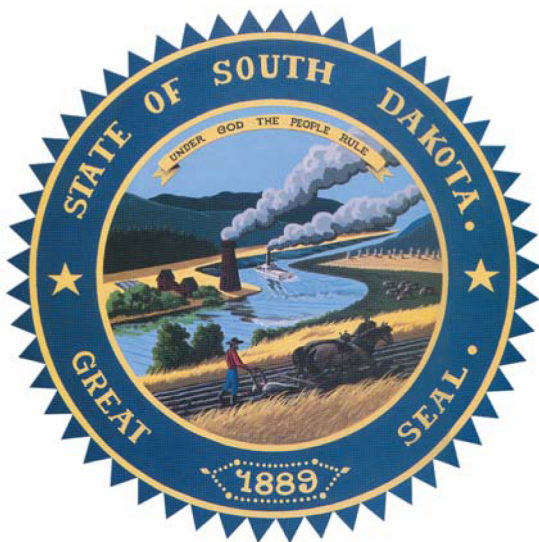


Secretary of State

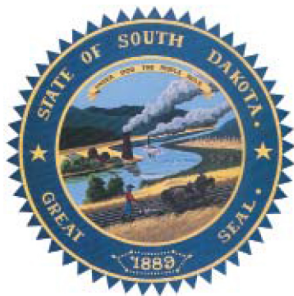
Jason M. Gant

**South Dakota
Official
Election Returns
And
Registration Figures**

**Primary Election - June 5, 2012
General Election - November 6, 2012**



January 2013



January 2013

Greetings:

Pursuant to state law, the Secretary of State is required to compile and produce an official record of election results from the preceding elections. This statistical information serves as the official record of the vote for the 2012 Primary and General election.

I would like to take this opportunity to share with you some exciting new technological changes that have been implemented in our most recent elections. Vote Centers were used for the first time in the state of South Dakota for both the primary and general elections in 2012. With Vote Centers, voters are no longer restrained to vote at pre-assigned voting precincts. Instead, voters are given the freedom to cast their votes at any Vote Center in their county that is most convenient to them. The counties that participated in using Vote Centers this year were Yankton, Potter, Hyde, and Sully counties.

Vote Centers were not the only technological improvement that South Dakota has seen recently. In December 2012, my office introduced TotalVote to the state's 66 counties.

TotalVote is the new statewide web-based voter registration and election system. TotalVote has united into one election system voter registration, ballot creation, military voting, election night reporting, and many more election related activities. TotalVote is the first election system in the country to combine all election management into one system.

It has been an exciting year introducing this new technology to the election process in South Dakota. Moving forward, it will continue to be my goal to improve all aspects of the Secretary of State's office, assuring that all South Dakotans are able to access public information as well as exercise their right to vote. My door is always open, so please let me know if I can assist you in any way. Feel free to contact my office anytime at (605) 773-3537.


Jason M. Gant
Secretary of State

SAMPLE REPUBLICAN PRIMARY ELECTION BALLOT

6	June 5, 2012	8	South Dakota	7	Potter County
<p>INSTRUCTIONS TO THE VOTER:</p> <p>To vote for a group of presidential delegates and alternates FILL IN the oval (●) next to the names. Use only a pen or pencil.</p> <p>If you make a mistake, give the ballot back and get a new one.</p> <p>DO NOT cast more votes than are allowed in each race.</p>		<p><input type="radio"/> Candidates preferring Mitt Romney for President</p> <p>Delegates: John Thune Dave Krudson Joel Rosenthal Hamilton Zacharias Sandy Massey Debra Watson Paul Erickson Stan Adelman Jacqueline Zacharias Larry Ziemund Judith Tzayka Debra Bodenstedt Kathleen Sue Mitchell Van Pace Justin Bell Ken Meyer Charlie Hoffman Phil Hagen Terry Weisberg Ira Taken Abbe Eric Schroder Lyle Gehring</p> <p>Alternates: Sadie Stevens Barry Zacharias Gerald Teunissen Jim Werbo Diana Nielsen Sara Reed Jim Glickson Ross Lamphers Ljudy Bogstedt David McGier Dick Warner Carolann Kathleen Sue Mitchell Schwarzenback Van Pace Connie Grither Virginia Gauer Kurt Wolf Kelsey Nash</p>		<p align="center">REPUBLICAN</p> <p>To vote for a person FILL IN the oval (●) next to the name. DO NOT cast more votes than are allowed in each race.</p> <p><input type="checkbox"/> For States Attorney You may vote for <u>one</u> or leave it blank.</p> <p><input type="radio"/> Sarah Larson</p> <p><input type="radio"/> Joan Elayne Powell</p> <p><input type="radio"/> Craig E. Smith</p>	
<p>For Presidential Delegates and Alternates You may vote for <u>one</u> slate or leave it blank.</p> <p><input type="radio"/> Candidates preferring to be Uncommitted for President</p> <p>Delegates: Kurt Wagner Rory Meyer Angela Johnson</p> <p>Alternates: Samantha Walder Joyce Tidwell Kip Wagner</p>		<p><input type="radio"/> Candidates preferring Rick Santorum for President</p> <p>Delegates: Jason Gant Lee Schwarzenbach Robert Fischer Allen Unruh Jim Babin Meredith Powers Gary Nielsen Tami Sutton Margaret Sutton John Teupel Alan Akar Jeffery Senecal Aaron Lorenzen Lora Hubbel Steve Eljzer Rob Orgran Mardene Hargreaves Robert Davis Brian Crawford Dwight West</p> <p>Alternates: Leslee Unruh Carmie Hameyer Jill Randazzo Melissa Magdoct Pat Powers Jason Reed Cari Hargreaves Phil Carlson Mike Launton David Higman Leslie Heinemann Monae Johnson Kathleen Sabler Arlene Bauber Shelba Davis Mark Kroonja</p>		<p>For County Commissioner District 2 You may vote for <u>one</u> or leave it blank.</p> <p><input type="radio"/> William Arbach</p> <p><input type="radio"/> Jesse Zweber</p>	
<p><input type="radio"/> Candidates preferring Ron Paul for President</p> <p>Delegates: Tracy Gaboe Gina Giardino Daniel Willard Gary Dykstra Dan Kaiser Aaron Heideberger Andrew Abraham Jason Hope Travis Schumann Justin Shultz Brian Adams Mike Weibster James Kirk Andrew Schwing Mary Kay Adam Paul Nabholz Adam Knoepfle Paula Van Schamel</p> <p>Alternates: Ivan Venosdel John Giardino Amy Kirk James Christen Garry Grither Paul Korak Jr. Jesse Shuman Ricky Nese Steve Rosenberger Dennis Drayton Mike Swanson Betty Otter Myron Knoepfle</p>		<p><input type="radio"/> Candidates preferring Newt Gingrich for President</p> <p>Delegates: Dan Ledeman Chasé Adams Joel Arends David Reese Shelley Westhoff Bruce Rimpelberg Lance Russell Craig Ericks Adrianna Hartman Walter Dale Miller Val Crawford Lance Anderson Sheldon Cotton Matthew Brunner Gene Kroger Eugene Nagel Jason Williams John Leary</p> <p>Alternates: David Omdahl Andrew Pietrus Judy Page Anne Beal Mark Koch William Beal Rick Goeringer Betty Wyatt Susan Pisani Karen Strawn Sandra Beshara Norbert Barrie</p>		<p align="center">NONPOLITICAL BALLOT</p> <p>To vote on a ballot question fill in the oval (●) next to "yes" or "no".</p> <p>DO NOT cast more votes than allowed in each race.</p> <p align="center">Tax Levy Opt-Out</p> <p>The following tax levy opt-out was passed by the governing body and is submitted to the voters. The tax levy opt-out will not become effective unless approved by majority vote.</p> <p align="center">Tax Levy Opt-Out 1</p> <p>Title: Potter County General Fund for Road Purposes Opt-Out</p> <p>Explanation: The Potter County Board of Commissioners voted unanimously to raise additional general fund property tax revenues in the maximum annual sum of \$200,000 for a period of ten (10) years, commencing with the year 2012 property taxes payable in 2013.</p> <p><input type="radio"/> Yes Will increase the tax levy by the amount of the opt-out.</p> <p><input type="radio"/> No Will leave the tax levy as it is without the amount of the opt-out.</p>	
Go to top of next column		Go to top of next column			

SAMPLE DEMOCRATIC PRIMARY ELECTION BALLOT

A June 5, 2012	B South Dakota	C Potter County
<p>INSTRUCTIONS TO THE VOTER:</p> <p>To vote for a person FILL IN the oval (●) next to the name.</p> <p>Use only a pen.</p> <p>If you make a mistake, give the ballot back and get a new one.</p> <p>DO NOT cast more votes than are allowed in each race.</p> <p>For United States Representative You may vote for <u>one</u> or leave it blank.</p> <p><input type="radio"/> Jeff Barth</p> <p><input type="radio"/> Matt Varilek</p>	<p>NONPOLITICAL BALLOT</p> <p>To vote on a ballot question fill in the oval (●) next to "yes" or "no". DO NOT cast more votes than allowed in each race.</p> <p>Tax Levy Opt-Out</p> <p>The following tax levy opt-out was passed by the governing body and is submitted to the voters. The tax levy opt-out will not become effective unless approved by majority vote.</p> <p>Tax Levy Opt-Out 1</p> <p>Title: Potter County General Fund for Road Purposes Opt-Out</p> <p>Explanation: The Potter County Board of Commissioners voted unanimously to raise additional general fund property tax revenues in the maximum annual sum of \$200,000 for a period of ten (10) years, commencing with the year 2012 property taxes payable in 2013.</p> <p><input type="radio"/> Yes Will increase the tax levy by the amount of the opt-out.</p> <p><input type="radio"/> No Will leave the tax levy as it is without the amount of the opt-out.</p>	<p>DEMOCRATIC</p>
A	B	C Typ:02 Seq:0001 Spr:01

Election Precincts		Counties	Total Active	Republican	Democratic	Libertarian	Constitution	Other	Independents	Inactive
Aurora	6	Aurora	1,905	760	937	4	0	0	204	108
Beadle	10	Beadle	10,468	4,345	4,344	23	2	71	1,683	1,461
Bennett	6	Bennett	1,843	652	983	1	0	0	207	347
Bon Homme	5	Bon Homme	3,893	1,837	1,566	7	1	0	482	263
Brookings	15	Brookings	18,053	7,367	6,227	47	8	20	4,384	2,593
Brown	22	Brown	22,794	9,433	10,054	45	3	34	3,225	2,271
Brule	5	Brule	3,348	1,365	1,536	4	6	0	437	269
Buffalo	3	Buffalo	822	146	618	1	0	0	57	231
Butte	16	Butte	6,232	3,771	1,339	27	10	0	1,085	392
Campbell	5	Campbell	1,205	940	180	2	0	0	83	71
Charles Mix	13	Charles Mix	5,527	2,098	2,819	1	5	4	600	977
Clark	13	Clark	2,574	1,401	914	3	2	2	252	325
Clay	8	Clay	7,936	2,505	3,548	20	1	9	1,853	848
Codington	21	Codington	16,311	7,074	6,238	25	7	12	2,955	1,784
Corson	12	Corson	2,357	666	1,352	9	1	3	326	351
Custer	10	Custer	5,623	3,267	1,302	14	7	3	1,030	366
Davison	12	Davison	11,358	5,251	4,202	13	2	15	1,875	1,005
Day	14	Day	4,206	1,479	2,192	3	1	0	531	132
Deuel	7	Deuel	2,952	1,223	1,109	3	4	0	613	182
Dewey	13	Dewey	2,965	658	1,950	0	0	0	357	196
Douglas	5	Douglas	2,236	1,675	417	1	0	0	143	105
Edmunds	6	Edmunds	2,776	1,393	1,075	2	0	4	302	140
Fall River	11	Fall River	4,948	2,762	1,233	7	2	16	928	832
Faulk	7	Faulk	1,582	831	497	1	0	3	250	35
Grant	18	Grant	5,018	2,257	1,865	2	2	3	889	487
Gregory	3	Gregory	2,826	1,465	1,120	1	0	0	240	238
Haakon	6	Haakon	1,364	1,034	256	0	0	0	74	35
Hamlin	7	Hamlin	3,717	2,125	1,079	0	2	1	510	107
Hand	9	Hand	2,513	1,381	895	1	1	1	234	169
Hanson	5	Hanson	3,407	1,575	1,065	1	1	0	765	181
Harding	8	Harding	914	717	132	0	0	0	65	61
Hughes	15	Hughes	10,613	6,733	2,569	22	2	2	1,285	1,634
Hutchinson	7	Hutchinson	4,800	3,179	1,186	4	5	0	426	436
Hyde	2	Hyde	1,026	704	249	2	0	3	68	24
Jackson	8	Jackson	1,693	823	669	2	0	9	190	147
Jerauld	5	Jerauld	1,342	638	555	1	0	0	148	122
Jones	3	Jones	725	522	134	2	1	1	65	45
Kingsbury	6	Kingsbury	3,480	1,833	1,195	4	1	1	446	101
Lake	10	Lake	8,467	3,863	3,236	17	6	7	1,338	329
Lawrence	11	Lawrence	16,119	8,494	4,538	63	11	14	2,999	2,297
Lincoln	29	Lincoln	28,386	14,428	8,320	44	20	22	5,552	2,518
Lyman	7	Lyman	2,331	1,078	1,038	4	1	1	209	243
Marshall	9	Marshall	2,947	1,099	1,482	4	0	1	361	96
McCook	6	McCook	3,686	1,788	1,346	5	5	0	542	264
McPherson	6	McPherson	1,759	1,262	324	1	0	1	171	172
Meade	38	Meade	14,954	8,579	3,691	32	11	0	2,641	2,922
Mellette	4	Mellette	1,170	519	535	1	0	0	115	137
Miner	8	Miner	1,637	571	828	3	1	1	233	110
Minnehaha	63	Minnehaha	106,447	44,637	41,275	238	112	172	20,013	10,736
Moody	6	Moody	4,056	1,434	1,879	8	0	0	735	708
Pennington	45	Pennington	61,635	30,951	17,647	173	34	113	12,717	7,500
Perkins	10	Perkins	2,094	1,291	547	2	5	0	249	287
Potter	3	Potter	1,780	1,285	390	0	1	0	104	135
Roberts	9	Roberts	6,314	1,833	3,470	5	5	4	997	734
Sanborn	4	Sanborn	1,634	818	676	1	0	0	139	183
Shannon	9	Shannon	7,445	563	5,695	8	0	41	1,138	942
Spink	9	Spink	4,277	1,988	1,771	5	1	1	511	320
Stanley	3	Stanley	1,923	1,170	547	2	1	0	203	210
Sully	4	Sully	1,048	684	280	3	0	0	81	61
Todd	9	Todd	4,844	765	3,417	3	0	11	648	867
Tripp	13	Tripp	3,795	2,127	1,238	5	2	0	423	299
Turner	8	Turner	5,670	3,085	1,738	5	5	2	835	362
Union	13	Union	10,505	4,787	3,325	11	4	1	2,377	1,164
Walworth	7	Walworth	3,784	2,319	992	5	3	0	465	383
Yankton	13	Yankton	13,593	5,925	5,102	31	7	13	2,515	1,464
Ziebach	8	Ziebach	1,551	392	916	3	0	6	234	175
Total	711	Total	511,203	235,620	185,844	987	312	628	87,812	54,689

Primary Election By Legislative District Voter Registration as of June 4, 2012

Legislative District	Total Active	Republican	Democratic	Libertarian	Constitution	Other	Independents	Inactive
1	15,851	5,350	8,297	15	6	8	2,175	1,143
2	15,438	7,301	6,153	11	6	12	1,955	1,157
3	15,158	6,493	6,366	38	2	23	2,236	1,647
4	15,449	6,749	5,624	21	8	12	3,035	1,318
5	14,178	6,273	5,256	23	7	12	2,607	1,609
6	13,448	6,352	4,219	18	10	14	2,835	1,251
7	12,766	4,932	4,571	33	6	11	3,213	2,115
8	15,800	6,692	6,614	29	7	9	2,449	1,325
9	14,260	5,457	5,659	29	18	30	3,067	1,546
10	14,494	6,108	5,461	25	8	23	2,869	1,260
11	15,006	7,011	5,301	29	13	16	2,636	1,143
12	15,803	7,050	5,410	34	14	24	3,271	1,923
13	15,534	7,549	5,276	33	5	14	2,657	1,584
14	15,753	7,210	5,947	37	11	16	2,532	1,349
15	10,252	2,890	4,966	38	27	34	2,297	1,628
16	15,560	7,256	4,986	21	7	3	3,287	1,600
17	13,621	5,603	5,277	25	6	11	2,699	1,208
18	13,593	5,925	5,102	31	7	13	2,515	1,464
19	16,570	9,250	5,105	15	12	0	2,188	1,135
20	14,657	6,675	5,709	18	2	13	2,240	1,223
21	13,637	6,515	5,656	11	7	4	1,444	1,626
22	13,967	6,181	5,553	26	3	72	2,132	1,555
23	15,851	9,667	4,511	12	5	9	1,647	1,129
24	14,657	9,326	3,646	29	3	5	1,648	1,911
25	15,376	7,057	5,729	28	22	21	2,519	1,125
26A	6,028	1,286	3,958	4	0	11	769	998
26B	7,235	3,119	3,327	11	8	2	768	783
27	12,845	3,376	7,738	11	0	52	1,668	1,497
28A	6,880	1,716	4,228	12	1	9	914	717
28B	7,906	5,025	1,678	25	14	0	1,164	623
29	13,989	8,058	3,445	33	9	0	2,444	2,755
30	17,040	9,767	3,967	36	15	29	3,226	1,772
31	16,196	8,552	4,540	64	11	14	3,015	2,292
32	14,712	7,188	4,557	41	8	23	2,895	1,978
33	14,241	7,156	4,013	36	11	19	3,006	1,519
34	15,644	8,332	4,323	41	3	28	2,917	1,611
35	12,773	5,725	3,856	44	10	36	3,102	2,014
Total	511,203	235,620	185,844	987	312	628	87,812	54,689

Democratic United States House of Representatives
Primary Election - June 5, 2012

