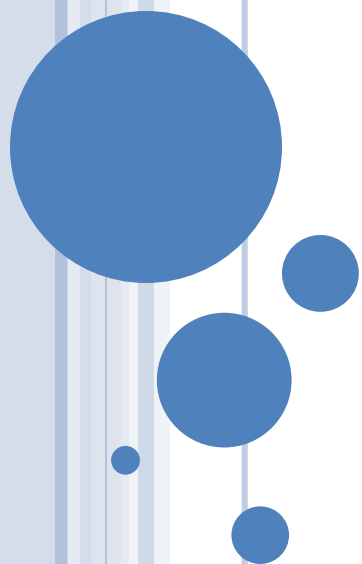
- A **candidate** for any elective office cannot be an authorized messenger (SDCL 12-19-7.1).
- No authorized messenger may, in the presence of the voter at or before the time of voting, display campaign posters, signs or other campaign materials or by any like means solicit any votes for or against any person, political party or position on a question submitted. A violation of this section is a Class 2 misdemeanor (SDCL 12-19-7.2).
- If a person is an authorized messenger for more than one voter, he must notify the person in charge of the election of all voters for whom he is a messenger (SDCL 12-19-2.2).



ABSENTEE VOTING – ID REQUIREMENTS

- **IN-PERSON** absentee
 - Voter must show photo ID or complete personal ID affidavit.
- Absentee by **MAIL**
 - Absentee Ballot Application Form must be notarized or accompanied with a copy of their photo ID.
- **UOCAVA** (Military servicemen, spouse or dependent and overseas citizens, spouse or dependent)
 - ID requirements are **waived** for all voters covered under UOCAVA.
 - Only UOCAVA voters may submit their absentee request by email or fax.
 - Cities and Schools are not able to send ballots to UOCAVA voters electronically.






PRECINCTS AND ELECTION BOARDS

- Municipal Precincts (SDCL 9-13-16):
 - Each ward is a precinct and does not have to be the same as for county elections.
 - Any changes to your precincts may have to be done via an ordinance change and that would have to take effect prior to your notice of election being published. And within sufficient time for the auditor to make changes in the voter file.
- If all wards use the same polling place, a single election board may be appointed (SDCL 9-13-36).
- If all wards are voting in an election, a single election board, ballot box and pollbook may be used if the ward ballots are different colors (SDCL 9-13-36).



PRECINCTS AND ELECTION BOARDS

- **School** voting precincts and polling places are determined by the school board and do not have to be the same as those used for county elections (SDCL 13-7-11).
 - Any changes to your precincts would have to take effect prior to your notice of election being published. And within sufficient time for the auditor to make changes in the voter file.
 - Municipalities and School Districts must notify the county auditor of boundary (includes precincts) changes at least 45 days before an election (SDCL 12-14-1.1).
 - If in **even numbered** year you must notify the County Auditor at least **100 days before** the Primary and **100 days before** the General Election if there are boundary changes.
- 

PRECINCTS AND ELECTION BOARDS

ELECTION BOARDS

- SDCL 9-13-16.1 and 13-7-12
 - Appointed by the governing body. Notice of Appointment is ARSD 05:02:05:11.01.
 - Minimum of one superintendent and two precinct deputies.
 - Choose election board members whom you trust and who will do a good job. If possible, use board members who work for other elections and are experienced.
 - Members of School Boards may serve on election boards as long as they are not a candidate on the ballot or related within the second degree to a candidate on the ballot.



