Afternoon agenda

- Ballot Preparation
- Absentee Voting
- Precincts and Election Boards
- Election Schools = good Election Days
- Counting, Canvassing and Recounting
- Campaign Finance
- Recalls
- Special Elections
- Electronic Pollbooks and Voting Centers
- Legislation

Ballot Preparation

BALLOT PREPARATION

- Types of ballots:
  - Paper Ballots – make your own or professionally printed.
  - Automated Tabulating System Ballots (optical scan).
- Candidate order:
  - Schools – draw by lot.

    (SDCL 13-7-13)
  - Municipalities – draw by lot.

    (SDCL 9-13-21)
- Spell names as they exactly appear on the petition.
- Do not include titles or political party affiliation.

BALLOT FORM:

- Municipality (ARSD 5:02:06:12)
- School (ARSD 5:02:06:15)
- Special Election (ARSD 5:02:06)
- If a combined election:
  - One of the ballots will be white.
  - Contrasting colors for the other ballots.
- Indicate type of position being voted for and length of term.
- Neat and not confusing!

IMPORTANT RECOMMENDATION

PROOFREAD!

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

To vote use a cross (X) or 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 <u>one</u> or leave it blank.

☐ John Doe
☐ Richard Roe

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

☐ John Doe
☐ Richard Roe
☐ John Smith

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

☐ John Doe
☐ Richard Roe
☐ John Smith

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

To vote use a cross (X) or 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

OFFICIAL MUNICIPAL ELECTION BALLOT
_____, SOUTH DAKOTA
(Election Date)
The following (initiated measure or referred ordinance or referred resolution) was proposed by petition for submission to the voters. This (initiated measure or referred ordinance or referred resolution) will not become effective unless approved by majority vote.

Title: (HERE LIST TITLE OF INITIATIVE OR REFERENDUM TO BE VOTED ON)

City Attorney Explanation: (HERE LIST CITY ATTORNEY'S EXPLANATION)

To vote use a cross (X) or check mark (√) in the square in front of "Yes" or "No."

☐ Yes A vote "Yes" will (change city ordinance) (adopt the ordinance) (adopt the resolution).
☐ No A vote "No" will (leave the city ordinance as it is) (not adopt the ordinance) (not adopt the resolution).

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

The instructions to voters found on optical scan ballots shall be enclosed in a box and placed at the top of the first column and at the beginning of the portion containing other candidates and the portion containing ballot questions. The instructions for all elections must be in either of the following forms:

3. To vote for a person FILL IN (Bold) the oval (●) next to the name.
4. To vote on a ballot question FILL IN (Bold) the oval (●) next to "yes" or "no".
5. Use only a pencil or pen.
6. If you make a mistake, give the ballot back and get a new one.
7. DO NOT (Bold) cast more votes than are allowed in each race.

Printers note: Subdivisions 5 and 6 shall be included in the first instruction box only. For subdivision 5, specify "pencil or pen", "pencil" or "pen" as appropriate for your system. If the ballot has columns, the words "Go to the 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 on the lower right corner.

Questions?

Absentee Voting

ABSENTEE VOTING

- Any registered voter may vote by absentee ballot. Voters do not need to provide a reason in order to absentee vote.
- 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 48 days prior to the election.

  (SDCL 9-13-21 and 13-17-13)

ABSENTEE BALLOT APPLICATION

- Prescribed form (ARSD 5:02:10:01) can be found on www.sdsos.gov.
- Federal Post Card Application (FPCA).
- Letter.
- Must be signed and complete.
- Check registration list before sending.

APPLICATION FOR ABSENTEE BALLOT _____ COUNTY, SOUTH DAKOTA

You may apply for an absentee ballot before 3:00 p.m. on Election Day for any or all primary, general, or special elections conducted by your county in this calendar year with one request. However, you must make a separate request for municipal elections and another for school elections. Additional information on absentee voting is available at www.sdsos.gov.

Check the election(s) for which you are requesting an absentee ballot:

☐ Primary — If you are registered as an independent and are requesting a primary ballot, you may have a choice of ballots. Please check one of the following: ☐ Non-Political ballot or ☐ Democratic Party ballot

☐ General

☐ Municipal

☐ School

☐ Special

☐ If any other election is conducted by this jurisdiction (specify jurisdiction _____) this calendar year, I request an absentee ballot for that election.

