

**Board of Elections**  
**Notice of Public Hearing to Adopt Rules and**  
**Help America Vote Act State Plan Discussion**

A public hearing will be held at 10:00am on June 4, 2015 at the SD Association of County Officials Building, 211 East Prospect, Pierre, SD to consider the adoption of proposed rules numbered:

5:02:05:02.01, 5:02:06:01, 5:02:08:11, 5:02:08:13, 5:02:08:23, 5:02:09:02.03,  
5:02:10.01, 5:02:19:05, for amendment; and 5:02:04:21

The effects of the rules are to provide additional instructions to voters on how to mark an optical scan ballot, allow the person in charge of the election to determine where the ballot stamp watermark is placed on the ballot, add residence address including city and zip code to the nominating petition for school board candidates, add city and zip code to the municipal candidate nominating petition, add aldermanic as a type of municipal government that can increase or decrease the number of wards on the petition form, add a notation to the general authority section to the administrative rule for approving electronic ballot marking systems, clarify what ballots can be requested on the absentee ballot application and what ballots can be requested to be emailed to military and overseas voters on the absentee ballot application, clarify who a recount petition is filed with, and repeal a notice of cancellation of election that is not required by statute.

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 June 3, 2015 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.

There will be a discussion on the Help America Vote Act (HAVA) local government grant program to assist County Auditors in complying with the HAVA requirements. The current version of South Dakota's HAVA State Plan is available at <https://sdsos.gov/elections-voting/assets/2014%20HAVA%20State%20Plan.pdf> or may be obtained without charge from the Election Department, Secretary of State's Office, 500 E. Capitol, Pierre, 57501.

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 <https://sdsos.gov/about-the-office/board-of-elections/default.aspx> or may be obtained without charge from the Election Department, Secretary of State's Office, 500 E. Capitol, Pierre, 57501.