PRECINCTS AND ELECTION BOARDS

ELECTION BOARDS- *CONT'D*

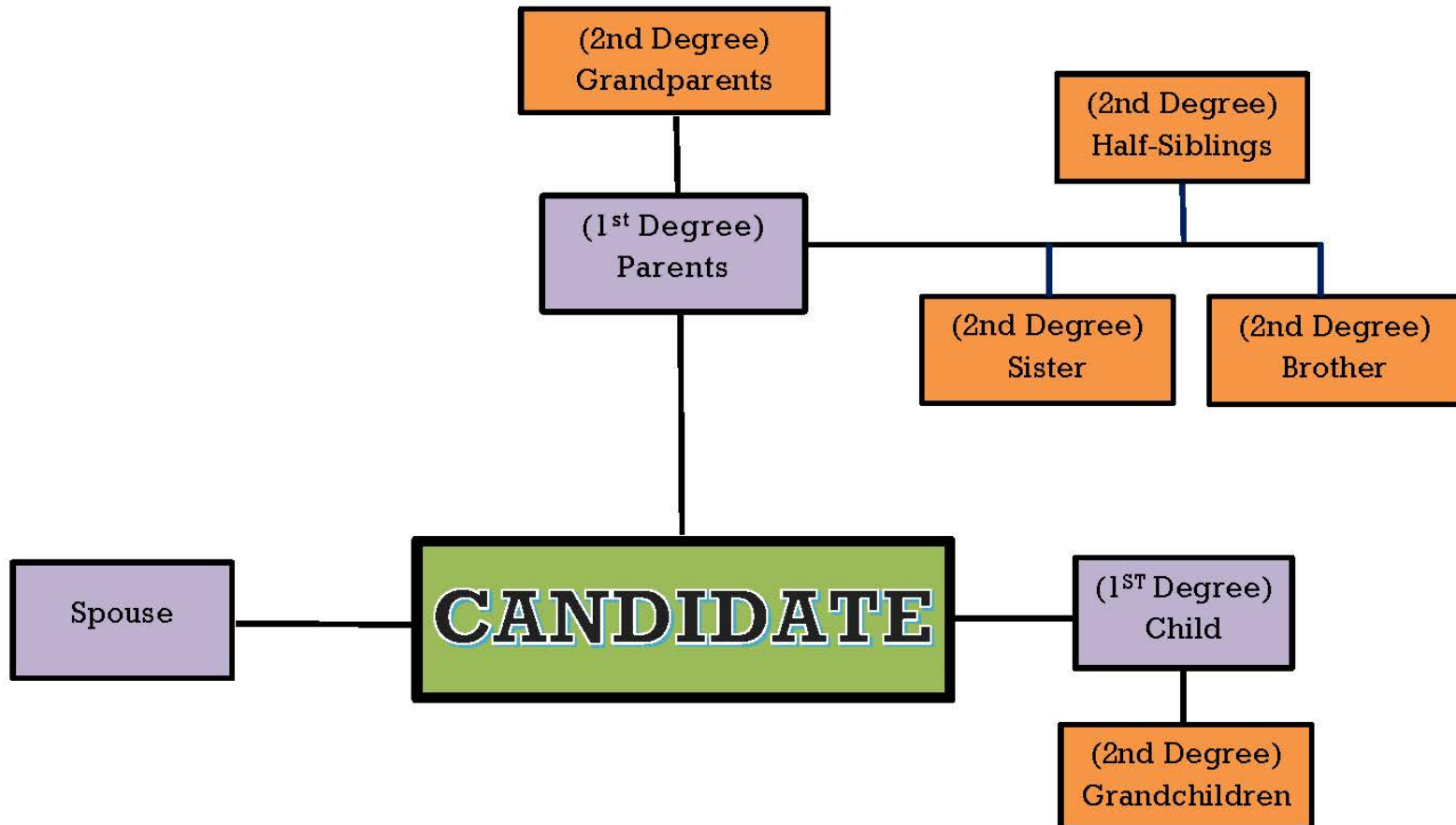
- Election board members must be a registered voter and resident of the precinct they will be working in (SDCL 12-15-2). You may go outside of the precinct if you've exhausted all options.
- May not be related within the second degree to a candidate on the ballot (SDCL 12-15-14.3).
- Election board members may not be poll watchers (SDCL 12-15-2.1).
- 18 year-old students are allowed to be excused from school to be an election official ([SDCL 13-27-6.1](#))

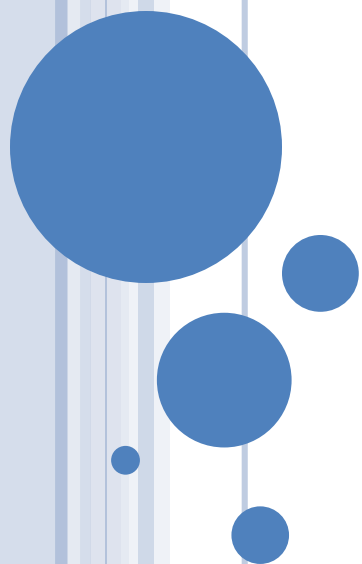


DEGREE OF KINSHIP CHART

(This chart only includes relationships that cannot serve as a poll worker)

SDCL 12-15-14.3. No person may serve on an election or counting board who is a candidate or related by blood or marriage within the second degree to candidate who is on the ballot in that precinct.






BALLOT COUNTING, CANVASSING AND RECOUNTING

Provisional Ballot Counting
Duties of Canvassers
Recount Process



PROVISIONAL BALLOTS

- Provisional ballots **ARE NOT OPENED** or counted on election night.
 - It doesn't matter if you use hand counted paper ballots or optical scan ballots, all the provisional ballot envelopes must be placed **UNOPENED** in the Provisional and Uncounted Absentee Ballot Return Envelope (ARSD 5:02:16:44) and returned to you. **Keep them secure!**
 - The day after the election you must “diligently investigate” to determine if the voter was legally entitled to cast a ballot in that precinct.
 - Use the information provided by the voter on the affirmation (on the envelope) to begin your investigation. Ask the county auditor to assist you with this determination.
- 

PROVISIONAL BALLOT ENVELOPE

You will use the information provided by the voter to assist you in determining if the provisional ballot will be counted or not.

R-113—Provisional ballot envelope. 5:02:05:22

Voter's Affirmation for a Provisional Ballot

My voter registration was completed on or about the following date and was left with the following person or agency for delivery to the country auditor: _____.