If request is for a municipal or school election:

I have lived in that jurisdiction at least 30 days in the last year. Yes ☐ No ☐

I am a full-time postsecondary student who resided in that jurisdiction immediately prior to leaving for postsecondary education. Yes ☐ No ☐

I am on active duty military and my home of record is in that jurisdiction. Yes ☐ No ☐

Are you in the Military or Uniformed Services, a Spouse or Dependent of the same, or an Overseas Citizen? Yes ☐ No ☐

Are you currently living in the United States? Yes ☐ No ☐

My printed name as it appears on the voter registration list is: _____

My voter registration residence address is: _____
Address City

Mail my ballot to the following address _____
Street Address or PO Box City State Zip

Daytime phone number: _____

NOTE: The voter's signature must be witnessed by a notary public or other officer authorized to administer an oath. If the signature is not witnessed, this application must be accompanied by a copy of the voter's valid ID. If you are living outside the United States, these requirements do not apply.

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 • A current student photo ID issued by a South Dakota high school or postsecondary education institution

I hereby verify that I am the person named above and these statements made by me on this application are true and correct.

_____
Voter Signature

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

_____
Signature of Officer Administering Oath

My Commission Expires _____

_____
Title of Officer Administering Oath

AUTHORIZED MESSENGER REQUEST ONLY:

I authorize _____ 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.

_____
Signature of voter

THE AUTHORIZED MESSENGER MUST COMPLETE THE FOLLOWING:

Name: _____ Phone: _____

Address: _____

Are you serving as an authorized messenger for any other voter? Yes ☐ No ☐

I acknowledge receipt of the ballot for the above named voter on _____ at _____ m.
Date Time

Date Ballot Returned: _____

_____
Signature of Authorized Messenger

Form Revised 7/1/2010 – 5:02:10:01

FPCA

Federal Post Card Application

REGISTRATION AND ABSENTEE BALLOT REQUEST - FEDERAL POST CARD APPLICATION (FPCA)

1. I REQUEST ABSENTEE BALLOTS FOR ALL ELECTIONS IN WHICH I AM ELIGIBLE TO VOTE AND I AM *(Mark only one)*:

- ☐ (a) A MEMBER OF THE UNIFORMED SERVICES OR MERCHANT MARINE ON ACTIVE DUTY, OR AN ELIGIBLE SPOUSE OR DEPENDENT
- ☐ (b) A U.S. CITIZEN RESIDING OUTSIDE THE U.S. TEMPORARILY
- ☐ (c) A U.S CITIZEN RESIDING OUTSIDE THE U.S. INDEFINITELY

2. MY INFORMATION (Required)

a. TYPED OR PRINTED NAME *(Last, First, Middle)* | SUFFIX *(Jr., Sr., III, etc.)* | b. PREVIOUS NAME *(If applicable)*

c. SEX ☐ M ☐ F | d. RACE | e. DATE OF BIRTH *(MMDDYYYY)* | f. SOCIAL SECURITY NUMBER — — | g. STATE DRIVER'S LICENSE OR I.D. NUMBER

h. TELEPHONE NUMBER *(No DSN number; include all international prefixes)* | i. FAX NUMBER *(No DSN number; include all international prefixes)*

j. EMAIL ADDRESS

3. MY VOTING RESIDENCE ADDRESS (Required) *(Military, use legal residence. Overseas citizens, use last legal residence in U.S.)*

a. NUMBER AND STREET *(Cannot be a P.O. Box)*

b. CITY, TOWN OR VILLAGE | c. COUNTY | d. STATE | e. ZIP CODE —

4. WHERE TO SEND MY VOTING MATERIALS

a. MY CURRENT ADDRESS *(Where I live now)* **(Required)**

b. MY FORWARDING ADDRESS *(NOTE: Complete 4b. only if you do not want your ballot mailed to the address in Block 4a.)*

c. I PREFER TO RECEIVE MY ABSENTEE BALLOT, AS PERMITTED BY MY STATE, BY: ☐ MAIL ☐ FAX ☐ EMAIL

5. MY POLITICAL PARTY PREFERENCE *(Optional, but may be required by states to register to vote in primary elections)*:

6. ADDITIONAL INFORMATION *(Designate the period for which you want to receive ballots - see instructions for Block 6, paragraph (3). Consult the Voting Assistance Guide for other specific state instructions.)*

7. AFFIRMATION (Required)

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

1. I am a member of the Uniformed Services or merchant marine on active duty or an eligible spouse or dependent of such a member, or a U.S. citizen temporarily residing outside the U.S., or other U.S. citizen residing outside the U.S., and
2. I am a U.S. citizen, at least 16 years of age (or will be by the day of the election), eligible to vote in the requested jurisdiction, and
3. I have not been convicted of a felony or other disqualifying offense or been adjudicated mentally incompetent, or if so, my voting rights have been reinstated, and
4. I am not registering, re[illegible] jurisdiction in the U.S., and
5. My signature and date below indicate when I completed this document, and
6. The information on this form is true and complete to the best of my knowledge.

