

Board of Elections
Notice of Public Hearing to Adopt Rules

A public hearing will be held in Dakota Digital Network locations at the State Capitol, 500 East Capitol, Room A, Pierre, SD 57501; University of South Dakota State University, 2205 Career Place, University Center Building, Sioux Falls, SD 57107; Redfield Department of Humans Services, 17267 W. 3rd Street, Redfield, SD 57469; Rapid City Department of Health, 909 E. St. Patrick Street #7 (Midland Shopping Center), Rapid City, SD 57709 and the Grant County Courthouse, 220 East 5th Ave., Milbank, SD 57252, on December 9, 2009 at 9:00 a.m. CST., to consider the adoption of proposed rules numbered:

5:02:03:16, 5:02:03:20, 5:02:04:04, 5:02:05:24, 5:02:06:21, 5:02:08:07, 5:02:08:08,
5:02:08:09, 5:02:08:11, 5:02:09:05, 5:02:10:01, 5:02:10:01.03, 5:02:10:04, 5:02:16:00
for amendment

The effects of the rules are to allow additional mailing options for certain notices, provide additional information in the notice of voter registration deadline, clarify retention provisions for certain notices, correct the ballot format for special districts, add a title and attorney general explanation to ballot question petitions, provide for representation area designation on school board petitions, clarify the use of a hand-count during a recount, add language to absentee voting materials to accommodate independents voting in the primary and military and overseas voters requesting voting materials electronically, and adding a definition for over vote.

The reasons for adopting the rules are to comply with federal and state statutory changes and to provide clarification.

Persons interested in presenting data, opinions, and arguments for and against the proposed rules may do so by appearing in person at the hearing or by sending them to the Secretary of State, 500 E. Capitol, Pierre, SD 57501. Material sent by mail must reach the Secretary of State on or before December 7, 2009 in order to be taken into consideration. The board may modify or amend a proposed rule to include or exclude matters that are described in this notice.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Secretary of State at least 48 hours before the public hearing if you have special needs for which special arrangements must be made. The telephone number for making special arrangements is (605) 773-3537.

Copies of the proposed rules are available at <http://www.sdsos.gov/electionsvoteregistration/boardofelections.shtm> or may be obtained without charge from the Election Department, Secretary of State's Office, 500 E. Capitol, Pierre, 57501.