My name is _____, I reside at _____,

my mailing address is _____, My date of birth is _____,

my SD driver license number is _____, my daytime telephone number is _____,

and my evening telephone number is _____.

If I do not have a South Dakota driver license the last four digits of my social security number are _____.

I understand if the election authority determines that I am not registered in this precinct and therefore not eligible to vote in this precinct, my vote will not be counted. I further understand that my vote may not be secret if only one provisional ballot is cast in the precinct. I declare or affirm under penalty of perjury that I registered and am eligible to vote in this precinct.

Signature of Voter

Date

To be completed by a precinct election worker:

Precinct number _____

Type of ballot provided to voter _____.

Signature of precinct worker

Source: 29 SDR 177, effective July 2, 2003; 31 SDR 214, effective July 4, 2005; 33 SDR 230, effective July 1, 2007. General Authority: SDCL 12-18-40. Law Implemented: SDCL 12-18-40.



BALLOT COUNTING, CANVASSING AND RECOUNTING

PROVISIONAL BALLOTS *cont'd*

- Determining which provisional ballots should be counted. **If all of the 4 statements below are satisfied then the ballot should be counted:**
 - Voter was registered in that precinct by the voter registration deadline.
 - Identity has been verified.
 - Voter has not been removed from the voter list.
 - Voter is a resident.
- If you determine that there are provisional ballots which must be counted, a provisional ballot counting board must be appointed (SDCL 12-20-13.1). Follow SDCL 12-15-1 for process to appoint the board.
 - Counting is done prior to your canvass (see next slide).



BALLOT COUNTING, CANVASSING AND RECOUNTING

PROVISIONAL BALLOTS *cont'd*

- Provisional ballot counting board meets one hour prior to the official canvass.
 - This board has to be a minimum of three people.
 - The board can consist of election board members that worked on election day or any registered voter in your jurisdiction.
 - Even if you just have one provisional ballot you still have to follow this process.
- Provisional ballot counting board shall count the provisional ballots which **you have certified as countable**. The board will complete a Certification of Provisional Ballot Count (ARSD 5:02:17:13).
 - This board does not determine which provisional ballots shall be counted.
- Your canvassing board will add the tally from this certification to the tallies on the canvass sheet.



BALLOT COUNTING, CANVASSING AND RECOUNTING

PROVISIONAL BALLOT NOTIFICATION

- Within ten days after the official canvass, you must send each provisional voter a Notice of Provisional Ballot Determination. (ARSD 5:02:05:24)
 - The notice shall contain:
 - Voter's name
 - Voter's mailing address
 - Election at which the ballot was cast
 - Whether the ballot was counted
 - If the ballot was not counted, the reason why it was not counted
 - Your telephone number in case they have questions



BALLOT COUNTING, CANVASSING AND RECOUNTING

PROVISIONAL BALLOT NOTIFICATION

- A paper or electronic copy of the notice shall be maintained by the official in charge of the election for the time period defined in SDCL 12-20-31.
 - 60 days if no Federal race on the ballot
 - 22 months if there is a Federal race on the ballot



BALLOT COUNTING, CANVASSING AND RECOUNTING

OFFICIAL CANVASS

- Conducted by the governing body.
 - SDCL 12-20-46 states a candidate does not sit on the canvassing board but instead has a designee.
 - Cities and Schools follow Title 12 when there is not a statute in their respective Title that covers a process (SDCL 12-1-1).
 - There could be a conflict of interest should a candidate sit on the canvassing board (SDCL 6-1-17).
 - Work with your attorney on whether candidates should sit on the canvassing board.



BALLOT COUNTING, CANVASSING AND RECOUNTING

OFFICIAL CANVASS

- If the majority of your governing board are candidates, which would cause the canvassing board to not have a quorum, see suggestion below (consult your attorney regarding these suggestions):
 - Canvass each race separately
 - Candidate/governing board member whose race is being canvassed would abstain from participating



BALLOT COUNTING, CANVASSING AND RECOUNTING

OFFICIAL CANVASS

- **Schools** (SDCL 13-7-18):
 - Canvass occurs at the next board meeting.
 - Certify results to the county auditor (~~ARSD~~
~~05:02:07:04~~).
- **Municipalities** (SDCL 9-13-24):
 - Canvass must occur within **seven days** of election.
 - Cities are not required to certify results to the auditor.
- You do not have to submit any results to our office.



BALLOT COUNTING, CANVASSING AND RECOUNTING


BOARD OF CANVASSERS

- **DO NOT** take the ballot box to the canvassing.
- The canvassing board **DOES NOT** have the authority in law to open the ballot box or recount ballots.