Digital signatures are not authorized!

I understand that a material misstatement of fact in completion of this document may constitute grounds for conviction of perjury.

Signed: _____ Date: _____ *(MMDDYYYY)* Signed: _____ *(Witness/Notary and Address (If required))* Date: _____ *(MMDDYYYY)*

The information contained herein is for official use only. Any unauthorized release of this information may be punishable by law.

Adobe Designer 8.0

MAIL-IN ABSENTEE VOTING

- This process is used for any voter who wants to vote absentee through the mail.
- Application process:
  - Check voter registration list.
  - 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 may be waived for overseas military or overseas citizen voters.
- Send the voter the correct ballot, instructions (ARSD 5:02:10:04), and return envelope (ARSD 5:02:10:05).
- Update absentee voter log.

IN-OFFICE ABSENTEE VOTING

- You will use this process for all voters who want to vote in-person absentee at your office.
- Application process:
  - Check the voter registration list.
  - Have voter fill out combined absentee ballot application/envelope.
  - Voter must show photo ID or complete personal identification affidavit.
  - Give the voter the correct ballot.
  - Update absentee voter log.

OTHER ABSENTEE PROVISIONS

- Application must be received by 3:00 p.m. on Election Day.
- Can designate application for all elections per calendar year.
- Power of Attorney does not apply.
- If an absentee voter dies before Election Day, the ballot is not processed.
- Inactive voters must complete new registration form.

ABSENTEE BALLOT LOG

- ARSD 5:02:10:06
- The official record of absentee ballots delivered to voters shall be in a computer file linked to the master voter registration file and contain the following information:
  - Date of election and party designation if primary ballot;
  - Name of applicant;
  - Current mailing address of applicant;
  - Voting precinct;
  - Regular or UOCAVA voter;
  - Date mailed to applicant, given to authorized messenger, or voted in office;
  - Name of authorized messenger;
  - Date returned;
  - Date application received;
  - Email address if electronic transmission requested by UOCAVA voter;
  - Voter registration address.

AUTHORIZED MESSENGER

- Who can use an authorized messenger?
  - A qualified voter who is confined because of sickness or disability.
- Work is not considered confinement.
- Voter designates on the application someone to bring them a ballot.
- You as an election official can take a ballot out to someone.
- Employers must allow two hours to vote if the voter doesn’t have two consecutive non-work hours.

AUTHORIZED MESSENGER

- No person who is a candidate for any elective office, except for political party offices described in 12-5-2 or county auditor or such deputy, at the election for which the ballot or ballots are to be voted, may serve as 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)

Questions?

Precincts and Election Boards

MUNICIPAL

- SDCL 9-13-16
- Each ward is a precinct; need not be the same as for county elections.
- If precinct had over 500 voters at last election, then you may split into two precincts.
- If you have 2 contiguous wards with less than 350 voters, then you may combine.

MUNICIPAL

- SDCL 9-13-36
- If all wards use the same polling place, they may use one board.
- If all wards are voting on an identical ballot, then a single ballot box and pollbook may be used.

SCHOOL

- SDCL 13-7-11
- Precincts and polling places are determined by school board, need not be the same as county elections.
- SDCL 12-14-1.1
- Must notify county auditor of precinct changes at least 30 days before election.

ELECTION BOARDS

- SDCL 9-13-16.1 and 13-7-12
  - Chosen by governing body.
  - 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.
- SDCL 12-15-2
  - Must be a registered voter and resident of precinct.
- SDCL 12-15-14.3
  - May not be related within the second degree to a candidate on the ballot.
- SDCL 12-15-2.1
  - Election board members may not be poll watchers.

Questions?

Counting, Canvassing and Recounting

PROVISIONAL BALLOTS

- Provisional ballots ARE NOT opened or counted on election night.
- If your ballots are counted at the polling place, all the provisional ballot envelopes must be placed unopened in the Provisional and Uncounted Absentee Ballot Return Envelope (ARSD 5:02:16:44) to be 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.

PROVISIONAL BALLOTS

- Use the information provided by the voter on the affirmation to begin your investigation. You may want to ask the county auditor to assist you with this determination.
- Which ballots should be counted.
  - Registered in that precinct by deadline.
  - Identity verified.
  - Not been removed from the voter list.
  - Resident.
- If you determine that there are provisional ballots which must be counted, a provisional ballot counting board is appointed.

PROVISIONAL BALLOTS

- Provisional ballot counting board meets one hour prior to the official canvass.
- 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).
- Your canvassing board will add the tally from this certification to the tallies from the pollbooks.