Counties	Jeff Barth	Matt Varilek
Aurora	53	209
Beadle	297	679
Bennett	15	56
Bon Homme	35	370
Brookings	201	581
Brown	475	1,324
Brule	51	150
Buffalo	16	47
Butte	88	195
Campbell	3	22
Charles Mix	85	416
Clark	30	152
Clay	169	490
Codington	170	550
Corson	60	73
Custer	89	231
Davison	563	1,150
Day	111	380
Deuel	49	185
Dewey	127	202
Douglas	9	89
Edmunds	48	142
Fall River	92	206
Faulk	29	63
Grant	69	202
Gregory	38	157
Haakon	13	58
Hamlin	57	150
Hand	38	141
Hanson	39	84
Harding	19	33
Hughes	151	424
Hutchinson	47	155
Hyde	15	22
Jackson	14	37
Jerauld	34	129
Jones	14	21
Kingsbury	76	223
Lake	92	312
Lawrence	246	503
Lincoln	336	831
Lyman	23	106
Marshall	47	204
McCook	76	196
McPherson	35	54
Meade	176	428
Mellette	26	57
Miner	45	115
Minnehaha	1,856	3,620
Moody	63	162
Pennington	811	2,315
Perkins	23	61
Potter	47	93
Roberts	71	228
Sanborn	21	65
Shannon	108	110
Spink	212	518
Stanley	75	88
Sully	43	57
Todd	204	276
Tripp	34	139
Turner	74	208
Union	66	202
Walworth	33	92
Yankton	125	872
Ziebach	27	56
Total	8,494	21,759

Republican Presidential Delegates and Alternates
Primary Election - June 5, 2012

Counties	to be Un-committed	Ron Paul	Mitt Romney	Rick Santorum	Newt Gingrich
Aurora	12	18	120	41	16
Beadle	45	72	560	109	29
Bennett	3	6	60	8	2
Bon Homme	20	60	195	51	16
Brookings	51	136	478	108	38
Brown	75	253	1,080	168	53
Brule	3	18	83	11	6
Buffalo	0	13	18	6	0
Butte	50	207	675	106	37
Campbell	10	23	102	35	6
Charles Mix	27	51	471	93	22
Clark	14	39	176	28	14
Clay	32	50	232	35	11
Codington	25	80	471	103	21
Corson	8	18	52	15	6
Custer	56	157	773	97	60
Davison	92	193	1,477	203	75
Day	11	25	140	44	6
Deuel	21	44	192	42	13
Dewey	9	21	89	18	7
Douglas	39	65	364	117	24
Edmunds	7	8	98	19	6
Fall River	73	161	582	105	69
Faulk	15	29	130	44	24
Grant	36	64	384	99	22
Gregory	8	17	120	21	8
Haakon	12	24	184	31	13
Hamlin	14	65	213	62	14
Hand	6	15	122	34	8
Hanson	9	48	243	48	9
Harding	14	56	187	44	13
Hughes	252	243	1,774	279	96
Hutchinson	37	87	484	153	25
Hyde	6	27	116	16	10
Jackson	3	15	70	22	5
Jerauld	19	25	198	46	11
Jones	20	23	215	26	15
Kingsbury	30	71	264	55	19
Lake	17	46	244	25	10
Lawrence	182	326	1,630	191	103
Lincoln	165	336	2,248	362	100
Lyman	14	38	214	41	12
Marshall	6	8	83	23	9
McCook	32	68	243	70	19
McPherson	14	27	215	43	3
Meade	114	382	1,241	242	91
Mellette	1	17	41	12	5
Miner	4	17	63	15	7
Minnehaha	255	1,154	5,048	681	213
Moody	8	15	67	30	3
Pennington	502	907	5,701	923	336
Perkins	10	87	133	36	10
Potter	35	60	485	94	40
Roberts	8	19	125	30	4
Sanborn	2	9	60	8	7
Shannon	1	2	20	1	3
Spink	36	48	256	57	23
Stanley	39	66	328	52	37
Sully	13	14	46	10	4
Todd	6	14	46	10	4
Tripp	17	27	188	34	14
Turner	27	112	276	52	26
Union	16	58	412	77	25
Walworth	18	38	301	39	23
Yankton	65	206	776	120	31
Ziebach	0	10	31	0	1
Total	2,771	6,657	33,872	5,844	2,001

Democratic State Legislative Primaries
Primary Election - June 5, 2012

District 15 State House

	Patrick A. Kirschman	Karen L. Soli	Mitch Fargen
Minnehaha	361	386	314
<i>Total</i>	361	386	314

District 22 State House

	Doug Kazmerzak	Dale Hargens	Peggy Gibson
Beadle	204	678	923
Kingsbury	257	86	135
<i>Total</i>	461	764	1,058

District 26A State House

	Troy Heinert	Calvin G. Jones	Whitney A. Meek	Trent Poignee Sr.
Mellette	38	3	19	31
Todd	180	42	171	166
<i>Total</i>	218	45	190	197

District 2 State Senate

	Art Fryslie	Norbert Barrie
Brown	76	180
Clark	249	60
Hamlin	296	105
Spink	103	308
Total	724	653

District 4 State Senate

	Tim Begalka	Val Rausch
Brookings	304	89
Codington	135	45
Deuel	349	32
Grant	318	383
Total	1,106	549

District 6 State Senate

	Ernie Otten Jr.	Gene Aballah
Lincoln	772	538
Total	772	538

District 9 State Senate

	Lora Hubbel	Deb Peters
Minnehaha	363	405
Total	363	405

District 12 State Senate

	Scott Bartlett	Mark Johnston
Lincoln	86	250
Minnehaha	255	481
Total	341	731

District 14 State Senate

	David B. Rose	Deb Scholt
Minnehaha	708	836
Total	708	836

District 20 State Senate

	Mike Vehle	Steve "Sibby" Sibson
Aurora	135	93
Davison	1,441	774
Jerauld	236	62
Total	1,812	929

District 24 State Senate

	Jeff Monroe	Tad Perry
Hughes	1,346	1,526
Hyde	132	51
Stanley	296	269
Sully	225	118
Total	2,001	1,965

*See page 63 for
recount information

District 30 State Senate

	George W. Ferebee	Bruce Rampelberg
Custer	496	631
Fall River	440	560
Pennington	401	639
Total	1,337	1,830

District 31 State Senate

	Bob Ewing	Thomas R. Nelson
Lawrence	1,602	980
Total	1,602	980

District 33 State Senate

	Michael Buckingham	Phil Jensen
Meade	142	221
Pennington	690	907
Total	832	1,128

District 34 State Senate

	Stacy Wollman	Craig Tieszen
Pennington	551	2,115
Total	551	2,115

Republican State Legislative Primaries
Primary Election - June 5, 2012

District 6 State House

	Jason Long	Isaac Latterell	June Nusz	Herman Otten
Lincoln	380	808	494	629
<i>Total</i>	380	808	494	629

District 10 State House

	Jenna Haggar	Don Haggar	Dave Munson
Minnehaha	623	457	380
<i>Total</i>	623	457	380

District 11 State House

	Jim Stalzer	Christine M. Erickson	Chris Karr	Mark K. Willadsen
Minnehaha	447	529	357	362
<i>Total</i>	447	529	357	362

District 13 State House

	Flank Alvine	G. Mark Mickelson	Steve Westra
Lincoln	361	956	441
Minnehaha	439	1,107	543
<i>Total</i>	800	2,063	984

District 14 State House

	Shawn Tornow	Anne C. Hajek	Larry P. Zikmund
Minnehaha	726	946	882
<i>Total</i>	726	946	882

District 16 State House

	Don Lantis	Jim Bolin	Patty Miller	Kevin D. Jensen
Lincoln	58	529	155	354
Union	216	335	358	105
<i>Total</i>	274	864	513	459

District 18 State House

	Matt Stone	Thomas Bixler	Mike Stevens	Thomas D. Stotz
Yankton	586	98	710	738
<i>Total</i>	586	98	710	738

District 19 State House

	Kyle Schoenfish	Stace Nelson	J.E. "Jim" Putnam	Roger Hofer
Bon Homme	190	85	116	18
Douglas	292	354	435	72
Hanson	70	302	83	58
Hutchinson	627	412	395	140
McCook	120	341	100	181
<i>Total</i>	1,299	1,494	1,129	469

District 22 State House

	David McGirr	Dick Werner	Jay B.K. Slater
Beadle	550	591	288
Kingsbury	93	134	436
<i>Total</i>	643	725	724

District 24 State House

	Mark E. Verner	Mary Duvall	Tim Rounds
Hughes	1,410	1,836	1,669
Hyde	80	99	107
Stanley	293	332	310
Sully	232	147	202
<i>Total</i>	2,015	2,414	2,288

District 29 State House

	Gary L. Cammack	Dean Wink	David J. Eatherton
Butte	216	97	125
Meade	1,221	955	661
Pennington	13	7	13
<i>Total</i>	<i>1,450</i>	<i>1,059</i>	<i>799</i>

District 30 State House

	Mike Verchio	Travis L. Bies	Tim Behlings	Florence K. Thompson	Lance Russel
Custer	496	353	650	191	432
Fall River	618	178	253	222	560
Pennington	602	221	289	188	441
<i>Total</i>	<i>1,716</i>	<i>752</i>	<i>1,192</i>	<i>601</i>	<i>1,433</i>

District 31 State House

	Timothy R. Johns	Gary L. Coe	John E. Teupel	Fred W. Romkema
Lawrence	1,169	952	1,077	1,467
<i>Total</i>	<i>1,169</i>	<i>952</i>	<i>1,077</i>	<i>1,467</i>

District 32 State House

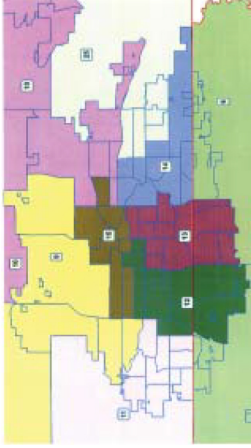
	Kristin Conzet	Brian Gosch	Jeanette Deurloo
Pennington	1,148	1,422	497
<i>Total</i>	<i>1,148</i>	<i>1,422</i>	<i>497</i>

District 35 State House

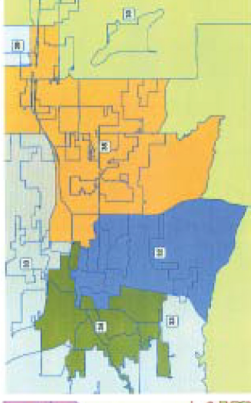
	Blaine "Chip" Campbell	Don Kopp	Jack Siebold
Pennington	486	712	275
<i>Total</i>	<i>486</i>	<i>712</i>	<i>275</i>



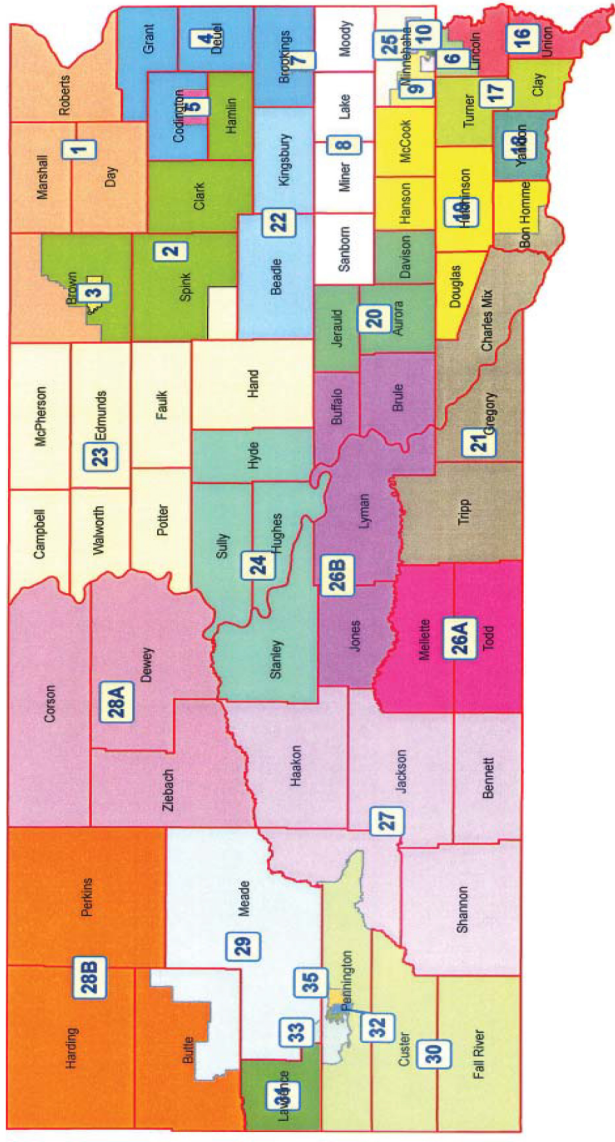
South Dakota Legislative Districts October 2011



Sioux Falls



Rapid City



SAMPLE GENERAL ELECTION BALLOT

November 6, 2012		Yankton County, South Dakota	
INSTRUCTIONS TO THE VOTER: To vote for a group of presidential electors FILL IN the oval (●) next to the names. Use only a pencil or pen. If you make a mistake, give the ballot back and get a new one. DO NOT cast more votes than are allowed in each race.		For Public Utilities Commissioner Six Year Term You may vote for <u>one</u> or leave it blank. <input type="radio"/> Matt McGovern Democratic Party <input type="radio"/> Kristie Fiegen Republican Party <input type="radio"/> Russell Clarke Libertarian Party	
For Presidential Electors You may vote for <u>one</u> state or leave it blank. <input type="radio"/> Obama & Biden Electors Democratic Party Jim Burg Marc S. Feinstein Ritchie Nordstrom <input type="radio"/> Goode & Clymer Electors Constitution Party Joy Howe Lori Stacey Dan Huwe <input type="radio"/> Romney & Ryan Electors Republican Party Dennis Daugaard Matt Michaels Marty Jackley <input type="radio"/> Johnson & Gray Electors Libertarian Party Bob Newland Tony Ryan Samuel Saunders		For Public Utilities Commissioner Four Year Term You may vote for <u>one</u> or leave it blank. <input type="radio"/> Nick Nemecek Democratic Party <input type="radio"/> Chris Nelson Republican Party	
INSTRUCTIONS TO THE VOTER: To vote for a person FILL IN the oval (●) next to the name. DO NOT cast more votes than are allowed in each race.		For State Senator District 18 You may vote for <u>one</u> or leave it blank. <input type="radio"/> David L. Allen Democratic Party <input type="radio"/> Jean M. Hunhoff Republican Party	
For United States Representative You may vote for <u>one</u> or leave it blank. <input type="radio"/> Matt Varilek Democratic Party <input type="radio"/> Kristi Noem Republican Party		For State Representatives District 18 You may vote for up to <u>two</u> or leave it blank. <input type="radio"/> Charlie Gross Democratic Party <input type="radio"/> Bernie Hunhoff Democratic Party <input type="radio"/> Mike Stevens Republican Party <input type="radio"/> Thomas D. Stotz Republican Party	
Go to top of next column		For County Coroner You may vote for <u>one</u> or leave it blank. <input type="radio"/> Melisa Lynn Smith Democratic Party <input type="radio"/> Arica K. Nickles Republican Party	
Go to top of next column		For County Commissioner At Large You may vote for up to <u>two</u> or leave it blank. <input type="radio"/> Mark E. Johnson Republican Party <input type="radio"/> James L. Van Osdel Republican Party <input type="radio"/> Donna R. Freng Independent	
Go to top of next column		Yankton County NONPOLITICAL BALLOT Supreme Court Justice Retention Shall the Justice of the Supreme Court named on this ballot, whose term expires January 1, 2013, be retained in office? Justice Glen A. Severson representing the Second Supreme Court District <input type="radio"/> YES <input type="radio"/> NO	
INSTRUCTIONS TO THE VOTER: To vote on a ballot question FILL IN the oval (●) next to "yes" or "no". DO NOT cast more votes than are allowed in each race.		Constitutional Amendments The following amendments to the State Constitution are submitted to the voters by the Legislature. The amendments will not become effective unless approved by majority vote. Constitutional Amendment M Title: An Amendment to the South Dakota Constitution regarding certain provisions relating to corporations. Attorney General Explanation: The Constitution currently contains certain restrictions on the Legislature's authority to enact laws regarding corporations. For example, corporate directors must be elected by cumulative voting, in which a shareholder may choose to cast all votes for a single candidate or spread the votes among two or more candidates. Corporate stock or bonds may only be issued for money, labor or property received by the corporation. Corporate stock or debt may not be increased without prior notice to and consent of current stockholders. Constitutional Amendment M removes these restrictions, and allows the Legislature to: (1) authorize alternative methods of voting in elections for corporate directors; (2) expand the types of contributions a corporation may receive for the issuance of stock or bonds; and (3) establish procedures governing the increase of corporate stock or debt. <input type="radio"/> Yes A vote "Yes" will remove the constitutional restrictions. <input type="radio"/> No A vote "No" will leave the Constitution as it is.	
Go to top of next column		Turn Page	