BALLOT COUNTING, CANVASSING AND RECOUNTING

BOARD OF CANVASSERS

- The duties of the official board of canvassers for a local jurisdiction are as follows ([ARSD 05:02:17:12](#)):
 - Open the returns from each precinct which are found in each poll book
 - Satisfy itself that the returns are genuine and not forged
 - Tabulate the returns from the precincts and the certification of provisional ballot count
 - Declare the result
 - Make an abstract ([ARSD 05:02:17:11](#)) of the results of the votes cast for each of the candidates and each of the issues. The abstract must be signed and certified by the canvassers under the seal of the business manager or finance officer of the local jurisdiction.
- 

OFFICIAL CANVASS SHEET

Date of Election: _____
 Type of Election: _____
 Jurisdiction: _____

ARSD
 05:02:17:11

OFFICE OR QUESTION												
Names of Candidates or "Yes" and "No"												
Precincts												
Precinct 1												
Precinct 2												
Precinct 3												
Precinct 4												
Precinct 5												
Precinct 6												
Totals												

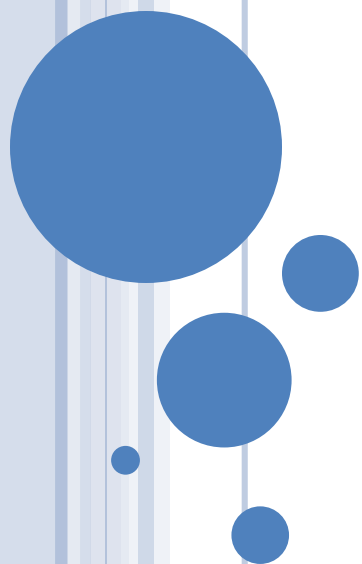
STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF _____)

We, _____ (list names) _____, appointed as the Board of Canvassers because of our positions on the governing board in the jurisdiction of _____ for the _____ election held on the _____ day of _____, 20____, hereby certify that the foregoing is a true abstract of the votes cast in the jurisdiction of _____ at the election as shown by the returns certified to the person in charge of the election.

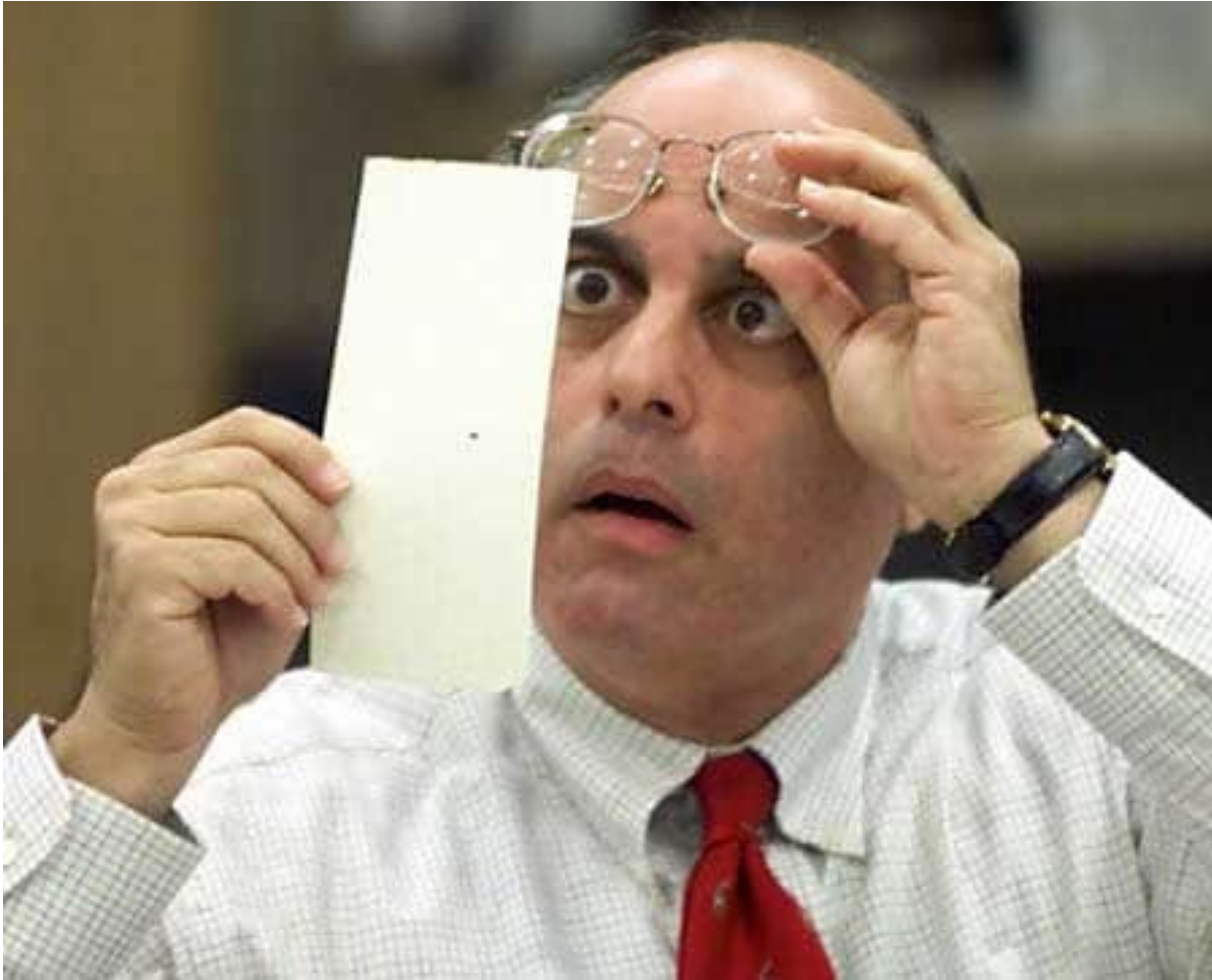
Sworn to before me this _____ day of _____, 20____.