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 sent to the mailing address of a person who has cast a provisional ballot 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; and
    - A telephone number for further information.

OFFICIAL CANVASS

- Conducted by the governing body.
- Schools:
  - At the next board meeting.
  - Certify results to the county auditor.
- Municipalities:
  - Within seven days of election.

BOARD OF CANVASSERS

- The duties of the official board of canvassers for a local jurisdiction are as follows:
  - 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; and
  - Make an abstract 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: _____

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 _____ , 19 _____ , 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 _____ , 19

_____

Person in Charge of the Election

SCHOOL BOARD RECOUNTS SDCL 13-7-19.1 and 19.2

- Purpose:
  - Used to recount the results for a specific school board candidate's race.
- Deadline:
  - Within five days after official canvass for that office.
- Who petitions:
  - A tied or losing candidate.
- Required when:
  - Tied or defeated by a margin not exceeding two percent.
- Petition:
  - ARSD 5:02:19:05
- File with:
  - School business manager.

MUNICIPAL CANDIDATE RECOUNTS SDCL 9-13-27.2 and 27.3

- Purpose:
  - Used to recount the results for a specific municipal candidate's race.
- Deadline:
  - Within five days after official canvass for that office.
- Who petitions:
  - A tied or losing candidate.
- Required when:
  - Tied, defeated by five votes or less or defeated by a margin not exceeding two percent.
- Petition:
  - ARSD 5:02:19:05
- File with:
  - Municipal finance officer.

MUNICIPAL BQ RECOUNTS SDCL 9-13-27.4

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

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.

Questions?

Campaign Finance

FINANCIAL INTEREST STATEMENT

- Required for 1st Class Municipality and School >2,000 Average Daily Membership (ADM)
- Filed within 15 days after candidate files nominating petition or nomination is certified, or an elected official takes the oath.

State of South Dakota
Statement of Financial Interest
Candidate for Public Office

File statement in the office where your nominating petition or convention nomination certification was filed.

Please read information on reverse side before completing this form.

****

1. Name _____

2. Address _____

3. Office Sought _____

4. What is your occupation/profession? _____

5. List any enterprise which accounted for more than ten percent of, or contributed more than $2,000 to, your family's (includes spouse, minor children living at home) gross income in the preceding calendar year. Identify who receives the income from each enterprise.

What is the nature of your immediate family's association with each? The value of the financial interest need not be reported.

_____ _____

_____ _____

_____ _____

_____ _____

6. List any enterprise in which you, your spouse or minor children living at home control more than ten percent of the capital or stock. Identify who has the ownership interest in each enterprise.

What is the nature of your immediate family's association with each?

_____ _____

_____ _____

_____ _____

_____ _____

State of South Dakota)
) SS.
County of _____)

Verification

I have reviewed paragraphs 1 through 6 of the Information Regarding Statement of Financial Interest (attached), my Statement of Financial Interest and certify that the information reported is a complete, true and accurate representation of my financial interests for the preceding calendar year.

(Signed) _____

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

(Seal)

_____
Officer Administering Oath

Revised 1997

My commission expires: _____

State of South Dakota
Statement of Financial Interest
Elected Official

File statement within 15 days after taking your oath of office in the office where your nominating petition or convention nomination certification was filed. Please read information on reverse side before completing this form.

****

1. Name _____

2. Address _____

3. Elected Office _____

If there is no change in your financial interest since the filing of your post nomination statement of financial interest, please sign and return.

Date: _____ (Signed) _____

If there are changes, please complete the following:

4. What is your occupation/profession? _____

5. List any enterprise which accounted for more than ten percent of, or contributed more than $2,000 to, your family's (includes spouse, minor children living at home) gross income in the preceding calendar year. Identify who receives the income from each enterprise.

What is the nature of your immediate family's association with each? The value of the financial interest need not be reported.

_____ _____

_____ _____

_____ _____

6. List any enterprise in which you, your spouse or minor children living at home control more than ten percent of the capital or stock. Identify who has the ownership interest in each enterprise.

What is the nature of your immediate family's association with each?

_____ _____

_____ _____

_____ _____

State of South Dakota)
) SS.
County of _____)

Verification

I have reviewed paragraphs 1 through 6 of the Information Regarding Statement of Financial Interest (attached), my Statement of Financial Interest and certify that the information reported is a complete, true and accurate representation of my financial interests for the preceding calendar year.

(Signed) _____

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

(Seal)

_____
Officer Administering Oath

My commission expires: _____

Revised 1997

Campaign Finance Disclosure

SDCL 12-27

WHO IS COVERED?