November 6, 2012	Yankton County, South Dakota	
<p>Constitutional Amendment N Title: An Amendment to the South Dakota Constitution repealing certain reimbursement restrictions for travel by legislators to and from a legislative session. Attorney General Explanation: The Constitution fixes the mileage reimbursement rate for legislators at five cents per mile for their travel to and from a legislative session. Constitutional Amendment N repeals this constitutional limitation and allows legislator travel reimbursement to be set by the Legislature.</p> <p><input type="radio"/> Yes A vote "Yes" will eliminate the fixed travel reimbursement rate.</p> <p><input type="radio"/> No A vote "No" will leave the Constitution as it is.</p>	<p>Initiated Measure The following initiated measure was proposed by petition for submission to the voters. This initiated measure will not become effective unless approved by majority vote.</p> <p>Initiated Measure 15 Title: An initiated measure to increase state general sales and use taxes for additional K-12 public education and Medicaid funding. Attorney General Explanation: The initiated measure increases the state general sales and use tax rate from 4% to 5%. The additional tax revenue will be split evenly between K-12 public education and Medicaid. The education funds will be provided to school districts based on enrollment, to be spent on improving education as school boards determine. The Medicaid funds will be spent only on payments to Medicaid providers and related state expenses. The additional funds cannot replace or reduce state funding levels set for fiscal year 2012 relating to existing Medicaid and K-12 public education programs, including state aid to education. Currently, state aid is to be adjusted annually by 3% or the rate of inflation, whichever is less. Under the measure, this annual adjustment cannot exceed the growth rate in state general fund revenues. Any resulting shortfall in state aid will be made up in subsequent years.</p> <p><input type="radio"/> Yes A vote "Yes" is for the proposed law.</p> <p><input type="radio"/> No A vote "No" is against the proposed law.</p>	<p>Referred Law 16 Title: An education reform act to establish a teacher scholarship program; create a program for math and science teacher bonuses; create a program for teacher merit bonuses; mandate a uniform teacher and principal evaluation system; and eliminate state requirements for teacher tenure. Attorney General Explanation: Referred Law 16 is an education reform act with five key components. First, it establishes a scholarship program for eligible college students who commit to teach in South Dakota in critical need subject areas. Second, the referred law creates a program to provide state-funded annual bonuses for eligible math and science teachers. Third, the referred law develops a separate "Top Teachers" bonus program. This program provides annual state-funded merit bonuses for up to 20% of each school district's full-time certified teachers, as awarded by the local school boards. Alternatively, a school board may enact its own program for teacher bonuses, using these state-provided funds. A school board may opt out of these merit bonus programs altogether, resulting in re-allocation of its merit bonus funds to other participating school districts. Fourth, the referred law mandates a uniform statewide system for evaluating teachers and principals, including a rating system. Fifth, the referred law eliminates state requirements for continuing contracts ("tenure") for teachers who do not achieve tenure by July 1, 2016. School boards may, in their discretion, choose to offer continuing contracts to non-tenured teachers.</p> <p><input type="radio"/> Yes A vote "Yes" is to enact the education reform act.</p> <p><input type="radio"/> No A vote "No" is against the referred law.</p>
<p>Constitutional Amendment O Title: An Amendment to the South Dakota Constitution changing the method for distributions from the cement plant trust fund. Attorney General Explanation: In 2001, the \$235 million in proceeds from the sale of the state cement plant were placed in a constitutionally created trust fund. Currently, the Constitution requires a yearly transfer of \$12 million from the cement plant trust fund to the state general fund. In addition, under certain circumstances the Legislature must authorize distributions of cement plant trust fund earnings for the support of education. Amendment O replaces the existing method for cement trust fund distributions. The amendment would require a yearly transfer of 4% of the market value of the cement plant trust fund to the state general fund for the support of education.</p> <p><input type="radio"/> Yes A vote "Yes" is for changing the method for distributions from the cement plant trust fund.</p> <p><input type="radio"/> No A vote "No" will leave the constitution as it is.</p>	<p>Referred Laws The following laws were adopted by the Legislature and referred to the voters by petition. These laws will not become effective unless approved by majority vote.</p> <p>Referred Law 14 Title: An Act to establish the Large Project Development Fund. Attorney General Explanation: The referred law establishes the "Large Project Development Fund." Beginning January 1, 2013, 22% of contractors' excise tax revenues would be transferred from the state general fund to the Large Project Development Fund. The South Dakota Board of Economic Development would use Large Project Development Fund monies to provide grants for the construction of large economic development projects within the state. To be eligible, a project must have a cost exceeding \$5 million. Examples of eligible projects include laboratories and facilities for testing, manufacturing, power generation, power transmission, agricultural processing, and wind energy. Examples of ineligible projects include retail establishments; residential housing; and facilities for lodging, health care services and the raising or feeding of livestock.</p> <p><input type="radio"/> Yes A vote "Yes" is for the establishment of the Large Project Development Fund.</p> <p><input type="radio"/> No A vote "No" is against the referred law.</p>	
<p>Constitutional Amendment P Title: An Amendment to the South Dakota Constitution adding balanced budget requirements. Attorney General Explanation: While the constitution currently restricts the State from incurring debt, it does not expressly require the State to have a balanced budget. Amendment P requires the Governor to propose a balanced budget. In addition, Amendment P prohibits legislative appropriations from exceeding anticipated revenues and existing available funds. The amendment is not intended to affect other constitutional provisions.</p> <p><input type="radio"/> Yes A vote "Yes" will include balanced budget requirements in the Constitution.</p> <p><input type="radio"/> No A vote "No" will leave the constitution as it is.</p>		
<p>Go to top of next column</p>	<p>Go to top of next column</p>	<p>Turn Page</p>
		<p>Typ.01 Seq.0001 Spl.01</p>

General Election Statewide Voter Registration as of November 5, 2012

Election Precincts		Counties	Total Active	Republican	Democratic	Libertarian	Constitution	Other	Independents	Inactive
Aurora	6	Aurora	1,908	774	918	4	0	2	210	120
Beadle	10	Beadle	10,660	4,476	4,324	23	3	69	1,765	1,396
Bennett	6	Bennett	1,893	679	985	3	0	0	226	340
Bon Homme	5	Bon Homme	3,971	1,870	1,586	9	1	0	505	251
Brookings	15	Brookings	18,727	7,592	6,341	58	7	29	4,700	2,515
Brown	22	Brown	23,379	9,693	10,171	50	4	38	3,423	2,178
Brule	5	Brule	3,403	1,394	1,530	4	6	0	469	258
Buffalo	3	Buffalo	879	158	644	1	0	0	76	212
Butte	16	Butte	6,416	3,885	1,346	30	9	0	1,146	384
Campbell	5	Campbell	1,206	937	181	1	0	0	87	70
Charles Mix	13	Charles Mix	5,668	2,171	2,848	3	3	4	639	943
Clark	13	Clark	2,608	1,408	926	3	2	2	267	313
Clay	9	Clay	8,285	2,634	3,630	25	2	9	1,985	808
Codington	29	Codington	16,844	7,286	6,329	27	8	12	3,182	1,729
Corson	12	Corson	2,431	691	1,382	9	1	3	345	334
Custer	10	Custer	5,902	3,396	1,354	15	8	2	1,127	329
Davison	16	Davison	11,653	5,357	4,282	18	3	15	1,978	946
Day	14	Day	4,232	1,502	2,185	3	1	0	541	120
Deuel	10	Deuel	2,989	1,242	1,098	4	4	0	641	174
Dewey	13	Dewey	3,099	677	2,021	0	1	2	398	179
Douglas	5	Douglas	2,292	1,705	429	1	0	0	157	104
Edmunds	6	Edmunds	2,806	1,422	1,049	2	0	4	329	136
Fall River	11	Fall River	5,124	2,851	1,270	6	2	34	961	789
Faulk	7	Faulk	1,605	850	496	1	0	3	255	35
Grant	18	Grant	5,116	2,308	1,874	4	2	3	925	467
Gregory	3	Gregory	2,863	1,476	1,120	1	2	0	264	232
Haakon	6	Haakon	1,376	1,042	251	0	0	0	83	35
Hamlin	7	Hamlin	3,802	2,172	1,084	0	2	1	543	101
Hand	9	Hand	2,545	1,402	895	1	1	1	245	157
Hanson	5	Hanson	3,642	1,681	1,113	3	1	1	843	178
Harding	8	Harding	946	739	136	0	0	0	71	59
Hughes	15	Hughes	10,972	6,853	2,672	25	5	2	1,415	1,577
Hutchinson	7	Hutchinson	4,885	3,225	1,201	4	5	0	450	419
Hyde	2	Hyde	1,031	705	252	2	0	3	69	24
Jackson	8	Jackson	1,708	819	681	2	0	26	180	185
Jerauld	5	Jerauld	1,363	641	566	1	0	0	155	115
Jones	3	Jones	750	537	135	2	1	4	71	38
Kingsbury	6	Kingsbury	3,520	1,841	1,199	4	1	1	474	95
Lake	10	Lake	8,933	4,044	3,359	20	7	7	1,496	314
Lawrence	11	Lawrence	16,681	8,752	4,633	72	14	15	3,195	2,231
Lincoln	29	Lincoln	29,901	15,206	8,592	51	20	22	6,010	2,431
Lyman	7	Lyman	2,376	1,112	1,031	3	1	1	228	233
Marshall	9	Marshall	2,954	1,094	1,467	4	0	1	388	98
McCook	6	McCook	3,749	1,836	1,342	5	5	0	561	260
McPherson	6	McPherson	1,812	1,299	317	1	0	1	194	163
Meade	38	Meade	15,521	8,933	3,752	36	15	0	2,785	2,819
Mellette	4	Mellette	1,208	518	563	1	0	0	126	133
Miner	8	Miner	1,686	588	831	3	1	1	262	104
Minnehaha	71	Minnehaha	110,590	46,236	42,439	268	122	6	21,519	10,386
Moody	6	Moody	4,176	1,478	1,897	8	0	1	792	683
Pennington	45	Pennington	64,268	32,123	18,104	205	39	141	13,656	7,610
Perkins	10	Perkins	2,170	1,337	558	2	5	0	268	282
Potter	3	Potter	1,868	1,340	398	0	1	0	129	129
Roberts	14	Roberts	6,526	1,862	3,614	4	5	5	1,036	699
Sanborn	4	Sanborn	1,642	832	661	1	1	0	147	169
Shannon	9	Shannon	7,778	583	5,930	9	1	87	1,168	911
Spink	9	Spink	4,318	2,030	1,732	5	1	1	549	305
Stanley	3	Stanley	1,991	1,218	545	3	1	0	224	200
Sully	4	Sully	1,065	698	280	3	0	0	84	60
Todd	9	Todd	5,008	787	3,496	4	1	14	706	847
Tripp	13	Tripp	3,830	2,164	1,214	6	2	0	444	293
Turner	8	Turner	5,798	3,145	1,762	4	5	2	880	349
Union	13	Union	10,883	4,986	3,364	13	6	2	2,512	1,139
Walworth	7	Walworth	3,842	2,364	999	6	3	0	470	369
Yankton	8	Yankton	13,954	6,056	5,168	37	8	14	2,671	1,402
Ziebach	8	Ziebach	1,594	401	941	3	0	7	242	168
Total	735	Total	528,621	243,113	189,493	1,126	349	598	93,942	53,132

General Election By Legislative District Voter Registration as of November 5, 2012

Legislative District	Total Active	Republican	Democratic	Libertarian	Constitution	Other	Independents	Inactive
1	16,143	5,417	8,422	14	6	10	2,274	1,096
2	15,700	7,419	6,175	12	7	12	2,075	1,112
3	15,546	6,681	6,437	42	2	26	2,358	1,579
4	15,714	6,860	5,612	25	8	14	3,195	1,263
5	14,626	6,438	5,340	25	8	12	2,803	1,563
6	14,140	6,686	4,348	20	11	15	3,060	1,211
7	13,336	5,130	4,690	43	5	18	3,450	2,059
8	16,437	6,942	6,748	32	9	9	2,697	1,270
9	15,131	5,773	5,886	35	17	2	3,418	1,503
10	14,867	6,285	5,542	34	12	0	2,994	1,223
11	15,683	7,311	5,493	34	18	1	2,826	1,103
12	16,566	7,361	5,602	40	15	4	3,544	1,858
13	16,077	7,787	5,386	37	6	1	2,860	1,536
14	16,244	7,382	6,097	38	11	0	2,716	1,315
15	10,742	3,033	5,178	40	27	2	2,462	1,568
16	16,037	7,526	5,013	26	9	4	3,459	1,559
17	14,084	5,780	5,392	29	7	11	2,865	1,157
18	13,954	6,056	5,168	37	8	14	2,671	1,402
19	17,032	9,487	5,183	19	12	1	2,330	1,105
20	14,924	6,772	5,766	23	3	17	2,343	1,181
21	13,868	6,640	5,671	13	7	4	1,533	1,575
22	14,179	6,317	5,522	27	4	70	2,239	1,491
23	16,114	9,858	4,480	13	5	9	1,749	1,086
24	15,059	9,474	3,749	33	6	5	1,792	1,861
25	15,887	7,284	5,850	28	22	1	2,702	1,080
26A	6,216	1,305	4,059	5	1	14	832	980
26B	7,408	3,201	3,340	10	8	5	844	741
27	13,182	3,424	7,934	14	1	113	1,702	1,501
28A	7,124	1,769	4,344	12	2	12	985	681
28B	8,142	5,165	1,698	28	12	0	1,239	611
29	14,511	8,363	3,519	37	12	0	2,580	2,666
30	17,630	10,058	4,043	39	16	47	3,427	1,674
31	16,681	8,752	4,633	72	14	15	3,195	2,231
32	15,094	7,307	4,665	48	8	28	3,038	2,023
33	15,413	7,700	4,220	44	12	29	3,408	1,509
34	16,059	8,521	4,386	48	5	33	3,066	1,786
35	13,065	5,849	3,902	50	13	40	3,211	1,971
Total	528,621	243,113	189,493	1,126	349	598	93,942	53,132

South Dakota Voter Turnout

Counties	Voter Turnout	Registered Voters	Turnout Percentage
Aurora	1,432	1,908	75.05%
Beadle	7,393	10,660	69.35%
Bennett	1,229	1,893	64.92%
Bon Homme	3,128	3,971	78.77%
Brookings	12,556	18,727	67.05%
Brown	16,276	23,379	69.62%
Brule	2,422	3,403	71.17%
Buffalo	653	879	74.29%
Butte	4,253	6,416	66.29%
Campbell	798	1,206	66.17%
Charles Mix	3,826	5,668	67.50%
Clark	1,861	2,608	71.36%
Clay	5,294	8,285	63.90%
Codington	11,708	16,844	69.51%
Corson	1,223	2,431	50.31%
Custer	4,565	5,902	77.35%
Davison	8,090	11,653	69.42%
Day	2,953	4,232	69.78%
Deuel	2,208	2,989	73.87%
Dewey	1,923	3,099	62.05%
Douglas	1,721	2,292	75.09%
Edmunds	1,966	2,806	70.06%
Fall River	3,573	5,124	69.73%
Faulk	1,143	1,605	71.21%
Grant	3,674	5,116	71.81%
Gregory	2,193	2,863	76.60%
Haakon	1,108	1,376	80.52%
Hamlin	2,833	3,802	74.51%
Hand	1,894	2,545	74.42%
Hanson	2,462	3,642	67.60%
Harding	747	946	78.96%
Hughes	8,256	10,972	75.25%
Hutchinson	3,510	4,885	71.85%
Hyde	743	1,031	72.07%
Jackson	1,121	1,708	65.63%
Jerauld	1,024	1,363	75.13%
Jones	622	750	82.93%
Kingsbury	2,652	3,520	75.34%
Lake	6,374	8,933	71.35%
Lawrence	11,483	16,681	68.84%
Lincoln	22,101	29,901	73.91%
Lyman	1,595	2,376	67.13%
Marshall	2,022	2,954	68.45%
McCook	2,658	3,749	70.90%
McPherson	1,245	1,812	68.71%
Meade	10,934	15,521	70.45%
Mellette	783	1,208	64.82%
Miner	1,177	1,686	69.81%
Minnehaha	77,424	110,590	70.01%
Moody	3,093	4,176	74.07%
Pennington	44,879	64,268	69.83%
Perkins	1,624	2,170	74.84%
Potter	1,401	1,868	75.00%
Roberts	4,324	6,526	66.26%
Sanborn	1,134	1,642	69.06%
Shannon	3,198	7,778	41.12%
Spink	3,099	4,318	71.77%
Stanley	1,555	1,991	78.10%
Sully	828	1,065	77.75%
Todd	2,518	5,008	50.28%
Tripp	2,739	3,830	71.51%
Turner	4,274	5,798	73.72%
Union	7,670	10,883	70.48%
Walworth	2,518	3,842	65.54%
Yankton	10,110	13,954	72.45%
Ziebach	777	1,594	48.75%
Total	365,870	528,621	69.72%

United States President Electors
General Election - November 6, 2012

Presidential Electors

Counties	Obama & Biden (D)	Goode & Clymer (C)	Romney & Ryan (R)	Johnson & Gray (L)
Aurora	556	13	804	27
Beadle	2,881	45	4,230	107
Bennett	548	11	626	18
Bon Homme	1,167	2	1,830	55
Brookings	5,827	100	6,220	253
Brown	7,250	88	8,321	409
Brule	824	19	1,499	37
Buffalo	472	0	166	3
Butte	1,002	39	3,073	94
Campbell	153	6	616	12
Charles Mix	1,483	21	2,230	30
Clark	713	14	1,067	27
Clay	2,955	25	2,147	107
Codington	4,588	71	6,696	169
Corson	648	7	515	30
Custer	1,335	40	3,062	83
Davison	3,042	47	4,757	125
Day	1,497	23	1,320	33
Deuel	941	23	1,175	32
Dewey	1,207	10	663	15
Douglas	332	8	1,334	16
Edmunds	622	13	1,264	37
Fall River	1,140	43	2,258	75
Faulk	331	9	765	22
Grant	1,493	31	2,034	48
Gregory	599	14	1,507	31
Haakon	138	6	940	8
Hamlin	921	22	1,803	47
Hand	575	10	1,242	21
Hanson	760	13	1,627	16
Harding	82	3	638	16
Hughes	2,786	43	5,219	107
Hutchinson	923	26	2,451	25
Hyde	189	2	531	11
Jackson	426	10	661	9
Jerauld	452	5	538	11
Jones	108	2	490	9
Kingsbury	1,092	20	1,451	45
Lake	2,724	44	3,419	98
Lawrence	3,973	99	7,025	262
Lincoln	7,982	98	136	261
Lyman	605	7	933	24
Marshall	1,061	8	889	29
McCook	905	20	1,655	33
McPherson	272	10	921	12
Meade	2,928	109	7,566	214
Mellette	375	8	381	5
Miner	479	7	636	18
Minnehaha	34,674	449	40,342	1,118
Moody	1,429	22	1,535	47
Pennington	15,125	291	28,232	816
Perkins	319	27	1,205	39
Potter	339	3	1,029	10
Roberts	2,302	29	1,883	42
Sanborn	389	16	688	22
Shannon	2,937	6	188	14
Spink	1,300	17	1,670	54
Stanley	435	9	1,063	33
Sully	186	3	613	16
Todd	1,976	12	498	11
Tripp	737	26	1,905	23
Turner	1,411	37	2,715	47
Union	2,782	35	4,698	81
Walworth	671	19	1,731	41
Yankton	4,226	54	5,495	199
Ziebach	439	2	314	6
Total	145,039	2,371	210,610	5,795