 Person in Charge of the Election





RECOUNT? No!!!!!!!



BALLOT COUNTING, CANVASSING AND RECOUNTING

CANDIDATE RECOUNTS

SDCL 9-13-27.2, 9-13-27.3, 13-7-19.1 and 13-7-19.2

- We have posted on our website a **Municipal & School Recount Manual**. Please review this as it lays out a detailed step by step process.
- Candidate recounts are used to recount the results for a specific municipal or school board candidate's race.
 - Deadline to request a recount:
 - Within **five days** after official canvass for that office.
 - Who requests (in writing):
 - A tied or losing candidate.
 - A recount may be requested for the following reasons:
 - Municipal- if a race is tied, defeated by five votes or less or defeated by a margin not exceeding two percent.
 - School- if a race is tied or defeated by a margin not exceeding two percent.
 - File the request with:
 - Municipal finance officer or school business manager.



BALLOT COUNTING, CANVASSING AND RECOUNTING

CANDIDATE RECOUNT BOARD

- Appointed by the person in charge of the election.
- One person chosen by each candidate declared elected.
- One person chosen by each candidate who is eligible to request a recount.
- If the board consists of an even number of persons, one additional recount board member shall be appointed who is mutually agreeable to each candidate involved in the recount.
- The person in charge of the election sets the time and place for the recount.
 - City Finance officers have to set this date within 10 days of receiving the recount request. (SDCL 9-13-27.3)



BALLOT COUNTING, CANVASSING AND RECOUNTING

BALLOT QUESTION RECOUNTS

SDCL 9-13-27.4 and 13-7-19.3

- Purpose:
 - Used to recount the results for a ballot question.
- Deadline to file a petition for recount:
 - Within five days after official canvass for that question.
- Who petitions:
 - Any three registered voters of the municipality or school district.
- Required when:
 - Defeated by a margin not exceeding two percent.
- Petition to recount:
 - ARSD 5:02:19:10
- File with:
 - Municipal finance officer or school business manager.



BALLOT COUNTING, CANVASSING AND RECOUNTING

BALLOT QUESTION RECOUNT BOARD

- Appointed by the person in charge of the election and consists of one person on each side of the question and one person mutually agreed upon by the other two appointed.
- Person in charge of the election shall set the time and place for the recount.
 - City Finance officers have to set this date within 10 days of receiving the recount request.
(SDCL 9-13-27.3)



WHAT TO ASK FOR FROM YOUR COUNTY AUDITOR

- Make sure your county auditor knows you are having an election and whether you want your auditor to be available until the polls close on election day.
 - You will want to request this as early as you can, don't wait until the day before the election to request this.
 - SDCL 7-7-2. Hours of operation for county offices established by board of county commissioners-- Exceptions. The county auditor's office shall remain open, **if requested** by the person in charge of a school or municipal election, until the closing of the polls and the tabulation of votes for that election.



WHAT TO ASK FOR FROM YOUR COUNTY AUDITOR

- Work with the auditor to get the voter registration list(s) for each precinct you have.
 - Let the auditor know when you want the list by. Typically you would want this within a few days prior to the election.
 - Schools: when requesting your list make sure you are requesting all the voters in your district across **all the counties** your district covers.



AS THE PERSON IN CHARGE OF THE ELECTION, WHAT DO YOU DO ON ELECTION DAY?

- Make sure your election boards know how to set up the polling place(s) and that they will be ready to open by 7:00 am.
 - Some of you might set up the voting booths prior to election day to assist your election boards and that is ok.
- Be available for questions from your election board **all day**.
 - This means you have to remain at work until all polling places are closed, ballots are counted and delivered back to you after 7:00 pm.
 - You do not stay at the polling place at all during the day.
 - You could be present after 7:00 pm for the counting of the ballots. You cannot interfere in the process of counting.



AS THE PERSON IN CHARGE OF THE ELECTION, WHAT DO YOU DO ON ELECTION DAY?

- Remember that absentee ballots may still be returned to you on election day and that voters may still request an absentee ballot up to 3:00 pm election day if they are using an authorized messenger. *This is why you need to be in your office.*
 - If you receive absentee ballots on election day, in order for them to be counted, you have to be able get the ballots to the voter's polling place or absentee precinct board (if you use one) by 7:00 pm.
 - If a ballot is delivered to your office at 6:58 pm chances are you will not be able to get that ballot to the voter's polling place prior to the polls closing.
- Once you have the results from ALL of your polling places, you may share those.
- Make sure to say that they are the “**unofficial results.**” The “official results” will be determined at the canvass.