- Schools with ADM > 2,000.
- Any municipality or school *that chooses* to be.
- Any other school or municipality has no requirements for campaign finance disclosure.

STATEMENT OF ORGANIZATION

- Must be filed within:
  - 15 days of petition filing; or
  - 15 days of raising or expending at least $500;
  - Whichever is earlier.

CONTRIBUTION LIMITS

- Individuals may contribute up to:
  - $1,000/year to a Candidate
  - $10,000/year to a PAC or Political Party
  - Unlimited amount to a Ballot Question Committee
  - Immediate Family is exempt
- Committee Treasurer must return excess contributions.

CONTRIBUTIONS FROM ORGANIZATIONS

- May not contribute to candidate campaigns or political party.
- May contribute to a ballot question committee and political action committee.

FINANCIAL DISCLOSURE STATEMENT CONTENTS:

- Direct Contributions
- In-kind Contributions
- Other Income
- Administrative costs for PAC
- Categorized Expenditures
- Contributions to Political Committee Itemized
- Debts owed by the reporting committee
- Loans owed to the reporting committee

FILING DEADLINES

- Pre-election – 5:00 p.m. on the 2nd Friday prior to each election complete through the 15th day prior to that election.
- Year-end statement – 5:00 p.m. on February 1.
- $50 per day penalty for late filing.

ADVERTISING DISCLAIMER

- Printed material or communication made by a political committee or political party.
- "Paid for by (Name of candidate, political committee, or political party)."
- Small impractical items exempt.
  - Buttons, balloons, pins, pens, matchbooks, clothing, etc.

GOVERNMENT PROHIBTIONS

- The state, an agency of the state, and the governing body of a county, municipality, or other political subdivision of the state ***may not expend.***
- ***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.

ENFORCEMENT

- States attorney – county and school elections
- Other political subdivisions should state ***specifically*** who is responsible for enforcement.

Questions?

Recalls

WHO CAN BE RECALLED?

- SDCL 9-13-29
- In any municipality, with or without a city manager
  - The mayor
  - Any commissioner
  - Any alderman
  - Or any member of the board of trustees

GROUNDS FOR RECALL

- SDCL 9-13-30
- Misconduct
- Malfeasance
- Nonfeasance
- Crimes in office
- Drunkenness
- Gross incompetency
- Corruption
- Theft
- Oppression
- Gross partiality

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.
- Form (ARSD 5:02:08:17)
- No signature is valid if signed more than 60 days prior to the filing of the petitions.

Questions?

Special Elections

SPECIAL MUNICIPAL ELECTIONS

- Initiative
- Referendum
- Recall
- Bond – 60% to pass
- Change in form of government

SPECIAL SCHOOL ELECTIONS

- School start date
- School consolidation/reorganization
- Bond – 60% to pass
- Tax levy opt out – held on or before October 1st
- Discontinue attendance center
- Some Capitol Outlay Certificates

SPECIAL ELECTIONS

- If the petition meets the requirements of Administrative Rules 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
  - Notices of Voter Registration Deadline.
  - Publication of facsimile ballot.
  - Notices of Election.
  - Notices of Vacancy (for special municipal elections to fill vacancy).

ADDITIONAL INFORMATION

- 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 required to publish the entire initiated or referred measure once a week for two successive weeks.

  (SDCL 9-20-4 and 9-20-12)

Questions?

Questions?

Automated Tabulating Systems

AUTOMATED TABULATING

- Have a backup plan!
- ARSD 5:02:09:01.02
  - Requires testing of the system twice.
  - Notice before each test.
  - Create your own “prior” tally sheet and test deck.

WHEN THE POLLS CLOSE

- Do not open ballot box.
- Complete recap sheet. (ARSD 5:02:09:15)
  - If ballot count from recap does not match voters in the pollbook, justify pollbook and registration list.
- Two precinct board members transport ballot box.

RECAP SHEET: PRECINCT____ Type of ballot: _____
(date and name of election)

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 Line 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.

TABULATION CENTER

- Procedures can be found in SDCL 12-17B-10 through 12-17B-13 and in ARSD 5:02:09:04.04.
- Counter set to SORT OUT blank ballots.
- Counter set to NOT SORT overvoted ballots.

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.

RESOLUTION BOARD

- For Primary and General election – one Republican and one Democrat.
- For other elections – two persons who are not employees of your jurisdiction.
- 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.

RESOLUTION BOARD

- Duties:
  - 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.

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 boxes and reseal.
  - Remove program boards and store sealed.
- Recounts are conducted according to ARSD 5:02:09:05.

Questions?