United States Congress

Counties	Matt Varilek (D)	Kristi Noem (R)
Aurora	606	793
Beadle	3,177	4,069
Bennett	526	682
Bon Homme	1,397	1,687
Brookings	6,197	6,160
Brown	8,335	7,673
Brule	948	1,440
Buffalo	456	181
Butte	1,089	3,100
Campbell	183	597
Charles Mix	1,553	2,219
Clark	737	1,102
Clay	3,025	2,163
Codington	4,778	6,754
Corson	560	616
Custer	1,417	3,068
Davison	3,279	4,698
Day	1,603	1,278
Deuel	913	1,254
Dewey	1,152	719
Douglas	370	1,327
Edmunds	760	1,167
Fall River	1,127	2,370
Faulk	391	728
Grant	1,484	2,137
Gregory	727	1,431
Haakon	182	910
Hamlin	917	1,871
Hand	652	1,207
Hanson	775	1,573
Harding	90	642
Hughes	3,090	5,040
Hutchinson	1,054	2,391
Hyde	225	502
Jackson	415	674
Jerauld	445	564
Jones	136	479
Kingsbury	1,132	1,458
Lake	2,916	3,269
Lawrence	4,204	7,075
Lincoln	8,696	13,107
Lyman	651	916
Marshall	1,083	902
McCook	1,003	1,614
McPherson	333	884
Meade	3,028	7,692
Mellette	358	411
Miner	530	623
Minnehaha	36,827	38,860
Moody	1,490	1,549
Pennington	15,516	28,418
Perkins	369	1,197
Potter	417	952
Roberts	2,232	2,017
Sanborn	425	693
Shannon	2,599	504
Spink	1,431	1,625
Stanley	525	1,013
Sully	218	596
Todd	1,787	687
Tripp	830	1,887
Turner	1,602	2,605
Union	2,611	4,885
Walworth	742	1,714
Yankton	5,060	4,868
Ziebach	403	353
Total	153,789	207,640

Public Utilities Commission
General Election - November 6, 2012

Public Utilities Commission
6 year term

Counties	Matt McGovern (D)	Kirstie Flegen (R)	Russell Clarke (L)
Aurora	601	710	66
Beadle	3,027	3,682	381
Bennett	494	596	54
Bon Homme	1,334	1,440	170
Brookings	5,336	5,758	736
Brown	7,384	7,303	796
Brule	965	1,227	120
Buffalo	431	174	22
Butte	916	2,761	339
Campbell	192	538	27
Charles Mix	1,565	1,963	154
Clark	723	901	114
Clay	2,746	1,929	273
Codington	4,608	5,981	508
Corson	618	462	54
Custer	1,156	2,760	364
Davison	3,472	3,998	336
Day	1,477	1,176	158
Deuel	926	1,041	143
Dewey	1,117	598	98
Douglas	414	1,153	78
Edmunds	701	1,077	95
Fall River	978	2,030	305
Faulk	374	642	55
Grant	1,561	1,737	194
Gregory	819	1,119	134
Haakon	143	856	30
Hamlin	920	1,646	142
Hand	637	1,092	90
Hanson	800	1,288	86
Harding	92	588	36
Hughes	2,748	4,799	392
Hutchinson	1,046	2,193	138
Hyde	218	438	43
Jackson	362	632	64
Jerauld	462	472	52
Jones	128	435	29
Kingsbury	1,062	1,292	146
Lake	2,499	3,076	321
Lawrence	3,367	6,567	811
Lincoln	7,799	12,360	973
Lyman	637	801	91
Marshall	1,016	814	94
McCook	999	1,427	137
McPherson	298	821	55
Meade	2,476	6,894	789
Mellette	347	358	45
Miner	514	531	72
Minnehaha	33,304	35,846	3,897
Moody	1,414	1,405	167
Pennington	13,087	25,372	2,894
Perkins	280	1,123	96
Potter	398	902	43
Roberts	2,178	1,696	213
Sanborn	479	543	79
Shannon	2,545	331	135
Spink	1,386	1,444	157
Stanley	494	891	99
Sully	188	554	53
Todd	1,825	509	96
Tripp	860	1,630	126
Turner	1,449	2,426	232
Union	2,683	4,093	322
Walworth	712	1,518	155
Yankton	4,271	4,661	532
Ziebach	385	303	30
Total	140,443	187,383	19,696

Public Utilities Commission
4 year term

Counties	Nick Nemec (D)	Chris Nelson (R)
Aurora	454	917
Beadle	2,388	4,572
Bennett	469	657
Bon Homme	943	1,946
Brookings	3,894	7,507
Brown	5,308	9,740
Brule	681	1,586
Buffalo	412	201
Butte	1,085	2,887
Campbell	143	616
Charles Mix	1,354	2,280
Clark	540	1,149
Clay	2,195	2,581
Codington	3,341	7,360
Corson	605	498
Custer	1,215	3,003
Davison	2,498	5,131
Day	1,171	1,537
Deuel	694	1,348
Dewey	1,095	673
Douglas	302	1,332
Edmunds	621	1,197
Fall River	972	2,285
Faulk	370	691
Grant	1,038	2,359
Gregory	537	1,490
Haakon	217	818
Hamlin	674	1,989
Hand	610	1,199
Hanson	658	1,470
Harding	143	562
Hughes	1,765	6,172
Hutchinson	749	2,550
Hyde	309	407
Jackson	422	625
Jerauld	338	622
Jones	103	493
Kingsbury	780	1,683
Lake	1,864	3,868
Lawrence	3,475	7,114
Lincoln	5,003	15,457
Lyman	509	1,003
Marshall	816	1,028
McCook	713	1,802
McPherson	195	963
Meade	2,724	7,252
Mellette	317	415
Miner	395	687
Minnehaha	23,966	45,690
Moody	1,058	1,850
Pennington	12,937	27,536
Perkins	315	1,160
Potter	374	962
Roberts	1,845	2,110
Sanborn	390	690
Shannon	2,496	444
Spink	1,006	1,918
Stanley	379	1,118
Sully	169	622
Todd	1,750	625
Tripp	569	2,014
Turner	981	3,033
Union	2,162	4,827
Walworth	627	1,712
Yankton	2,943	6,241
Ziebach	377	312
Total	111,448	226,588

General Election - November 6, 2012

District 1

	Jason Frenichs (D)
Brown	1,058
Day	1,934
Marshall	1,306
Roberts	3,069
Total	7,367

District 2

	Chuck Welke (D)	Art Fryslie (R)
Brown	2,200	1,274
Clark	600	1,163
Hamlin	875	1,817
Spink	1,766	886
Total	5,441	5,140

District 3

	H. Paul Dennert (D)	Al Novstrup (R)
Brown	4,815	5,553
Total	4,815	5,553

District 4

	Steven Street (D)	Tim Begalka (R)
Brookings	1,197	2,467
Codington	559	899
Deuel	579	1,592
Grant	1,892	1,645
Total	4,227	6,603

District 5

	Jeff Dunn (D)	Ried Holien (R)
Codington	3,846	5,900
Total	3,846	5,900

District 6

	Richard Schriever (D)	Ernie Otten Jr. (R)
Lincoln	3,176	6,011
Total	3,176	6,011

District 7

	Pamela Merchant (D)	Larry Tidemann (R)
Brookings	3,788	4,362
Total	3,788	4,362

District 8

	Charles J. Johnson (D)	Russell Olson (R)
Lake	2,428	3,601
Miner	389	728
Moody	939	2,016
Sanborn	333	727
Total	4,089	7,072

District 9

	Deb Peters (R)
Minnehaha	5,939
Total	5,939

District 10

	Pual A. Thompson (D)	Shantel Krebs (R)
Minnehaha	3,705	5,807
Total	3,705	5,807

District 11

	Tom Cool (D)	David M. Omdahl (R)
Minnehaha	4,488	5,888
Total	4,488	5,888

District 12

	Kent Alberty (D)	Mark Johnston (R)
Lincoln	1,095	2,247
Minnehaha	3,493	3,655
Total	4,588	5,902

District 13

	Sam Khorroosi (D)	Phyllis M. Heineman (R)
Lincoln	1,258	2,972
Minnehaha	3,137	3,651
Total	4,395	6,623

District 14

	Brian Kaatz (D)	Deb Sohlt (R)
Minnehaha	5,008	6,251
<i>Total</i>	<i>5,008</i>	<i>6,251</i>

District 15

	Angie Buhl (D)	Kathy Miles (I)
Minnehaha	2,973	2,455
<i>Total</i>	<i>2,973</i>	<i>2,455</i>

District 16

	Michael O'Connor (D)	Dan Lederman (R)
Lincoln	1,464	2,192
Union	2,931	4,412
<i>Total</i>	<i>4,395</i>	<i>6,604</i>

District 17

	Tom Jones (D)	John S. Chicoline (R)
Clay	3,176	1,746
Turner	1,578	2,565
<i>Total</i>	<i>4,754</i>	<i>4,311</i>

District 18

	David L. Allen (D)	Jean M. Hunhoff (R)
Yankton	3,382	6,317
<i>Total</i>	<i>3,382</i>	<i>6,317</i>

District 19

	Frank J. Kloucek (D)	Bill Van Gerpen (R)
Bon Homme	1,055	881
Douglas	456	1,223
Hanson	803	1,388
Hutchinson	1,359	2,067
McCook	1,004	1,465
<i>Total</i>	<i>4,677</i>	<i>7,024</i>

District 20

	Quinten L. Burg (D)	Mike Vehle (R)
Aurora	694	662
Davison	2,908	4,800
Jerauld	721	272
<i>Total</i>	<i>4,323</i>	<i>5,734</i>

District 21

	Billie H. Sutton (D)	John S. Meyer (R)
Bon Homme	632	463
Charles Mix	2,200	1,477
Gregory	1,561	603
Tripp	1,330	1,359
<i>Total</i>	<i>5,723</i>	<i>3,902</i>

District 22

	Chis Studer (D)	Jim White (R)
Beadle	3,244	3,912
Kingsbury	1,110	1,284
<i>Total</i>	<i>4,354</i>	<i>5,196</i>

District 23

	Corey Brown (R)
Campbell	592
Edmunds	1,316
Faulk	813
Hand	932
McPherson	1,194
Potter	1,152
Spink	219
Walworth	1,811
<i>Total</i>	<i>8,029</i>

District 24

	Jeff Monroe (R)
Hughes	5,539
Hyde	509
Stanley	1,048
Sully	634
<i>Total</i>	<i>7,730</i>

District 25

	Dan Ahlers (D)	Tim Rave (R)
Minnehaha	5,359	5,629
<i>Total</i>	5,359	5,629

District 26

	Larry J. Lucas (D)	Kent Juhnke (R)
Brule	878	1,459
Buffalo	418	184
Jones	118	490
Lyman	540	994
Mellette	434	340
Todd	2,017	442
<i>Total</i>	4,405	3,909

District 27

	Jim Bradford (D)
Bennett	817
Haakon	420
Jackson	582
Pennington	81
Shannon	2,692
<i>Total</i>	4,592

District 28

	Ryan M. Maher (R)
Butte	920
Corson	545
Dewey	823
Harding	617
Perkins	1,208
Ziebach	403
<i>Total</i>	4,732

District 29

	Larry Rhoden (R)
Butte	691
Meade	6,004
Pennington	184
<i>Total</i>	6,879

District 30

	Bruce Rempelberg (R)
Custer	3,040
Fall River	2,296
Pennington	3,350
<i>Total</i>	8,686

District 31

	Bob Ewing (R)
Lawrence	7,870
<i>Total</i>	7,870

District 32

	Stan Adelstein (R)
Pennington	6,409
<i>Total</i>	6,409

District 33

	Phil Jensen (R)	Matt McGrath (I)
Meade	1,153	860
Pennington	4,569	3,385
<i>Total</i>	5,722	4,245

District 34

	Craig Tieszen (R)
Pennington	8,283
<i>Total</i>	8,283

District 35

	Mark Kirkeby (R)
Pennington	5,382
<i>Total</i>	5,382

State House of Representatives
General Election - November 6, 2012

District 1

	Susan Wismer (D)	Dennis A. Feickert (D)
Brown	717	1,159
Day	1,517	1,288
Marshall	1,375	828
Roberts	2,358	1,558
Total	5,967	4,833

District 2

	Dennis E. Nemmers (D)	Danny Miles (D)	Brock L. Greenfield (R)	Burt E. Tulson (R)
Brown	1,455	1,402	1,561	1,362
Clark	459	487	1,258	839
Hamlin	711	501	1,748	1,828
Spink	994	1,001	1,482	971
Total	3,619	3,391	6,049	5,000

District 3

	Zachary Anderson (D)	Bill Antonides (D)	David Novstrup (R)	Dan Kaiser (R)
Brown	3,148	4,529	5,843	5,201
Total	3,148	4,529	5,843	5,201

District 4

	Kathy Tyler (D)	Jim Peterson (D)	Fred Deutsch (R)	James E. Gillkerson (R)
Brookings	1,346	1,524	1,635	2,014
Codington	638	582	767	585
Deuel	859	1,136	866	842
Grant	2,288	1,716	1,356	1,054
Total	5,131	4,958	4,624	4,495

District 5

	Dorethy Kellogg (D)	Melissa Magstadt (R)	Roger Solum (R)
Codington	3,042	5,950	5,844
Total	3,042	5,950	5,844

District 6

	Michael Christopher Jauron (D)	Joseph Weis (D)	Herman Otten (R)	Isaac Latterell (R)
Lincoln	2,194	2,884	5,739	5,000
<i>Total</i>	<i>2,194</i>	<i>2,884</i>	<i>5,739</i>	<i>5,000</i>

District 7

	Spencer Hawley (D)	Linda A. Brandt (D)	Brian Roehrich (R)	Scott Munsterman (R)
Brookings	4,610	2,884	2,322	4,894
<i>Total</i>	<i>4,610</i>	<i>2,884</i>	<i>2,322</i>	<i>4,894</i>

District 8

	Scott Parsley (D)	Roy Lindsay (D)	Gene Kroger (R)	Leslie Heinemann (R)
Lake	3,289	2,888	2,222	2,504
Miner	657	406	387	470
Moody	1,647	947	845	1,723
Sanborn	476	338	491	545
<i>Total</i>	<i>6,069</i>	<i>4,579</i>	<i>3,945</i>	<i>5,242</i>

District 9

	Paula Hawks (D)	Mark Anderson (D)	Steve Hickey (R)	Bob Deelstra (R)
Minnehaha	3,965	3,188	4,188	3,883
<i>Total</i>	<i>3,965</i>	<i>3,188</i>	<i>4,188</i>	<i>3,883</i>

District 10

	Jo Hausman (D)	Brian Parsons (D)	Jenna Haggar (R)	Don Haggar (R)
Minnehaha	3,959	2,983	5,316	4,620
<i>Total</i>	<i>3,959</i>	<i>2,983</i>	<i>5,316</i>	<i>4,620</i>

State House of Representatives
General Election - November 6, 2012

District 11

	Darrell D. Solberg (D)	Jim Larson (D)	Jim Stalzer (R)	Christine M. Erickson (R)
Minnehaha	4,140	3,429	5,124	5,685
<i>Total</i>	4,140	3,429	5,124	5,685

District 12

	Susan M. Randall (D)	Mike Knudson (D)	Manny Steele (R)	Hal Wick (R)
Lincoln	1,096	1,132	1,883	1,858
Minnehaha	3,254	2,932	3,146	3,360
<i>Total</i>	4,350	4,064	5,029	5,218

District 13

	G. Mark Mickelson (R)	Steve Westra (R)
Lincoln	3,025	2,266
Minnehaha	4,097	2,879
<i>Total</i>	7,122	5,145

District 14

	Marc S. Feinstein (D)	Jeff Winters (D)	Anne C. Hajak (R)	Larry P. Zikmund (R)
Minnehaha	5,128	4,366	5,792	4,989
<i>Total</i>	5,128	4,366	5,792	4,989

District 15

	Karen L. Soli (D)	Patrick A. Kirschman (D)
Minnehaha	3,026	2,498
<i>Total</i>	3,026	2,498

District 16

	Ann Tornberg (D)	Stanley Jacobson (D)	Jim Bolin (R)	Patty Miller (R)
Lincoln	1,717	632	2,586	1,570
Union	3,252	1,496	4,174	3,523
<i>Total</i>	4,969	2,128	6,760	5,093

District 17

	Marion Sorlien (D)	Ray Ring (D)	Nancy Rasmussen (R)
Clay	2,353	3,006	1,942
Turner	1,674	1,206	2,570
<i>Total</i>	<i>4,027</i>	<i>4,212</i>	<i>4,512</i>

District 18

	Charlie Gross (D)	Bernie Hunhoff (D)	Mike Stevens (R)	Thomas D. Stotz (R)
Yankton	3,607	5,589	4,657	3,918
<i>Total</i>	<i>3,607</i>	<i>5,589</i>	<i>4,657</i>	<i>3,918</i>

District 19

	Alan Fenner (D)	Kyle Schoenfish (R)	Stace Nelson (R)
Bon Homme	770	1,174	742
Douglas	312	1,014	1,142
Hanson	644	1,007	1,546
Hutchinson	1,078	2,269	1,819
McCook	904	1,086	1,707
<i>Total</i>	<i>3,708</i>	<i>6,550</i>	<i>6,956</i>

District 20

	Dave Mitchell (D)	James V. Schorzmann (D)	Lance Carson (R)	Tona Rozum (R)
Aurora	437	526	731	715
Davison	2,438	3,000	4,620	4,189
Jerauld	358	400	490	368
<i>Total</i>	<i>3,233</i>	<i>3,926</i>	<i>5,841</i>	<i>5,272</i>

District 21

	Julie Bartling (D)	Gary W. Coleman (D)	Dave Scott (R)	Lee Qualm (R)
Bon Homme	372	380	571	586
Charles Mix	2,029	1,134	1,722	1,517
Gregory	1,487	392	666	941
Tripp	1,419	523	1,217	1,377
<i>Total</i>	<i>5,307</i>	<i>2,429</i>	<i>4,176</i>	<i>4,421</i>

State House of Representatives
General Election - November 6, 2012

District 22

	Dale Hargens (D)	Peggy Gibson (D)	Dick Werner (R)	Jay B.K. Slater (R)
Beadle	3,299	4,276	3,242	2,128
Kingsbury	762	1,023	1,102	1,506
<i>Total</i>	<i>4,061</i>	<i>5,299</i>	<i>4,344</i>	<i>3,634</i>

District 23

	Justin R. Cronin (R)	Charles B. Hoffman (R)
Campbell	468	568
Edmunds	992	1,232
Faulk	678	636
Hand	984	987
McPherson	644	955
Potter	1,044	792
Spink	171	173
Walworth	1,460	1,488
<i>Total</i>	<i>6,441</i>	<i>6,831</i>

District 24

	Tim Rounds (R)	Mary Duvall (R)
Hughes	5,192	4,572
Hyde	502	366
Stanley	957	787
Sully	597	429
<i>Total</i>	<i>7,248</i>	<i>6,154</i>

District 25

	Bill Laird (D)	Janelle Smedsrvo (D)	Jon Hansen (R)	Scott W. Ecklund (R)
Minnehaha	3,686	2,882	6,217	5,718
<i>Total</i>	<i>3,686</i>	<i>2,882</i>	<i>6,217</i>	<i>5,718</i>