SPECIAL ELECTIONS

Municipalities:

- Initiative
- Referendum
- Recall
- Bond
- Tax levy opt out – held on or before October 1st
- Change in form of government

Schools:

- School start date
- School consolidation/reorganization
- Bond
- Tax levy opt out – held on or before October 1st
- Discontinue attendance center
- Some capital outlay certificates
- Implementation of a school sentinel program

SPECIAL ELECTIONS

- If the petition meets the requirements of ARSD 5:02:08:00 and 5:02:08:00.01 the governing body needs to move forward and set the election date.
- Notices and Publications for Special Elections
 - Notice of Voter Registration Deadline.
 - Publication of facsimile ballot.
 - Notice of Election.
- Notices of Vacancy (for special municipal elections to fill vacancy).



SPECIAL ELECTIONS

○ Bond Elections

- Cities- work with your bond counsel to determine if it's majority or 60% to pass
- Schools- schools follow SDCL 13-9-9 which points to SDCL 6-8B-2 which says a bond election has to have 60% yes votes to pass



SPECIAL ELECTIONS *CONT'D*

- One year waiting period after election on form of city government to vote on the question again (SDCL 9-11-8).
- Tax levy opt out elections require a “NOTICE TO TAXPAYERS” publication (SDCL 10-13-35 and 10-12-43).
- Municipality is required to publish the entire initiated or referred measure once a week for two successive weeks (SDCL 9-20-4 and 9-20-12).



VACANCIES

HOW ARE VACANCIES CREATED ON CITY COUNCILS?

SDCL 3-4-1

- (1) Dies;
- (2) Resigns;
- (3) Is removed from office;
- (4) Fails to qualify as provided by law;
- (5) Ceases to be a resident of the state, district, county, municipality, township, ward, or precinct in which the duties of the office are to be exercised or for which elected;
- (6) Is convicted of any infamous crime or of any offense involving a violation of the official oath of the office; or
- (7) Has a judgment obtained against the person for a breach of an official bond.
- **Military call up** (SDCL 3-4-8)
- **Incapacitation-** *by illness or accident* (SDCL 3-4-9)
- **No one files a nominating petition** (SDCL 9-13-14.3)

VACANCIES

HOW ARE MUNICIPAL VACANCIES FILLED?

- By appointment SDCL 9-13-14.1
- By special election SDCL 9-13-14.2
- By temporary replacement SDCL 3-4-8



VACANCIES

HOW ARE MUNICIPAL VACANCIES FILLED? *cont'd*

- By appointment SDCL 9-13-14.1:
 - At the end of December 2015 the Attorney General issued an opinion (15-03) clarifying that an appointee serves until the next annual election **not** the next regularly scheduled election.
 - This means that an appointee only serves until the next year regardless of whether you have an annual election scheduled. The seat has to be published on the notice of vacancy for the next election, regardless of whether the position is filled by appointment.



VACANCIES

FILLING MUNICIPAL VACANCY BY APPOINTMENT

- SDCL 9-13-14.1
- Remember in Aldermanic form of government the appointment must be from the **same ward**.
- Appointing can be an easier, faster, and less costly process.
- Remaining members shall appoint a replacement to serve until the next annual municipal election.
 - Keep track of the terms when there has been an appointment.
 - Official that is vacating his position does not vote on his replacement.
 - The Mayor may make a recommendation but the remaining members vote on the appointment.
 - There are no publication rules or notices for filling a vacancy.



VACANCIES

FILLING MUNICIPAL VACANCY BY SPECIAL ELECTION

- Governing body creates an ordinance requiring that any vacancy on the governing board or in the office of the Mayor is to be filled by special election.
- The ordinance must be enacted **prior** to the vacancy.
- Election not to be held less than 90 days before the annual municipal election.
- Finance Officer will publish a notice that a vacancy exists and will be filled by special election, the date of election, time and place where nominating petitions may be filed for the office. Nominating petitions prepared and filed as usual according to SDCL 9-13-7, and filed at least 30 days before the date of the elections.
- Notice of special election published as usual according to SDCL 9-13-13 and 9-13-14.



VACANCIES

FILLING MUNICIPAL VACANCY BY TEMPORARY REPLACEMENT

- In the cases of Military call-up (SDCL 3-4-8) or Incapacitation (SDCL 3-4-9):
 - The member temporarily resigns
 - A temporary replacement is made by appointment
 - The replacement serves until the original member returns or the member's term expires, which ever comes first.
 - If the replacement serves until the original members term expires and no one files for the position, then a vacancy is created. The temporary replacement would then need to be re-appointed if they wanted to continue to serve.



VACANCIES

WHAT IF NO ONE FILES A MUNICIPAL NOMINATING PETITION?