District 26A

	Troy Heinert (D)
Mellette	489
Todd	1,842
<i>Total</i>	<i>2,331</i>

District 26B

	Maynard J. Konecne (D)	James Schaefer (R)
Brule	1,027	1,299
Buffalo	436	167
Jones	108	490
Lyman	507	1,025
<i>Total</i>	<i>2,078</i>	<i>2,981</i>

District 27

	Kevin Killer (D)	Elizabeth May (R)	Kathleen Anne (I)
Bennett	478	727	288
Haakon	180	798	284
Jackson	358	711	258
Pennington	53	235	75
Shannon	2,629	511	632
<i>Total</i>	<i>3,698</i>	<i>2,982</i>	<i>1,537</i>

District 28A

	Dean Schrempp (D)
Corson	769
Dewey	1,380
Ziebach	508
<i>Total</i>	<i>2,657</i>

District 28B

	Betty Olson (R)
Butte	2,288
Harding	551
Perkins	1,189
<i>Total</i>	<i>4,028</i>

District 29

	Gary L. Cammack (R)	Dean Wink (R)
Butte	626	406
Meade	5,219	4,290
Pennington	146	128
<i>Total</i>	<i>5,991</i>	<i>4,824</i>

State House of Representatives
General Election - November 6, 2012

District 30

	Mike Verchio (R)	Lance Russell (R)
Custer	2,634	2,339
Fall River	2,153	1,691
Pennington	2,950	2,451
<i>Total</i>	<i>7,737</i>	<i>6,481</i>

District 31

	Timothy R. Johns (R)	Fred W. Romkema (R)
Lawrence	6,721	6,213
<i>Total</i>	<i>6,721</i>	<i>6,213</i>

District 32

	Jackie Swanson (D)	Kristin Conzet (R)	Brian Gosch (R)
Pennington	4,075	5,004	4,742
<i>Total</i>	<i>4,075</i>	<i>5,004</i>	<i>4,742</i>

District 33

	Robin A. Page (D)	Jacqueline Sly (R)	Scott W. Craig (R)
Meade	579	1,300	1,015
Pennington	2,798	5,008	3,890
<i>Total</i>	<i>3,377</i>	<i>6,308</i>	<i>4,905</i>

District 34

	John C. Willman (D)	Dan Dryden (R)	David Lust (R)	Mike Reardon (I)
Pennington	2,977	6,145	6,355	2,500
<i>Total</i>	<i>3,977</i>	<i>6,145</i>	<i>6,355</i>	<i>2,500</i>

District 35

	Jay Pond (D)	Shane Liebig (D)	Don Kopp (R)	Blaine "Chip" Campbell (R)
Pennington	2,208	2,538	4,305	3,379
<i>Total</i>	<i>2,208</i>	<i>2,538</i>	<i>4,305</i>	<i>3,379</i>

Justice Glen A. Severson
Representing the Second Supreme Court District

	YES	NO
Aurora	920	226
Beadle	5,315	1,060
Bennett	625	324
Bon Homme	1,995	620
Brookings	8,391	1,697
Brown	11,120	2,675
Brule	362	205
Buffalo	2,740	769
Butte	517	120
Campbell	2,377	737
Charles Mix	1,173	283
Clark	3,388	815
Clay	7,673	1,783
Codington	660	344
Corson	2,817	904
Custer	5,796	1,127
Davison	1,839	503
Day	1,491	339
Deuel	1,028	543
Dewey	1,139	291
Douglas	1,309	291
Edmunds	2,007	727
Fall River	739	181
Faulk	2,402	727
Grant	2,402	635
Gregory	1,396	415
Haakon	698	206
Hamlin	1,783	432
Hand	1,311	243
Hanson	1,399	413
Harding	489	115
Hughes	6,016	1,077
Hutchinson	2,279	522
Hyde	470	137
Jackson	616	272
Jerauld	651	186
Jones	374	126
Kingsbury	1,746	397
Lake	4,189	904
Lawrence	7,102	2,161
Lincoln	15,506	2,758
Lyman	988	363
Marshall	1,339	286
McCook	1,711	465
McPherson	815	176
Meade	6,649	2,097
Mellette	440	209
Miner	743	205
Minnehaha	51,420	9,437
Moody	2,080	563
Pennington	27,596	7,678
Perkins	924	322
Potter	896	211
Roberts	2,676	868
Sanborn	774	182
Shannon	1,594	1,144
Spink	2,166	474
Stanley	1,032	243
Sully	550	154
Todd	1,221	877
Tripp	1,812	547
Turner	3,024	582
Union	4,922	1,392
Walworth	1,528	423
Yankton	6,410	1,883
Ziebach	378	258
Total	239,139	59,030

Constitutional Amendment MRegarding Corporations
For description, see page 38

	YES	NO
Aurora	287	996
Beadle	2,075	4,680
Bennett	264	827
Bon Homme	632	2,219
Brookings	4,017	7,012
Brown	4,648	9,899
Brule	620	1,560
Buffalo	185	394
Butte	931	2,983
Campbell	168	513
Charles Mix	900	2,565
Clark	440	1,150
Clay	1,513	3,085
Codington	3,698	6,530
Corson	323	786
Custer	1,142	3,085
Davison	2,259	5,018
Day	734	1,850
Deuel	579	1,427
Dewey	422	1,271
Douglas	392	1,146
Edmunds	467	1,290
Fall River	835	2,327
Faulk	272	724
Grant	1,066	2,223
Gregory	505	1,463
Haakon	241	787
Hamlin	596	1,901
Hand	465	1,256
Hanson	553	1,558
Harding	121	569
Hughes	2,708	5,019
Hutchinson	914	2,157
Hyde	166	516
Jackson	247	760
Jerauld	235	675
Jones	129	445
Kingsbury	568	1,816
Lake	1,693	3,859
Lawrence	2,889	7,531
Lincoln	6,508	12,693
Lyman	282	1,050
Marshall	508	1,320
McCook	581	1,793
McPherson	341	759
Meade	2,698	7,133
Mellette	248	517
Miner	256	763
Minnehaha	19,873	46,013
Moody	777	2,047
Pennington	11,007	28,319
Perkins	394	1,076
Potter	382	890
Roberts	997	2,811
Sanborn	214	799
Shannon	878	1,766
Spink	782	2,001
Stanley	418	1,028
Sully	199	578
Todd	722	1,554
Tripp	592	1,921
Turner	1,076	2,820
Union	2,033	4,779
Walworth	551	1,638
Yankton	2,719	6,242
Ziebach	152	538
Total	96,187	228,720

Constitutional Amendment NLegislative Reimbursement
For description, see page 39

	YES	NO
Aurora	422	910
Beadle	2,508	4,470
Bennett	350	783
Bon Homme	932	2,016
Brookings	4,851	6,790
Brown	6,074	9,193
Brule	767	1,500
Buffalo	239	362
Butte	1,294	2,744
Campbell	209	499
Charles Mix	1,241	2,308
Clark	540	1,140
Clay	2,091	2,776
Codington	4,502	6,428
Corson	427	718
Custer	1,669	2,713
Davison	3,061	4,531
Day	922	1,779
Deuel	733	1,358
Dewey	579	1,145
Douglas	547	1,045
Edmunds	646	1,169
Fall River	1,168	2,114
Faulk	387	668
Grant	1,234	2,194
Gregory	665	1,381
Haakon	313	733
Hamlin	859	1,770
Hand	516	1,259
Hanson	704	1,528
Harding	221	492
Hughes	2,975	5,035
Hutchinson	1,139	2,083
Hyde	216	487
Jackson	348	694
Jerauld	320	629
Jones	188	404
Kingsbury	830	1,677
Lake	2,101	3,701
Lawrence	3,938	6,964
Lincoln	7,821	12,478
Lyman	487	1,023
Marshall	710	1,166
McCook	811	1,663
McPherson	393	744
Meade	3,456	6,814
Mellette	240	506
Miner	354	721
Minnehaha	26,211	44,214
Moody	987	1,942
Pennington	15,869	25,555
Perkins	500	1,022
Potter	437	876
Roberts	1,366	2,602
Sanborn	347	710
Shannon	1,107	1,575
Spink	981	1,913
Stanley	498	998
Sully	261	532
Todd	862	1,499
Tripp	812	1,785
Turner	1,304	2,726
Union	2,547	4,590
Walworth	777	1,497
Yankton	3,650	5,839
Ziebach	201	495
Total	125,715	215,675

Constitutional Amendment O

Cement Plant
For description, see page 39

	YES	NO
Aurora	669	643
Beadle	3,837	3,009
Bennett	533	574
Bon Homme	1,424	1,434
Brookings	7,204	4,059
Brown	8,690	6,004
Brule	1,157	1,051
Buffalo	304	281
Butte	2,123	1,817
Campbell	329	367
Charles Mix	1,770	1,733
Clark	874	753
Clay	2,929	1,725
Codington	6,266	4,177
Corson	582	546
Custer	2,547	1,755
Davison	4,197	3,189
Day	1,416	1,218
Deuel	1,163	890
Dewey	831	877
Douglas	752	807
Edmunds	946	836
Fall River	1,770	1,431
Faulk	549	475
Grant	1,961	1,403
Gregory	1,072	942
Haakon	493	538
Hamlin	1,266	1,278
Hand	927	815
Hanson	1,016	1,085
Harding	289	412
Hughes	4,539	3,264
Hutchinson	1,663	1,471
Hyde	325	366
Jackson	478	542
Jerauld	451	462
Jones	272	309
Kingsbury	1,299	1,128
Lake	3,191	2,415
Lawrence	6,239	4,292
Lincoln	11,771	7,692
Lyman	756	701
Marshall	1,062	771
McCook	1,261	1,147
McPherson	529	587
Meade	5,752	4,308
Mellette	363	355
Miner	513	531
Minnehaha	37,607	28,802
Moody	1,644	1,216
Pennington	24,207	16,040
Perkins	804	692
Potter	728	564
Roberts	2,076	1,814
Sanborn	518	524
Shannon	1,434	1,228
Spink	1,597	1,227
Stanley	815	654
Sully	400	375
Todd	1,244	1,041
Tripp	1,228	1,306
Turner	2,210	1,730
Union	3,620	3,140
Walworth	1,145	1,082
Yankton	5,010	4,137
Ziebach	319	373
Total	186,956	142,410

Constitutional Amendment P

Balance Budget
For description, see page 40

	YES	NO
Aurora	747	558
Beadle	4,045	2,796
Bennett	656	439
Bon Homme	1,671	1,212
Brookings	6,923	4,474
Brown	9,612	5,284
Brule	1,359	869
Buffalo	367	226
Butte	2,635	1,333
Campbell	419	275
Charles Mix	2,101	1,375
Clark	1,006	615
Clay	2,790	1,933
Codington	7,256	3,412
Corson	678	446
Custer	2,908	1,429
Davison	4,556	2,868
Day	1,519	1,104
Deuel	1,227	820
Dewey	1,014	684
Douglas	940	611
Edmunds	1,120	644
Fall River	2,091	1,134
Faulk	669	347
Grant	2,103	1,259
Gregory	1,193	822
Haakon	622	425
Hamlin	1,597	973
Hand	1,059	671
Hanson	1,393	796
Harding	407	290
Hughes	4,752	3,149
Hutchinson	1,875	1,279
Hyde	432	262
Jackson	609	408
Jerauld	523	399
Jones	333	248
Kingsbury	1,459	974
Lake	3,521	2,138
Lawrence	7,282	3,449
Lincoln	13,558	6,238
Lyman	943	524
Marshall	1,064	762
McCook	1,064	762
McPherson	644	470
Meade	6,984	3,115
Mellette	453	282
Miner	604	444
Minnehaha	45,694	22,958
Moody	1,840	1,014
Pennington	27,675	12,900
Perkins	905	593
Potter	846	450
Roberts	2,424	1,463
Sanborn	551	472
Shannon	1,589	1,048
Spink	1,674	1,140
Stanley	832	632
Sully	476	313
Todd	1,441	865
Tripp	1,566	971
Turner	2,471	1,451
Union	4,846	2,128
Walworth	1,377	851
Yankton	5,829	3,460
Ziebach	368	323
Total	215,659	118,165

Initiated Measure 15

Sales Tax

For description, see page 41

	YES	NO
Aurora	614	772
Beadle	2,804	4,324
Bennett	566	592
Bon Homme	1,278	1,728
Brookings	6,363	5,643
Brown	7,008	8,542
Brule	944	1,372
Buffalo	286	326
Butte	1,676	2,443
Campbell	289	455
Charles Mix	1,515	2,101
Clark	688	1,066
Clay	2,829	2,184
Codington	4,015	7,134
Corson	492	663
Custer	1,861	2,590
Davison	3,148	4,636
Day	1,170	1,620
Deuel	870	1,277
Dewey	750	1,021
Douglas	650	992
Edmunds	786	1,094
Fall River	1,379	1,974
Faulk	431	642
Grant	1,404	2,104
Gregory	965	1,139
Haakon	337	721
Hamlin	1,015	1,700
Hand	732	1,085
Hanson	778	1,449
Harding	177	545
Hughes	2,699	5,379
Hutchinson	1,552	1,814
Hyde	293	425
Jackson	378	680
Jerauld	374	605
Jones	171	425
Kingsbury	118	1,442
Lake	2,551	3,366
Lawrence	4,843	6,194
Lincoln	9,349	11,778
Lyman	640	883
Marshall	979	954
McCook	1,006	1,538
McPherson	335	843
Meade	4,051	6,440
Mellette	344	411
Miner	461	660
Minnehaha	33,074	39,614
Moody	1,377	1,612
Pennington	18,523	23,952
Perkins	300	1,178
Potter	419	936
Roberts	1,882	2,193
Sanborn	489	615
Shannon	1,622	1,099
Spink	1,361	1,599
Stanley	462	1,045
Sully	290	520
Todd	1,304	1,061
Tripp	959	1,697
Turner	1,925	2,226
Union	3,064	4,116
Walworth	829	1,532
Yankton	4,291	5,380
Ziebach	283	440
Total	151,498	198,586

General Election - November 6, 2012

Referred Law 14

Large Project Fund

For description, see page 43

	YES	NO
Aurora	399	926
Beadle	2,658	4,186
Bennett	395	698
Bon Homme	860	2,009
Brookings	5,235	6,064
Brown	6,380	8,311
Brule	821	1,405
Buffalo	235	359
Butte	1,398	2,564
Campbell	231	467
Charles Mix	1,225	2,290
Clark	610	1,031
Clay	2,008	2,677
Codington	4,509	5,833
Corson	451	676
Custer	1,623	2,677
Davison	3,004	4,421
Day	895	1,752
Deuel	756	1,286
Dewey	650	1,067
Douglas	505	1,073
Edmunds	721	1,071
Fall River	1,249	1,960
Faulk	380	636
Grant	1,314	2,036
Gregory	655	1,345
Haakon	270	749
Hamlin	901	1,633
Hand	650	1,097
Hanson	831	1,267
Harding	165	531
Hughes	2,996	4,784
Hutchinson	1,235	1,942
Hyde	272	411
Jackson	363	657
Jerauld	293	629
Jones	163	420
Kingsbury	843	1,573
Lake	2,179	3,439
Lawrence	4,506	5,961
Lincoln	9,608	10,104
Lyman	558	905
Marshall	731	1,109
McCook	847	1,585
McPherson	457	676
Meade	4,019	5,976
Mellette	270	451
Miner	332	720
Minnehaha	30,847	36,001
Moody	1,167	1,696
Pennington	18,789	21,226
Perkins	427	1,040
Potter	491	798
Roberts	1,475	2,389
Sanborn	316	729
Shannon	1,343	1,310
Spink	1,077	1,770
Stanley	482	977
Sully	264	508
Todd	1,046	1,246
Tripp	945	1,592
Turner	1,533	2,415
Union	3,297	3,514
Walworth	846	1,400
Yankton	3,517	5,618
Ziebach	237	452
Total	139,751	190,126

Referred Law 16

Education Reform

For description, see page 46

	YES	NO
Aurora	308	1,074
Beadle	1,844	5,281
Bennett	469	679
Bon Homme	585	2,417
Brookings	3,438	8,592
Brown	4,413	11,174
Brule	687	1,617
Buffalo	259	342
Butte	1,450	2,652
Campbell	176	565
Charles Mix	1,039	2,596
Clark	444	1,310
Clay	1,554	3,476
Codington	3,221	7,909
Corson	557	591
Custer	1,555	2,891
Davison	2,164	5,604
Day	651	2,148
Deuel	472	1,666
Dewey	728	1,042
Douglas	323	1,314
Edmunds	425	1,447
Fall River	1,137	2,202
Faulk	346	724
Grant	901	2,588
Gregory	472	1,626
Haakon	273	783
Hamlin	695	2,009
Hand	460	1,353
Hanson	798	1,424
Harding	238	481
Hughes	2,502	5,556
Hutchinson	822	2,522
Hyde	171	550
Jackson	416	639
Jerauld	223	760
Jones	150	448
Kingsbury	573	1,985
Lake	1,859	4,064
Lawrence	3,954	7,006
Lincoln	7,424	13,717
Lyman	464	1,064
Marshall	521	1,405
McCook	626	1,918
McPherson	341	838
Meade	3,644	6,809
Mellette	275	480
Miner	254	862
Minnehaha	25,155	47,576
Moody	864	2,123
Pennington	17,218	25,055
Perkins	485	1,061
Potter	378	973
Roberts	1,281	2,788
Sanborn	201	893
Shannon	1,728	1,006
Spink	646	2,325
Stanley	479	1,030
Sully	206	594
Todd	1,209	1,173
Tripp	789	1,895
Turner	1,047	3,095
Union	3,229	3,939
Walworth	574	1,784
Yankton	2,576	7,118
Ziebach	278	436
Total	114,590	235,064

2012 Constitutional Amendments

The following amendments to the State Constitution are submitted to the voters by the Legislature. The amendments will not become effective unless approved by majority vote.

Constitutional Amendment M

Title: An Amendment to the South Dakota Constitution regarding certain provisions relating to corporations.

Attorney General Explanation:

The Constitution currently contains certain restrictions on the Legislature's authority to enact laws regarding corporations. For example, corporate directors must be elected by cumulative voting, in which a shareholder may choose to cast all votes for a single candidate or spread the votes among two or more candidates. Corporate stock or bonds may only be issued for money, labor or property received by the corporation. Corporate stock or debt may not be increased without prior notice to and consent of current stockholders.

Constitutional Amendment M removes these restrictions, and allows the Legislature to: (1) authorize alternative methods of voting in elections for corporate directors; (2) expand the types of contributions a corporation may receive for the issuance of stock or bonds; and (3) establish procedures governing the increase of corporate stock or debt.

A vote "Yes" will remove the constitutional restrictions.

A vote "No" will leave the Constitution as it is.

Full Text of Constitutional Amendment M:

That Article XVII, section 1 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 1. No corporation shall be created or have its charter extended, changed or amended by special laws, except those for charitable, educational, penal or reformatory purposes, which are to be and remain under the patronage and control of the state; but the Legislature shall provide, by general laws, for the organization of all corporations hereafter to be created. The Legislature shall have the authority to enact laws governing the operation and dissolution of corporations.

That Article XVII, section 5 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 5. In all elections for directors or managers of a corporation, each member or shareholder may cast ~~the whole number of his votes for one candidate, or distribute them upon two or more candidates, as he may prefer~~ votes in the manner consistent with laws enacted by the Legislature.

That Article XVII, section 8 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 8. No corporation shall issue stocks or bonds except for money, labor done, ~~or money or property actually received, or for the reasonable value of other contribution to the corporation;~~ or for the reasonable value of other contribution to the corporation; and all fictitious increase of stock or indebtedness shall be void. The stock

and indebtedness of corporations shall not be increased except in ~~pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock first obtained, at a meeting to be held after sixty days notice given in pursuance of law~~ the manner consistent with laws enacted by the Legislature.

Constitutional Amendment N

Title: An Amendment to the South Dakota Constitution repealing certain reimbursement restrictions for travel by legislators to and from a legislative session.

Attorney General Explanation:

The Constitution fixes the mileage reimbursement rate for legislators at five cents per mile for their travel to and from a legislative session.

Constitutional Amendment N repeals this constitutional limitation and allows legislator travel reimbursement to be set by the Legislature.

A vote “Yes” will eliminate the fixed travel reimbursement rate.

A vote “No” will leave the Constitution as it is.

Full Text of Constitutional Amendment N:

That Article III, section 6 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 6. The terms of office of the members of the Legislature shall be two years; ~~they~~ legislators shall receive for their services the salary fixed by law under the provisions of § 2 of article XXI of this Constitution, ~~and five cents for every mile of necessary travel in going to and returning from the place of meeting of the Legislature on the most usual route.~~

No person may serve more than four consecutive terms or a total of eight consecutive years in the senate and more than four consecutive terms or a total of eight consecutive years in the house of representatives. However, this restriction does not apply to partial terms to which a legislator may be appointed.

A regular session of the Legislature shall be held each year and shall not exceed forty legislative days, excluding Sundays, holidays and legislative recess, except in cases of impeachment, and members of the Legislature shall receive no other pay or perquisites except salary and mileage.

Constitutional Amendment O

Title: An Amendment to the South Dakota Constitution changing the method for distributions from the cement plant trust fund.

Attorney General Explanation:

In 2001, the \$238 million in proceeds from the sale of the state cement plant were placed in a constitutionally created trust fund. Currently, the Constitution requires a yearly transfer of \$12 million from the cement plant trust fund to the state general fund. In addition, under certain circumstances the Legislature must authorize distributions of cement plant trust fund earnings for the support of education.

Amendment O replaces the existing method for cement trust fund distributions. The amendment would require a yearly transfer of 4% of the market value of the cement plant trust fund to the state general fund for the support of education.

A vote "Yes" is for changing the method for distributions from the cement plant trust fund.

A vote "No" will leave the Constitution as it is.

Full Text of Constitutional Amendment O:

That Article XIII, section 20 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 20. The net proceeds derived from the sale of state cement enterprises shall be deposited by the South Dakota Cement Commission in a trust fund hereby created to benefit the citizens of South Dakota. The South Dakota Investment Council or its successor shall invest the trust fund in stocks, bonds, mutual funds, and other financial instruments as provided by law. ~~Each fiscal year beginning in fiscal year 2001, a transfer of twelve million dollars shall be made from the trust fund to the state general fund as provided by law.~~

That Article XIII, section 21 of the Constitution of the State of South Dakota, be amended to read as follows:

§ 21. ~~Except as provided in Article XIII, section 20 of the Constitution of the State of South Dakota, the original principal of the trust fund shall forever remain inviolate. However, the The Legislature shall, by appropriation, make distributions from the difference between the twelve million dollar annual general fund transfer and five percent of the market value of the trust fund for the support of education, but not for the replacement of state aid to general education or special education, if the increase in the market value of the trust fund in that fiscal year was sufficient to maintain the original principal of the trust fund after such distributions. Beginning with fiscal year 2006, the market value of the trust fund shall be determined by adding the market value of the trust fund at the end of the sixteen most recent calendar quarters, and dividing that sum by sixteen transfer from the trust fund to the state general fund four percent of the lesser of the average market value of the trust fund determined by adding the market value of the trust fund at the end of the sixteen most recent calendar quarters as of December thirty-first of that year and dividing that sum by sixteen, or the market value of the trust fund at the end of that calendar year for the support of education in South Dakota. The transfer shall be made prior to June thirtieth of the subsequent calendar year.~~

Constitutional Amendment P

Title: An Amendment to the South Dakota Constitution adding balanced budget requirements.

Attorney General Explanation:

While the constitution currently restricts the State from incurring debt, it does not expressly require the State to have a balanced budget. Amendment P requires the Governor to propose a balanced budget. In addition, Amendment P prohibits legislative

appropriations from exceeding anticipated revenues and existing available funds. The amendment is not intended to affect other constitutional provisions

A vote "Yes" will include balanced budget requirements in the Constitution.

A vote "No" will leave the Constitution as it is.

Full Text of Constitutional Amendment P:

That Article XII of the Constitution of the State of South Dakota, be amended by adding a NEW SECTION to read as follows:

§ 7. The Governor shall propose a budget in which expenditures or appropriations may not exceed anticipated revenue and existing funds available for expenditure or appropriation. Appropriations by the Legislature may not exceed anticipated revenue and existing funds available for expenditure or appropriation. Nothing in this section is intended to limit, restrict, expand, modify, or otherwise affect any other provision of this Constitution, including Article XIII.

2012 Initiated Measure

The following initiated measure was proposed by petition for submission to the voters. This initiated measure will not become effective unless approved by majority vote.

Initiated Measure 15

Title: An initiated measure to increase state general sales and use taxes for additional K-12 public education and Medicaid funding

Attorney General Explanation:

The initiated measure increases the state general sales and use tax rate from 4% to 5%. The additional tax revenue will be split evenly between K-12 public education and Medicaid. The education funds will be provided to school districts based on enrollment, to be spent on improving education as school boards determine. The Medicaid funds will be spent only on payments to Medicaid providers and related state expenses.

The additional funds cannot replace or reduce state funding levels set for fiscal year 2012 relating to existing Medicaid and K-12 public education programs, including state aid to education. Currently, state aid is to be adjusted annually by 3% or the rate of inflation, whichever is less. Under the measure, this annual adjustment cannot exceed the growth rate in state general fund revenues. Any resulting shortfall in state aid will be made up in subsequent years.

A vote "Yes" is for the proposed law.

A vote "No" is against the proposed law.

Full Text of Initiated Measure 15:

1. Commencing January 1, 2013, twenty percent of the monies collected pursuant to the South Dakota sales and use taxes imposed by SDCL chapters 10-45 and 10-46 shall be placed in a special fund known as the Moving South Dakota Forward fund. The monies in the Moving South Dakota Forward fund shall be allocated into the following

two subfunds within the Moving South Dakota Forward fund (1) fifty percent shall be allocated to the Moving K-12 Education Forward subfund; and (2) fifty percent shall be allocated to the Moving Healthcare Forward subfund.

2. Monies allocated in Section 1 of this initiated measure shall be disbursed as follows:

(1) Monies in the Moving K-12 Education Forward sub-fund are continuously appropriated to the public school districts of South Dakota, to be distributed pro rata based upon each school district's relative share of fall enrollment as defined in SDCL chapter 13-13, compared to the fall enrollment of all school districts. Funds deposited in the Moving K-12 Education Forward subfund in the preceding calendar quarter shall be distributed, provided above, to the public school districts of South Dakota by the first business day of February, May, August, and November of each year, commencing May 1, 2013. Funds received by a school district from the Moving K-12 Education Forward subfund shall be used at the sole discretion of the public school district's governing board for the purpose of improving public education;

(2) Eighty percent of the monies in the Moving Healthcare Forward subfund shall be spent only for the purpose of funding payments to providers to the South Dakota Medicaid program, which are incurred due to increases in expenses related to the reimbursement rates paid to service providers per unit of service in excess of such reimbursement rates in effect as of July 1, 2011; and

(3) Twenty percent of the monies in the Moving Health Care Forward subfund shall be spent only for the purpose of funding expenses related to payments to providers to the South Dakota Medicaid Program, which are incurred due to increases in the case load volume experienced by the South Dakota Medicaid program from the case levels as of July 1, 2011.

3. No monies deposited in the Moving K-12 Education Forward subfund may be spent in any way, either directly or indirectly, to reduce, supplant, or replace appropriations for any state K-12 education program in existence for state fiscal year 2012, including specifically the state aid to education and special education programs established in SDCL chapters 13-13 and 13-37. The per student allocation in SDCL chapter 13-13 and the per student allocation for each specified disability in SDCL chapter 13-37 shall be adjusted by the annual application of their respective index factors, as set forth in SDCL subdivisions 13-13-10.1(3) and 13-37-35.1(6), as in effect on July 1, 2011. However, the index factor adjustment shall, in no case, exceed the actual percentage growth in state general fund revenues for the most recently completed fiscal year. If the percentage growth in state general fund revenues is less than the index factor in any year, the difference shall be made up in the immediately following years to the extent the percentage growth in state general fund revenues exceeds the index factors.

4. No monies deposited in the Moving Health Care Forward subfund may be spent in any way, either directly or indirectly, to reduce, supplant, or replace state appropriations for any state Medicaid program in existence for state fiscal year 2012.

5. Effective January 1, 2013, any sales or use tax imposed at a rate of four percent by the provisions of SDCL chapters 10-45 or 10-46 are hereby increased by one percent each to a total rate of five percent each.

2012 Referred Laws

The following laws were adopted by the Legislature and referred to the voters by petition. These laws will not become effective unless approved by majority vote.

Referred Law 14

Title: An Act to establish the Large Project Development Fund.

Attorney General Explanation:

The referred law establishes the “Large Project Development Fund.” Beginning January 1, 2013, 22% of contractors’ excise tax revenues would be transferred from the state general fund to the Large Project Development Fund.

The South Dakota Board of Economic Development would use Large Project Development Fund monies to provide grants for the construction of large economic development projects within the state. To be eligible, a project must have a cost exceeding \$5 million. Examples of eligible projects include laboratories and facilities for testing, manufacturing, power generation, power transmission, agricultural processing, and wind energy. Examples of ineligible projects include retail establishments; residential housing; and facilities for lodging, health care services and the raising or feeding of livestock.

A vote “Yes” is for the establishment of the Large Project Development Fund.

A vote “No” is against the referred law.

Full Text of Referred Law 14:

Section 1. That § 1-16G-1.2 be amended to read as follows:

1-16G-1.2. The Board of Economic Development may take title by foreclosure to any property given as security if the acquisition is necessary to protect any economic development grant or loan or any large project development grant made under pursuant to the provisions of this chapter, and may sell, transfer, or convey any such property to any responsible buyer. Any sale of property ~~hereunder pursuant to the provisions of this chapter~~ shall be performed in a commercially reasonable manner. If the sale, transfer, or conveyance cannot be effected with reasonable promptness, the board may, in order to prevent financial loss and sustain employment, lease the property to a responsible tenant or tenants.

All sale proceeds or lease payments received by the board pursuant to this section shall be deposited in the fund from which the original grant or loan was made.

Section 2. That § 1-16G-8 be amended to read as follows:

1-16G-8. The Board of Economic Development shall promulgate rules pursuant to chapter 1-26 concerning the following:

- (1) The existing barriers to economic growth and development in the state;
- (2) Developing investment in research and development in high technology industries;
- (3) The submission of business plans prior to the approval of economic development grants or loans or large project development grants. Business plans shall include the products or services to be offered by the applicant, job descriptions with

attendant salary or wage information by job category, educational requirements by job category, methods of accounting, financing other than that provided by the economic development grant or loan or a large project development grant, and marketing, sales, merchandising, and other disciplines proposed to be used for business growth and expansion;

(4) The cooperation between agencies of state government and applicant businesses for nonfinancial services including loan packaging, marketing assistance, research assistance, and assistance with finding solutions for complying with environmental, energy, health, safety, and other federal, state, and local laws and regulations;

(5) Regular performance monitoring and reporting systems for participating businesses to assure compliance with their business plans ~~and~~ terms of repayment of an economic development loan and compliance with terms of an economic development grant or a large project development grant;

(6) Establish eligibility criteria for grants and loans;

(7) Establish application procedures for grants and loans, including a requirement that grant and loan applications be signed under penalty of perjury;

(8) Establish criteria to determine which applicants will receive grants or loans;

(9) Govern the use of proceeds of grants and loans;

(10) Establish criteria for the terms and conditions upon which loans shall be made, including matching requirements, interest rates, repayment terms, and the terms of security given to secure such loans; ~~and~~

(11) Establish criteria for the terms and conditions upon which grants shall be made, including permitted uses, performance criteria, and matching requirements; and

(12) Establish criteria for the terms and conditions upon which grants shall be repaid for noncompliance with the terms and conditions upon which the grant was made.

Section 3. That § 1-16G-16.1 be amended to read as follows:

1-16G-16.1. The Board of Economic Development may use the revolving economic development and initiative fund for the purpose of paying taxes and liens and for the procuring of legal services and other services necessary to protect, recover, maintain, and liquidate the assets of the revolving economic development and initiative fund and the large project development fund. Such costs may be incurred and paid up to ten percent of the loan or grant balance with a majority vote of the board of economic development. Costs in excess of ten percent shall be approved by a two-thirds vote of the board. Such services are not subject to state bid laws so long as such services are procured in a commercially acceptable manner.

Section 4. That chapter 1-16G be amended by adding thereto a NEW SECTION to read as follows:

Terms used in this Act Mean:

(1) "Large project," a project with a total project cost exceeding five million dollars; and

(2) "Project cost," the amount paid in money, credits, property, or other money's worth for a project.

Section 5. That chapter 1-16G be amended by adding thereto a NEW SECTION to read as follows:

For the purposes of this Act, the term, project, means a new building or structure or the expansion of an existing building or structure, the construction of which is subject to the contractor's excise tax imposed by chapters 10-46A or 10-46B. A project includes laboratory and testing facilities, manufacturing facilities, power generation facilities, power transmission facilities, agricultural processing facilities, and wind energy facilities. A project does not include any building or structure:

- (1) Used predominantly for the sale of products at retail, other than the sale of electricity at retail, to individual consumers;
- (2) Used predominantly for residential housing or transient lodging;
- (3) Used predominantly to provide health care services;
- (4) Constructed for raising or feeding of livestock; or
- (5) That is not subject to ad valorem real property taxation or equivalent taxes measured by gross receipts.

Section 6. That chapter 1-16G be amended by adding thereto a NEW SECTION to read as follows:

There is established in the state treasury a fund to be known as the large project development fund for the purpose of making grants for large project development.

Section 7. That chapter 1-16G be amended by adding thereto a NEW SECTION to read as follows:

The Board of Economic Development may make grants from the large project development fund for the purpose of promoting large project development in South Dakota.

Section 8. That chapter 1-16G be amended by adding thereto a NEW SECTION to read as follows:

All money in the fund is hereby appropriated for the purpose of making grants as provided in this Act. Any repayment of grants from the large project development fund and any interest thereon shall be receipted into the large project development fund.

Section 9. That chapter 1-16G be amended by adding thereto a NEW SECTION to read as follows:

The Board of Economic Development may accept and expend for the purposes of sections 6 and 7 of this Act, inclusive, any funds obtained from federal sources, gifts, contributions, or any source if such acceptance and expenditure is approved in accordance with § 4-8B-10.

Section 10. That chapter 1-16G be amended by adding thereto a NEW SECTION to read as follows:

There is hereby continuously appropriated to the large project development fund the amount of twenty-two percent of all deposits into the general fund of the contractors' excise tax imposed by chapter 10-46A and the alternate contractors' excise tax imposed by chapter 10-46B. Transfers from the general fund to the large project development fund pursuant to this provision shall be made on a monthly basis by the Bureau of Finance and Management.

Section 11. The provisions of section 10 of this Act are effective on January 1, 2013.

Referred Law 16

Title: An education reform act to establish a teacher scholarship program; create a program for math and science teacher bonuses; create a program for teacher merit bonuses; mandate a uniform teacher and principal evaluation system; and eliminate state requirements for teacher tenure.

Attorney General Explanation:

Referred Law 16 is an education reform act with five key components. First, it establishes a scholarship program for eligible college students who commit to teach in South Dakota in critical need subject areas.

Second, the referred law creates a program to provide state-funded annual bonuses for eligible math and science teachers.

Third, the referred law develops a separate "Top Teachers" bonus program. This program provides annual state-funded merit bonuses for up to 20% of each school district's full-time certified teachers, as awarded by the local school boards. Alternatively, a school board may enact its own program for teacher bonuses, using these state-provided funds. A school board may opt out of these merit bonus programs altogether, resulting in re-allocation of its merit bonus funds to other participating school districts.

Fourth, the referred law mandates a uniform statewide system for evaluating teachers and principals, including a rating system.

Fifth, the referred law eliminates state requirements for continuing contracts ("tenure") for teachers who do not achieve tenure by July 1, 2016. School boards may, in their discretion, choose to offer continuing contracts to non-tenured teachers.

A vote "Yes" is to enact the education reform act.

A vote "No" is against the referred law.

Full Text of Referred Law 16:

Section 1. That chapter 13-55 be amended by adding thereto a NEW SECTION to read as follows:

Beginning in the 2013-2014 academic year, there is hereby established the South Dakota critical teaching needs scholarship program. The purpose of the program is to encourage South Dakota's high school graduates to obtain their postsecondary education in South Dakota for teaching, to remain in the state upon completion of their education, and to contribute to the state and its citizens by working in a critical need teaching area.

Section 2. That chapter 13-55 be amended by adding thereto a NEW SECTION to read as follows:

The South Dakota critical teaching needs scholarship program shall be administered by the Critical Teaching Needs Scholarship Board which is hereby established. The board shall consist of five members appointed by the Governor for a term of five years, except that the initial appointments shall be for periods of one, two, three, four, and five years. A majority of the board shall be present either personally or by teleconference to constitute a quorum.

The Department of Education shall provide necessary support services to the board.