- Law since July 2014
 - If for any reason a municipality fails to elect any person to succeed an elected official whose term has expired or an elected official fails to file a nominating petition or qualify, the office is deemed vacant (SDCL 9-13-14.3).
 - The elected official whose term has expired shall continue to act in an official capacity until the vacancy is filled by election or appointment pursuant to 9-13-14.1 or 9-13-14.2.



VACANCIES

HOW ARE VACANCIES CREATED ON SCHOOL BOARDS? *SDCL 13-8-23*

- Death
- Removal from the board
- Failure to qualify as provided by law
- Ceases to be a **resident*** of the school district or representation area where elected
- Conviction of any infamous crime or of any offense involving a violation of the member's official oath
- Has a judgment obtained against the member for breach of the member's official bond
- Is incapacitated and is unable to attend to the duties of the position
- Assumes the duties of an office incompatible with the duties of a school board member
- Resignation

***Note:** this says “resident” not “resident voter” which is the language for a candidate to qualify for office.



VACANCIES

HOW ARE SCHOOL VACANCIES FILLED?

- Any vacancy occurring on a school board shall be **filled by appointment** by the remaining school board members.
 - In the case of a resignation the member resigning could be involved in selection of his successor (SDCL 13-8-25(3))
 - **A resignation shall not be effective until the successor is appointed and qualified** as prescribed by law (SDCL 13-8-24).



VACANCIES

HOW ARE SCHOOL VACANCIES FILLED?

- In the cases of Military call-up (SDCL 3-4-8) or Incapacitation (SDCL 3-4-9):
 - The member temporarily resigns
 - A temporary replacement is made by appointment
 - The replacement serves until the original member returns or the member's term expires, which ever comes first.
 - If the replacement serves until the original members term expires and no one files for the position, then a vacancy is created. The temporary replacement would then need to be re-appointed if they wanted to continue to serve.
- The appointee will serve until the next succeeding election at which time a successor shall be elected to serve the unexpired term (SDCL 13-8-25).



RECALLS

WHO CAN BE RECALLED?

- Only applies to **Municipalities**
- SDCL 9-13-29
- In any municipality, with or without a city manager
 - Mayor
 - Commissioner
 - Alderman
 - Any member of the board of trustees



RECALLS

GROUND FOR RECALL (SDCL 9-13-30)

- Misconduct
- Malfeasance
- Nonfeasance
- Crimes in office
- Drunkenness
- Gross incompetency
- Corruption
- Theft
- Oppression
- Gross partiality



RECALLS

PETITION FOR RECALL

- Signed by 15% of the registered voters of the municipality, based upon the total number of registered voters at the last preceding general election.
- Petition shall contain a **specific statement** of the grounds on which removal is sought.
- Petition form (ARSD 5:02:08:17)



RECALLS

PETITION FOR RECALL

- No signature is valid if signed more than 60 days prior to the filing of the petitions.
- New language added to SDCL 9-13-30 in 2016: A challenge to the recall petition regarding the specific statement of the grounds of the recall petition must be filed in circuit court within five business days of the filing of the recall petition. The circuit court shall conduct an expedited declaratory judgment hearing with no right to trial by jury.



CAMPAIGN FINANCE

SDCL 12-27

WHO IS REQUIRED TO FILE?

- ONLY Ballot Question Committees in 1st Class Municipalities
- ONLY School district offices and ballot questions in school districts with average daily membership (ADM) greater than 2,000.
- Any other municipality or school that has ordinances in place outlining the campaign finance laws they will follow.

CAMPAIGN FINANCE

WHERE CAN YOU FIND FORMS?

- Sample forms and campaign finance information can be found at www.sdsos.gov
 - **Statement of Organization for Local Jurisdictions**
 - **Disclosure Statement for Local Jurisdictions**
 - Within this disclosure is suggested filing dates for reports
 - Review these dates with your attorney

CAMPAIGN FINANCE

DISCLAIMER

- Only those committees in those jurisdictions that have to comply with campaign finance have to use a disclaimer
- The disclaimer must be on printed material or communication.
- "Paid for by (Name of candidate, political committee, or political party)."
- Small impractical items are exempt.
 - Buttons, balloons, pins, pens, matchbooks, clothing, etc.



CAMPAIGN FINANCE

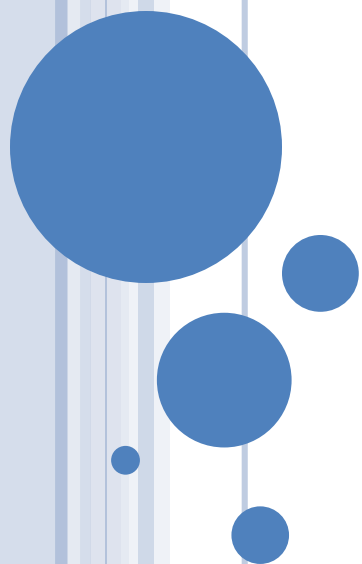
GOVERNMENT RESTRICTIONS

- A city or school **may not** spend public funds for the purpose of influencing an election (SDCL 12-27-20).
- No candidate, political committee, or political party may accept any contribution from any state, state agency, political subdivision of the state, foreign government, Indian tribe, federal agency, or the federal government (SDCL 12-27-21).