Section 3. That chapter 13-55 be amended by adding thereto a NEW SECTION to read as follows:

From the total pool of applicants, the Critical Teaching Needs Scholarship Board shall award no more than one hundred critical teaching needs scholarships for each academic year. The board shall award scholarships based on the requirements of sections 5 and 6 of this Act, the filling of critical teaching needs areas, and other academic and personal characteristics of each applicant as determined by the board. Notwithstanding the provisions of this section, if the board rescinds a scholarship that has been awarded, the board may award the amount of the rescinded scholarship to an alternate.

Section 4. That chapter 13-55 be amended by adding thereto a NEW SECTION to read as follows:

All accredited South Dakota public and nonpublic postsecondary institutions which offer a baccalaureate degree in elementary or secondary education are eligible to participate in the scholarship program. Each institution may choose whether to participate in the program and may limit the number of scholarship recipients the institution will accept in each academic year.

Section 5. That chapter 13-55 be amended by adding thereto a NEW SECTION to read as follows:

In order to be eligible for a critical teaching needs scholarship, a student shall:

- (1) Agree, in writing, to stay in South Dakota and work in a critical teaching needs area for five years after graduation from a participating postsecondary institution;
- (2) Agree, through a promissory note, that failure to abide by the provisions of subdivision (1) will result in the scholarship being converted into an interest bearing loan;
- (3) Attend a participating South Dakota postsecondary institution as an undergraduate junior or senior and be accepted in an elementary or secondary education program at the institution that will prepare the student to work in a critical need teaching area; and
- (4) Be a United States citizen or lawful permanent resident.

For purposes of subdivision (3), a junior is a student who has earned sixty credit hours prior to the beginning of the third year of instruction, and a senior is a student who has earned ninety credit hours prior to the fourth year of instruction.

A student is eligible to participate in the South Dakota critical teaching needs scholarship program for the equivalent of two academic years (four consecutive spring and fall terms) or until the attainment of a baccalaureate degree in elementary or secondary education in a critical teaching needs area, whichever comes first. However, the Critical Teaching Needs Scholarship Board may grant exceptions to the continuous enrollment requirements for good cause.

Scholarships are not provided for summer session students enrolled in traditional four year programs.

Section 6. That chapter 13-55 be amended by adding thereto a NEW SECTION to read as follows:

In addition to the eligibility criteria identified in section 5 of this Act, the Critical Teaching Needs Scholarship Board may require applicants to submit a written essay or other information by which to judge the academic and personal qualifications of the applicant.

Section 7. That chapter 13-55 be amended by adding thereto a NEW SECTION to read as follows:

The amount of the annual scholarship shall equal the tuition and generally applicable fees for thirty credit hours at a South Dakota public postsecondary institution as of July 1, 2013. The scholarship amount paid to a recipient attending a participating nonpublic postsecondary institution shall equal the amount paid to a recipient attending a public postsecondary institution.

One-half of the annual scholarship shall be paid to public postsecondary institutions on behalf of eligible students there enrolled or directly to eligible students enrolled at nonpublic postsecondary institutions at the beginning of the fall semester, and the other half shall be paid at the beginning of the spring semester.

If, in any year, the total funds available to fund the critical teaching needs scholarships are insufficient to permit each eligible recipient to receive the full amount provided in this section, the available moneys shall be prorated and distributed to each recipient in proportion to the entitlement contemplated by this section. The total amount of the scholarship may not exceed the amount stipulated in this section.

Section 8. That chapter 13-55 be amended by adding thereto a NEW SECTION to read as follows:

In order to maintain eligibility for the critical teaching needs scholarship program, a student shall:

- (1) Maintain a cumulative 2.8 grade point average on a 4.0 scale. The student shall complete consecutive spring and fall terms in order to remain eligible for continuation of the scholarship program from term to term;
- (2) Make satisfactory academic progress towards a degree by earning thirty credit hours per year;
- (3) Attend and graduate from a participating South Dakota postsecondary institution with an elementary or secondary education degree which qualifies the student to teach in a critical teaching needs area in South Dakota; and
- (4) Upon graduation, stay in South Dakota and teach in a critical teaching needs area for five years.

If factors beyond the control of a student who has been awarded a critical teaching needs scholarship prevent the student from meeting any of the requirements in subdivisions (1) to (3), the Critical Teaching Needs Scholarship Board may temporarily waive the requirements of those subdivisions. The board may rescind a scholarship award if the student does not maintain eligibility as prescribed in those subdivisions.

Failure to fulfill the requirements of subdivision (4) shall result in the critical teaching needs scholarship being converted into an interest bearing loan. The board shall set the rate of interest, as allowed by law. The five years of employment referenced in subdivision (4) shall be fulfilled consecutively unless the board waives this requirement for good cause, and the five years of employment may be fulfilled at more than one school district in South Dakota.

Section 9. That chapter 13-55 be amended by adding thereto a NEW SECTION to read as follows:

The Department of Education may receive gifts, donations, grants, or endowments for the purposes of sections 1 to 8, inclusive, of this Act.

Section 10. The Board of Education may promulgate rules pursuant to chapter 1-26 to define areas of critical teaching need for the purposes of sections 1 to 8, inclusive, of this Act, to establish application requirements for the critical teaching needs scholarship, and

to further accomplish the purposes of sections 1 to 8, inclusive, of this Act.

Section 11. Beginning in the 2014-2015 school year, there is hereby created the math and science teacher incentive program within the Department of Education to provide funds to public school districts for the purpose of providing rewards to attract certified teachers who teach in math and science subject areas in middle school and high school or who are certified with a math or science specialist endorsement which they are utilizing for any grade, kindergarten through twelve. By January 31, 2014, the South Dakota Board of Education shall promulgate rules pursuant to chapter 1-26 establishing which courses qualify as math and science courses for purposes of the program. For purposes of this Act, math and science courses are those courses established by the Board of Education pursuant to this section. For purposes of this Act, middle school is a school consisting of any combination of two or more consecutive grades, five to eight, inclusive, and high school is a school consisting of any combination of three or more consecutive grades, including ninth grade to twelfth grade, inclusive.

Section 12. Participation in the math and science teacher incentive program is voluntary for teachers, and incentive rewards are to supplement but not replace what a teacher receives under a contract between the teacher and the school district or a collective bargaining agreement between a district and the district's teachers. No collective bargaining agreement between a district and the district's teachers may limit the ability of a teacher to qualify for or receive an incentive reward. Nothing in sections 11 to 16, inclusive, of this Act is intended to create a contractual right or property right in the math and science teacher incentive program.

Section 13. The Department of Education shall provide application forms for teachers wishing to participate in the math and science teacher incentive program. A teacher wishing to participate in the program shall complete and sign the form and provide the form to the business office of the school district by the close of business on October first to be eligible for the program for that school year. A teacher wishing to participate shall submit a new application for each school year. Completed applications are a public record pursuant to chapter 1-27, but personal information in the applications may be redacted as allowed by that chapter.

Section 14. To be eligible for the math and science teacher incentive program, a teacher shall fulfill the following requirements:

- (1) Comply with section 13 of this Act;
- (2) Receive a distinguished rating or proficient rating, as referenced in section 38 of this Act, on the teacher's most recent evaluation;
- (3) Teach math or science courses in middle school or high school for at least fifty percent of a full-time equivalent position's assignments submitted in the annual teacher data collection pursuant to § 13-3-51, and any rules promulgated pursuant thereto, and be currently certified with a middle school or high school endorsement to teach each course, or utilize a math or science specialist endorsement for any grade, kindergarten through twelve; and
- (4) Be in full-time status for the entire school year.

Nothing in subdivision (3) shall entitle any teacher to receive more than the amount stipulated in section 16 of this Act.

Section 15. By September first of each year, the school board of each district shall submit to the Department of Education a copy of the application of each teacher eligible

for the math and science teacher incentive program for the previous school year pursuant to the requirements of this Act. The Department of Education may require additional information from the district as necessary to verify each teacher's eligibility for the reward. The department may refuse to issue a reward for any teacher for whom the information required by this section is not provided by the deadline.

Section 16. The amount of the reward under the math and science teacher incentive program is two thousand eight hundred fifty dollars per eligible teacher to be distributed as described in this section. No later than October first of each year, at the same time that foundation program state aid is distributed to school districts pursuant to §§ 13-13-10.1 to 13-13-41, inclusive, the secretary of the Department of Education shall distribute funds for the math and science teacher incentive program for teachers that qualify pursuant to this Act. These funds shall be distributed in lump sum payments.

Subject to the requirements of this Act, the department shall pay to the school district two thousand eight hundred fifty dollars per eligible teacher in that district. Within thirty days of receipt from the department, the school district shall distribute the funds as follows:

(1) Two thousand five hundred dollars shall be paid to each eligible teacher in the district; and

(2) Three hundred fifty dollars may be retained by the district to pay the district's share of applicable federal taxes, the district's share of contribution to the South Dakota Retirement System, and administrative costs.

Section 17. Beginning in the 2014-2015 school year, there is hereby created the top teachers reward program within the Department of Education to provide funds to public school districts for the purpose of providing top teacher rewards for certified teachers.

Section 18. Participation in the top teachers reward program is voluntary for teachers, and such rewards shall supplement but not replace what a teacher receives under a contract between the teacher and the school district or a collective bargaining agreement between a district and the district's teachers. No collective bargaining agreement between a district and the district's teachers may limit the ability of a teacher to qualify for or receive a top teacher reward. Nothing

in sections 17 to 25, inclusive, of this Act is intended to create a contractual right or property right in the top teachers reward program.

Section 19. In each school year, up to twenty percent of each school district's full-time equivalent certified teaching positions, as measured by the district's annual teacher data collection pursuant to § 13-3-51 and any rules promulgated pursuant to that section, shall be eligible to receive a top teacher reward, subject to the requirements of this Act. The Department of Education shall multiply the number of full-time equivalent certified teaching positions in the district by twenty percent. If this calculation results in a fraction, the maximum number of eligible positions may not exceed the next lowest whole number. If there are fewer than five full-time equivalent certified teaching positions in a school district, the maximum number of eligible positions shall be one.

Section 20. No later than May first of each year, at the same time that foundation program state aid is distributed to a school district pursuant to §§ 13-13-10.1 to 13-13-41, inclusive, the secretary of the Department of Education shall inform each school district of the number of eligible positions in that district for the current school year, based on the

calculation in section 19 of this Act, and distribute to each school district five thousand seven hundred dollars per eligible position. These funds shall be distributed in lump sum payments. The school district shall retain these funds until distribution pursuant to section 21 of this Act.

Section 21. No later than September first of each year, the school district shall distribute the funds received pursuant to section 20 of this Act as follows:

(1) Five thousand dollars shall be paid to each teacher selected for a top teacher reward pursuant to section 24 of this Act for the previous school year; and

(2) Seven hundred dollars may be retained by the district to pay the district's share of applicable federal taxes, the district's share of contribution to the South Dakota Retirement System, and administrative costs.

Any funds received pursuant to section 20 of this Act which are not distributed according to this section shall be returned to the Department of Education within thirty days.

Section 22. The Department of Education shall provide application forms for teachers wishing to participate in the top teachers reward program. A teacher wishing to participate in the program shall complete and sign the form and provide the form to the business office of the school district by the close of business on October first to be eligible for the program for that school year. A teacher wishing to participate shall submit a new application for each school year. Completed applications are a public record pursuant to chapter 1-27, but personal information in the applications may be redacted pursuant to that chapter.

Section 23. A participating teacher shall be full-time and receive a distinguished rating, as referenced in section 38 of this Act, on the teacher's most recent evaluation to be eligible for a top teacher reward. In addition, a distinguished teacher's selection for the reward may be based on consideration of the following factors as determined by the school board:

- (1) Mentoring of less experienced teachers;
- (2) Curriculum development;
- (3) Assessment development;
- (4) Data analysis;
- (5) Service to the local district, state, or national committees or task forces;
- (6) Leadership in a professional learning community;
- (7) National board certification;
- (8) Other leadership activities or recognitions; and
- (9) Other additional criteria as determined by the school board.

Section 24. No later than August first of each year, the school board of each school district shall determine which participating teachers, if any, are selected to receive top teacher rewards for the previous school year according to the criteria in section 23 of this Act. The number of teachers selected may not exceed the number of eligible positions referenced in sections 19 and 20 of this Act.

Section 25. Department of Education may require each school district to provide any information necessary to verify the district's compliance with sections 20 to 24, inclusive, of this Act. Upon a finding of noncompliance, the department may require the district to return any funds distributed contrary to the requirements of this Act.

Section 26. Notwithstanding any other provisions of this Act, public school districts may opt out of the top teacher reward program by providing written notice to the Department of Education. The notice shall be approved by a majority of the school board and signed by the school board president. The department shall provide forms for this purpose. Beginning in 2014, the notice shall be postmarked no earlier than January first, and no later than January thirty-first, of each year in order to be effective for the next school year. The district shall provide a separate form for each school year for which the district desires to opt out. If a school district fails to follow the requirements of this section, the attempt to opt out is void, and the district shall comply with the requirements of the top teacher reward program.

If a district opts out pursuant to this section, the teachers employed in the district are not eligible to participate in the top teacher reward program. The district shall provide written notice to each certified teacher of the teacher's ineligibility for the program before executing a teaching contract with the teacher for the school year for which the opt out is effective.

School districts may not opt out of the math and science teacher incentive program established pursuant to this Act.

Section 27. If a school district opts out pursuant to section 26 of this Act, all funds which the district would have been eligible to receive for the top teacher program pursuant to this Act shall be redistributed as follows:

(1) To obtain the redistribution amount, the Department of Education shall calculate the number of positions that would have been eligible for the top teacher reward program in each opt out district pursuant to section 19 of this Act, and multiply that calculation by five thousand seven hundred dollars;

(2) No later than May first of each year, at the same time that foundation program state aid is distributed to a school district pursuant to §§ 13-13-10.1 to 13-13-41, inclusive, the department shall allocate the redistribution amount, on a pro rata basis, to each public school district that did not opt out of the top teacher reward program or is participating in a local teacher reward program pursuant to sections 28 to 35, inclusive, of this Act. Each district's pro rata share of the redistribution amount shall be based on the number of full-time equivalent certified teacher positions in the district, as measured by the district's annual teacher data collection pursuant to § 13-3-51 and any rules promulgated pursuant to that section; and

(3) No later than September first of each year, the redistribution amount received by each district pursuant to subdivision (2) shall be distributed equally among all teachers receiving top teacher rewards in the district pursuant to sections 17 to 25, inclusive, of this Act, or among all teachers receiving local teacher rewards pursuant to sections 28 to 35, inclusive, of this Act, but each district may withhold an amount necessary to pay the district's share of applicable federal taxes, the district's share of contributions to the South Dakota Retirement System, and administrative costs. Any funds not distributed according to this subdivision shall be returned to the Department of Education within thirty days.

Section 28. Notwithstanding any other provision of this Act, a public school district may create a local teacher reward plan to act as a substitute for the top teacher reward program beginning in the 2014-2015 school year. If the local teacher reward plan is developed in compliance with sections 28 to 35, inclusive, of this Act, the district may

utilize the local teacher reward plan to provide the district with the flexibility to use the funds that would otherwise be provided to the district through the top teachers reward program.

Participation in the local teacher reward plan is voluntary. Rewards shall supplement but not replace what a teacher receives under a contract between the teacher and the school district or a collective bargaining agreement between a district and the district's teachers. No collective bargaining agreement between a district and the district's teachers may limit the ability of a teacher to qualify for or receive a local teacher reward. Nothing in sections 28 to 35, inclusive, of this Act, is intended to create a contractual right or property right in local teacher rewards.

Teachers in the district may not participate in the top teacher reward program for any school year for which the district has adopted a local teacher reward plan. The district shall provide written notice to each certified teacher of the teacher's ineligibility for the top teacher reward program and provide a copy of the district's local teacher reward plan to each certified teacher before executing a teaching contract with the teacher for the school year for which the local teacher reward plan is effective.

Section 29. The local teacher reward plan shall reward certified teachers in the district based upon one or more of the following criteria:

- (1) Demonstrating an impact on student achievement;
- (2) Demonstrating teacher leadership; or
- (3) Market based needs of the school district based upon critical teaching area

needs of the school district.

Section 30. There is hereby established the Local Teacher Reward Plan Advisory Council. The council shall provide input in developing one or more model local teacher reward plan applications based upon the criteria in section 29 of this Act. The work group shall be appointed by the secretary of education and consist of the following members:

- (1) A combination of six principals and superintendents: two from an elementary school, two from a middle school, and two from a high school;
- (2) Six teachers: two from an elementary school, two from a middle school, and two from a high school; and
- (3) Three school board members: one from a small school district, one from a medium-sized school district, and one from a large school district.

Section 31. The Board of Education shall promulgate rules, pursuant to chapter 1-26, establishing the application form for the local teacher reward plan, further guidelines for district applications based on the criteria in section 29 of this Act, a system to monitor whether each participating school district is complying with the local teacher reward plan, and penalties for noncompliance.

Section 32. There is hereby established the Local Teacher Reward Plan Oversight Board. The board shall consist of the following members:

- (1) One member of the Senate appointed by the president pro tempore of the Senate;
- (2) One member of the House of Representatives appointed by the speaker of the House of Representatives;
- (3) Two representatives of the business community appointed by the Governor;
- (4) One representative of an educational association appointed by the Governor;
- (5) One current or former teacher appointed by the Governor; and

(6) The secretary of the Department of Education.

Section 33. A school district shall submit the local teacher reward plan application to the Department of Education no later than January thirty-first of each year, beginning in 2014, to be eligible to apply the local teacher reward plan to the upcoming school year.

By March fifteenth of each year, the Local Teacher Reward Plan Oversight Board shall review all applications to determine compliance with this Act, and any rules promulgated thereto. The board may request additional information from the district as part of the review of the application. By April first of each year, the board shall inform each district whether the district's local teacher reward plan has been approved for the upcoming school year. If the application is denied, the district may adopt a model plan established pursuant to section 30 of this Act or opt out pursuant to sections 26 and 27 of this Act.

Section 34. If a district's local teacher reward plan is approved, the Department of Education shall calculate the number of positions in the district that would have been eligible for the top teacher reward program pursuant to section 19 of this Act and multiply that calculation by five thousand seven hundred dollars. No later than May first of each year, at the same time that foundation program state aid is distributed to the district pursuant to §§ 13-13-10.1 to 13-13-41, inclusive, the secretary of the Department of Education shall distribute this amount to the district in a lump sum payment.

Section 35. No later than September first of each year, the district shall distribute the funds received pursuant to section 34 of this Act to each certified teacher selected for a reward under the local teacher reward program for the previous school year, but the district may withhold an amount necessary to pay the district's share of applicable federal taxes, the district's share of contributions to the South Dakota Retirement System, and administrative costs. Any funds not distributed according to this section shall be returned to the Department of Education within thirty days.

Section 36. A teacher may apply for both the math and science teacher incentive program and the top teachers reward program established pursuant to this Act or both the math and science teacher incentive program and the local teacher reward plan established pursuant to this Act.

Section 37. That § 13-42-34 be amended to read as follows:

13-42-34. Any public school district seeking state accreditation shall evaluate the performance of each certified teacher in years one ~~through to three, inclusive~~, not less than annually, and each certified teacher in the fourth contract year or beyond, not less than every other year.

~~Each~~ For the 2012-2013 school year and the 2013-2014 school year, ~~each~~ school district ~~shall~~ may adopt procedures for evaluating the performance of certified teachers employed by the school district that:

- (1) Are based on the minimum professional performance standards established by the Board of Education pursuant to § 13-42-33;
- (2) Require multiple measures;
- (3) Serve as the basis for programs to increase professional growth and development of certified teachers; and
- (4) Include a plan of assistance for any certified teacher, who is in the fourth or subsequent year of teaching, and whose performance does not meet the school district's performance standards.

Section 38. That § 13-42-34 be amended to read as follows:

13-42-34. Any public school district seeking state accreditation shall evaluate the performance of each certified teacher in years one through three not less than annually, and each certified teacher in the fourth contract year or beyond, not less than every other year. Beginning in the 2014-2015 school year, each certified teacher shall be evaluated on an annual basis.

Each school district shall adopt the model evaluation instrument required by section 40 of this Act and procedures for evaluating the performance of certified teachers employed by the school district that:

(1) Are based on the minimum professional performance standards established by the Board of Education pursuant to § 13-42-33;

(2) Require multiple measures of performance as follows:

(a) Fifty percent of the evaluation of a teacher shall be based on quantitative measures of student growth, based on a single year or multiple years of data. This quantitative data shall be based on reports of student performance on state validated assessments established pursuant to § 13-3-55. For those teachers in grades and subjects for which there is no state-validated assessment for the quantitative portion of the evaluation, teachers shall demonstrate success in improving student achievement using objective measures, which can include portfolio assessments, end-of-course exams, or other district approved assessments which demonstrate student growth; and

(b) Fifty percent of the evaluation of a teacher shall be based on qualitative, observable, evidence-based characteristics of good teaching and classroom practices as further defined in the model evaluation instrument referenced in section 40 of this Act. Districts may collect additional evidence using any of the following if not required by the model evaluation instrument:

(i) Classroom drop-ins;

(ii) Parent surveys;

(iii) Student surveys;

(iv) Portfolios; or

(v) Peer review;

(3) Serve as the basis for programs to increase professional growth and development of certified teachers; and

(4) Include a plan of assistance for any certified teacher, who is in the fourth or subsequent year of teaching, and whose performance does not meet the school district's performance standards; and

(5) Are based on the following four-tier rating system:

(a) Distinguished;

(b) Proficient;

(c) Basic; and

(d) Unsatisfactory.

Section 39. The provisions of section 38 of this Act are effective July 1, 2014.

Section 40. That § 13-42-35 be amended to read as follows:

13-42-35. A work group appointed by the secretary of education shall provide input in developing the standards for defining the four-tier rating system required by section 38 of this Act and shall develop in developing a model evaluation instrument that may shall be used by school districts for the 2014-2015 school year and subsequent school years. The work group shall consist of the following members:

(1) Six teachers: two from an elementary school, two from a middle school, and two from a high school;

(2) Three principals: one from an elementary school, one from a middle school, and one from a high school;

(3) Two superintendents;

(4) Two school board members;

(5) Four parents who have students in various levels of the K-12 system;

(6) One representative of the South Dakota Education Association;

(7) One representative of the School Administrators of South Dakota; and

(8) One representative of the Associated School Boards of South Dakota.

Section 41. That chapter 13-42 be amended by adding thereto a NEW SECTION to read as follows:

Pursuant to chapter 1-26, the South Dakota Board of Education shall promulgate rules establishing standards for defining the four-tier rating system required by section 38 of this Act and adopting the model evaluation instrument referenced in section 40 of this Act.

Section 42. That chapter 3-18 be amended by adding thereto a NEW SECTION to read as follows:

Beginning with the 2014-2015 school year, the procedures for evaluation and the model evaluation instrument referenced in sections 38 to 41, inclusive, of this Act may not be the subject of any collective bargaining agreement between a district and the district's teachers.

Section 43. The Board of Education shall promulgate rules pursuant to chapter 1-26 to establish minimum professional performance standards for certified principals in South Dakota public schools, and to establish best practices for the evaluation of the performance of certified principals that shall be used by individual school districts. The South Dakota Board of Education shall promulgate rules pursuant to chapter 1-26 establishing standards for defining the four-tier rating system required by section 44 of this Act and adopting the model evaluation instrument referenced in section 45 of this Act.

Section 44. Beginning in the 2014-2015 school year, any public school district seeking state accreditation shall evaluate the performance of each certified principal not less than every other year.

Each school district shall adopt the model evaluation instrument required by section 45 of this Act and procedures for evaluating the performance of certified principals employed by the school district that:

(1) Are based on the minimum professional performance standards established by the Board of Education pursuant to section 43 of this Act;

(2) Require multiple measures of performance;

(3) Serve as the basis for programs to increase professional growth and development of certified principals;

(4) Include a plan of assistance for any certified principal whose performance does not meet the school district's performance standards; and

(5) Are based on the following four-tier rating system:

(a) Distinguished;

(b) Proficient;

- (c) Basic; and
- (d) Unsatisfactory.

Section 45. A work group appointed by the secretary of education shall provide input in developing the standards referenced in section 43 of this Act, the four-tier rating system required by section 44 of this Act, and in developing a model instrument for principal evaluation that shall be used by school districts for the 2014-2015 school year and each school year thereafter. The work group shall consist of the following members:

- (1) Six principals: two from an elementary school, two from a middle school, and two from a high school;
- (2) Three teachers: one from an elementary school, one from a middle school, and one from a high school;
- (3) Two superintendents;
- (4) Two school board members;
- (5) Four parents who have students in various levels of the K-12 system;
- (6) One representative of the South Dakota Education Association;
- (7) One representative of the School Administrators of South Dakota; and
- (8) One representative of the Associated School Boards of South Dakota.

Section 46. All persons conducting teacher or principal evaluations required by sections 38 to 45, inclusive, of this Act shall participate in training conducted by the Department of Education before conducting the evaluations.

Section 47. That chapter 13-43 be amended by adding thereto a NEW SECTION to read as follows:

For purposes of this chapter, the term, tenured teacher, means a teacher who is in or beyond the fourth consecutive term of employment as a teacher with the school district prior to July 1, 2016. If, prior to July 1, 2016, the school district and the teacher have entered into a contract pursuant to §§ 13-43-4 and 13-43-5 for the teacher's fourth consecutive term of employment with the district or a subsequent consecutive term of employment with the district, then that teacher is a tenured teacher for purposes of this chapter. The term, nontenured teacher, means a teacher who is not yet in or beyond the fourth consecutive term of employment as a teacher with the school district prior to July 1, 2016. Any teacher who is not in or beyond the fourth consecutive term of employment with the school district prior to July 1, 2016, need not acquire continuing contract status under this chapter. Nothing in this section or section 53 of this Act prohibits a school district from choosing to provide continuing contract to a nontenured teacher beyond what is provided for in this chapter.

Section 48. That § 13-43-6 be amended to read as follows:

13-43-6. The contract shall specify the date at or about which the school shall begin, the term of employment, the wages per month, and the time of payment ~~thereof; such of~~ wages. The contract shall be signed in duplicate and one copy filed in the office of the business manager and the other retained by the teacher. ~~Such~~ The contract may be issued covering any period of ~~years, not to exceed three~~ employment up to one year, over which a teacher holds a certificate which ~~will~~ shall remain valid without renewal.

Section 49. That § 13-43-6.1 be amended to read as follows:

13-43-6.1. A tenured or nontenured teacher may be terminated, by the school board, at any time for just cause, including breach of contract, poor performance, incompetency, gross immorality, unprofessional conduct, insubordination, neglect of duty, or the

violation of any policy or regulation of the school district. ~~A school district may nonrenew a teacher who is in or beyond the fourth consecutive term of employment as a teacher with the school district pursuant to § 13-43-6.3 for just cause, including breach of contract, poor performance, incompetency, gross immorality, unprofessional conduct, insubordination, neglect of duty, or the violation of any policy or regulation of the school district.~~

Section 50. That § 13-43-6.2 be amended to read as follows:

13-43-6.2. If nonrenewal of a tenured teacher is contemplated under ~~§ 13-43-6.1~~ § 13-43-6.3, the superintendent or chief executive officer shall give written notice of an intention to recommend nonrenewal to the teacher and the school board; a written statement of the reasons for the recommendation; access to the employment records of the teacher; the opportunity to the teacher for a hearing before the school board to present reasons in person or in writing why the nonrenewal should not occur; and the opportunity to be represented. The teacher shall request the hearing as provided in § 13-43-6.9. The school board shall conduct the hearing not sooner than fourteen days, nor later than forty-five days, after receipt of the teacher's request for hearing. The parties may waive the time limitations provided for in this section.

Section 51. That § 13-43-6.3 be amended to read as follows:

13-43-6.3. ~~Until a teacher is in or beyond the fourth consecutive term of employment as a teacher with the school district, a~~ A school board may or may not renew the teacher's contract of a nontenured teacher. The superintendent or chief executive officer shall give written notice of nonrenewal by April fifteenth but is not required to give further process or a reason for nonrenewal.

~~After a teacher is in or beyond the fourth consecutive term of employment as a teacher with the school district, §§ 13-43-6.1 and 13-43-6.2 apply to any nonrenewal of the teacher's contract. A school board may refuse to renew the teacher's contract of a tenured teacher for just cause, including breach of contract, poor performance, a rating of unsatisfactory on two consecutive evaluations pursuant to section 38 of this Act, incompetency, gross immorality, unprofessional conduct, insubordination, neglect of duty, or the violation of any policy or regulation of the school district. On or before April fifteenth, the superintendent or chief executive officer shall notify the tenured teacher and the school board in writing of the recommendation to not renew the teacher's contract.~~

Acceptance by ~~the a tenured or nontenured~~ teacher of an offer from the district to enter into a new contract with the teacher shall be in the manner specified in the offer. Failure of the teacher to accept the offer in the manner specified constitutes the termination of the existing contract between the teacher and the district at the end of its term.

Section 52. That § 13-43-6.4 be amended to read as follows:

13-43-6.4. Notwithstanding ~~§§ 13-43-6.1 to §§ 13-43-6.2 and 13-43-6.3, inclusive,~~ if a teacher's contract is not renewed due to a reduction in staff, only written notice is required, which shall be provided by the school board to the teacher by April fifteenth.

Section 53. That § 13-43-6.6 be amended to read as follows:

13-43-6.6. Although a collective bargaining agreement between a district and its teachers may set forth specific additional grounds for termination or set forth provisions as to the procedure or notice, no agreement may limit the district's right to terminate or

refuse to renew the contract of a tenured or nontenured teacher for the grounds set forth in §§ 13-43-6.1 to 13-43-6.3, inclusive. No agreement may limit the protection afforded to a teacher under § 13-43-6.5.

Section 54. For purposes of this Act, the term, school year, means the regular school term as referenced in § 13-26-2.

Section 55. That § 13-3-73 be repealed.

~~—13-3-73. There is hereby created the teacher compensation assistance program within the Department of Education to provide funds to school districts for the purpose of assisting school districts with teacher compensation. School districts are eligible to receive funds from the teacher compensation assistance program based on their fall enrollment numbers. The department shall provide four fifths of the funds for the teacher compensation assistance program to each participating school district. The Board of Education shall promulgate rules, pursuant to chapter 1-26, to create an oversight board appointed by the secretary of education for approval of applications as well as guidelines for district applications based on district instructional goals, market compensation or other specific district requirements as approved by the department. Participation in the program is discretionary. District applications shall be approved by the local board of education. The applications shall be reviewed by the teacher compensation assistance program oversight board and shall be recommended to the Board of Education for final approval.~~

~~—The Legislature shall review the teacher compensation assistance program in 2012 to determine its effectiveness and to determine whether to continue the program.~~

Section 56. That § 13-3-74 be repealed.

~~—13-3-74. The Teacher Compensation Assistance Program Oversight Board shall annually monitor the progress of participating school districts with their teacher compensation assistance plans, and submit its findings to the Board of Education.~~

Section 57. That § 13-3-74.1 be repealed.

~~—13-3-74.1. There is hereby established the Teacher Compensation Assistance Program Advisory Council. The council shall be under the supervision of the Department of Education. The speaker of the House of Representative shall appoint three members of the House of Representatives to the council, including at least one member from each political party, and the president pro tempore of the Senate shall appoint three members of the Senate to the council, including at least one member from each political party. The Governor shall appoint the remaining members of the council, including at least one teacher, one school administrator, and one representative of a statewide education organization.~~

Section 58. That § 13-3-74.2 be repealed.

~~—13-3-74.2. The council shall examine how teacher quality and teacher salaries in the state can be enhanced, and how the funds appropriated in fiscal year 2010 and in subsequent fiscal years by the state for the teacher compensation assistance program established in § 13-3-73 can best be utilized to assist in that effort. The council shall consider a variety of issues surrounding teachers including market compensation, a tiered licensure system, a system for evaluating teachers, mentoring and induction programs for teachers, and continuing contracts for teachers.~~

Section 59. That § 13-3-74.3 be repealed.

~~—13-3-74.3. The council shall complete its work and the secretary of education shall~~

provide its recommendations to the Governor and to the Executive Board of the Legislative Research Council no later than November 15, 2008.

Section 60. That § 13-3-75 be repealed.

~~—13-3-75. The South Dakota Board of Education shall promulgate rules pursuant to chapter 1-26 establishing the application process; application timelines; the guidelines for district applications based on school district instructional goals or market compensation; and a system to monitor the progress of participating school districts with their compensation assistance plans and to ensure that each participating school district is complying with the plan as submitted to the board.~~

Section 61. That § 13-3-83.1 be repealed.

~~—13-3-83.1. Once all the school districts with approved applications have received their funding pursuant to § 13-3-73, the Department of Education may set aside from any funds remaining, a sum not to exceed one hundred thousand dollars from the teacher compensation assistance program appropriation for the purpose of providing grants to educational cooperatives and multi-district centers that employ teachers for public schools. The South Dakota Board of Education may promulgate rules, pursuant to chapter 1-26, to establish the granting process.~~

Section 62. The following groups shall, no later than January 15, 2013, provide a progress report to the Legislature outlining the work accomplished:

- (1) The Critical Teaching Needs Scholarship Board, established in section 2 of this Act;
- (2) The Local Teacher Reward Plan Advisory Council established in section 30 of this Act;
- (3) The Local Teacher Reward Plan Oversight Board established in section 32 of this Act;
- (4) The teacher evaluation work group appointed pursuant to section 40 of this Act; and
- (5) The principal evaluation work group appointed pursuant to section 45 of this Act.

Section 63. Sections 47 to 53, inclusive, of this Act are effective on July 1, 2016.

Section 64. There is hereby established the South Dakota Education Reform Advisory Council. The council shall advise upon the implementation of this Act, and shall examine further education reform issues including:

- (1) The advantages and disadvantages of initiatives designed to provide for increased compensation for teachers;
- (2) Future teaching areas of critical need, and solutions to recruit, retain, and train teachers in these critical need areas; and
- (3) Other ideas to improve student achievement.

The council shall report its initial findings to the Legislature and the Governor no later than December 1, 2012.

Section 65. The South Dakota Education Reform Advisory Council established in section 64 of this Act shall consist of the following members:

- (1) Three members of the Senate, including at least one member of each political party, appointed by the president pro tempore of the Senate;
- (2) Three members of the House of Representatives, including a member of each political party, appointed by the speaker of the House;

- (3) The secretary of the Department of Education, who will serve as chair;
 - (4) Three superintendents, jointly appointed by the president pro tempore of the Senate and the speaker of the House;
 - (5) Three principals, one each from an elementary school, a middle school, and a high school, jointly appointed by the president pro tempore of the Senate and the speaker of the House;
 - (6) Five teachers, jointly appointed by the president pro tempore of the Senate and the speaker of the House;
 - (7) Three school board members, jointly appointed by the president pro tempore of the Senate and the speaker of the House;
 - (8) One member of the Board of Regents, selected by the board;
 - (9) One representative of the postsecondary technical institutes, selected by the presidents of the respective institutions;
 - (10) One representative selected by the School Administrators of South Dakota;
 - (11) One representative selected by the South Dakota Education Association;
- and
- (12) One representative selected by the Associated School Boards of South Dakota.

Water Development Boards
General Election - November 6, 2012

East Dakota Water Development District Director

District 1

	John Moes	Vincent Flemming
Codington	4,020	3,776
Grant	908	829
<i>Total</i>	<i>4,928</i>	<i>4,605</i>

District 2

	Gary Duffy	John Weidler
Brookings	1,497	573
Deuel	751	461
Grant	178	104
Hamlin	989	549
Kingsbury	1,525	431
Lake	1,704	792
Miner	218	553
<i>Total</i>	<i>6,862</i>	<i>3,463</i>

James River Water Development District Director

District 4

	Leon Fredrichs	Gary Boomsma
Beadle	235	1,596
Miner	71	82
Sanborn	602	367
Spink	543	1,877
<i>Total</i>	<i>1,451</i>	<i>3,922</i>

West Dakota Water Development Director

District 4

	Larry D. Baker	Lavern E. Koch
Pennington	1,214	1,387
<i>Total</i>	<i>1,214</i>	<i>1,387</i>

Official Return

District 24 State Senate		
	Jeff Monroe	Tad Perry
Hughes	1,346	1,526
Hyde	132	51
Stanley	296	269
Sully	225	118
<i>Total</i>	<i>2,001</i>	<i>1,965</i>

Recount Return
Completed June 25, 2012

District 24 State Senate		
	Jeff Monroe	Tad Perry
Hughes	1,347	1,527
Hyde	132	51
Stanley	297	269
Sully	225	118
<i>Total</i>	<i>1,999</i>	<i>1,964</i>

Visit the Secretary of State web site at:

<http://www.sdsos.gov>

or



<http://www.facebook.com/SOSGant>



<http://www.youtube.com/SOSGant>



<http://www.twitter.com/SOSGant>