WHO IS RESPONSIBLE FOR ENFORCING CAMPAIGN FINANCE LAWS?

- State's Attorney (SDCL 12-27-40)





AUTOMATED TABULATING SYSTEMS

Have a backup plan!

- ARSD 5:02:09:01.02, SDCL 12-17B-5 & SDCL 12-17B-12
 - Requires testing of the system twice.
 - Only the first test has to have a published notice. ARSD 5:02:09:01:01
 - Test conducted not more than 10 days prior to an election.
 - The test on election night right before tabulating does not require a published notice.
- Create your own “prior” tally sheet and test deck.

AUTOMATED TABULATING SYSTEMS

WHEN THE POLLS CLOSE:

- ◉ Do not open the ballot box.
- ◉ Complete recap sheet. (ARSD 5:02:09:15)
 - ◉ If ballot count from recap does not match voters in the pollbook, explain the reason why it doesn't match on the recap sheet, pollbook and registration list.
- ◉ Two precinct board members transport ballot box back to the person in charge of the election.

RECAPITULATION SHEET

E-50—Recapitulation Sheet—5:02:09:16—12-18-32

McLEOD'S—E-50

RECAP SHEET: PRECINCT _____
(date and name of election)

Type of ballot: _____

1. Official Ballots Received from Auditor _____ +
2. Additional Ballots Received During the Day _____ +
3. Absentee Ballots Received _____ +
4. Total Ballots Received (add lines 1, 2 and 3) = _____ (Line 4 Total)
5. Ballots Spoiled _____ +
6. Ballots Unvoted at End of the Day _____ +
7. Absentee Ballots not Opened _____ +
8. Total (add lines 5,6 and 7) = _____ (Line 8 Total)
9. Ballots Voted (Line 4 minus Line 8) _____ (Line 9 Total)
10. Provisional Ballots Voted _____
11. Ballots To Be Counted (Line 9 minus Line 10) _____

12. Enter Number of voters from Pollbook for this Type of Ballot _____
If Line 9 and 12 are not the same, compare the voters in the pollbook and the registration list and correct any mistakes.

Signed: _____

Precinct Officials

PLACE INSIDE BALLOT BOX OR TRANSFER CASE WITH VOTED BALLOTS

Discrepancies noted by resolution board: _____
(fill in only if there is a different total than above)

Signed: _____

Resolution Board

Printer's note: In central count optical scan precincts, lines 10 and 11 may be completed by tabulation center employees. The printed form may be changed to reflect this option.

AUTOMATED TABULATING SYSTEMS

TABULATION CENTER (County Auditor's office)

- Procedures can be found in [SDCL 12-17B-10](#) through [12-17B-13](#) and in [ARSD 5:02:09:04.04](#).
- Make sure the counter is set to SORT OUT blank ballots.
- Make sure the counter is set to NOT SORT over voted ballots.



AUTOMATED TABULATING SYSTEMS

BALLOTS

- Ballot count:
 - Compare number of ballots from machine count with number of ballots on recap sheet.
 - If discrepancy, note on recap sheet, signed by tabulation technician and notify resolution board.
 - If there are five or more ballots than names in the pollbook, the resolution board shall examine each ballot for the official ballot stamp.
 - Unstamped ballots are removed and marked “unstamped – not counted”.
 - If the total number of ballots still exceeds the number of names in the pollbook, ballots equal to the excess number shall be randomly pulled and not counted.
 - Retabulate the ballots.



AUTOMATED TABULATING SYSTEMS

RESOLUTION BOARD

- If combining with auditor in a Primary or General election – one Republican and one Democrat.
- For other elections – two persons who are not employees of your jurisdiction.



AUTOMATED TABULATING SYSTEMS

RESOLUTION BOARD *cont'd*

○ Duties:

- Any ballot which cannot be counted by the machine shall be examined by the Board – this would include “blank” ballots which are out sorted.
- If any of these ballots are actual blank ballots, reset the machine to accept the blank ballots and run them through.
- If the board cannot agree on the voter’s intent, the ballot is rejected and so marked.
- If the Board agrees on the voter’s intent, a duplicate ballot shall be made by the Board.
- Duplicate shall be marked “Duplicate” and “Official Resolution Ballot”.
- Identical serial numbers shall be place on the duplicate and on the original.
- Duplicate shall be counted by the tabulating equipment.



AUTOMATED TABULATING SYSTEMS

VOTER INTENT

- “A mark that touches the oval on an optical scan ballot shall be counted as a vote; any mark that does not touch the oval and is not in the oval may not be counted as a vote.”
- (ARSD 5:02:09:22)
- After the vote count:
 - Place ballots in ballot boxes and reseal.
 - Remove program boards from tabulator and store sealed.
- Recounts are conducted according to ARSD 5:02:09:05.



