

State Capitol | 500 East Capitol Avenue | Pierre, South Dakota 57501 | sdsos@state.sd.us | sdsos.gov

Board of Elections Minutes

The Board of Elections convened on November 15th, 2012, via the Dakota Digital Network with public space available in Pierre at 925 E. Sioux Avenue, the Capitol University Center in room 200M, in Rapid City at 501 E. St. Joseph Street, the South Dakota School of Mines and Technology in room 109 of the Classroom Building, and in Sioux Falls at 4801 N. Career Avenue, the University Center in room 145 of the Administration Building.

Secretary of State Gant called the meeting to order at 9:05 a.m.

Board members present: in Pierre: Secretary Jason Gant and Patty McGee; in Rapid City: Linda Lea Viken; in Clear Lake: Pam Lynde; and in Sioux Falls: Dick Casey and Chris Madsen (after 9:21 a.m.).

Others present: in Pierre: Pat Miller, Deputy Secretary of State, Sue Roust, Interim Director of Elections, Andrew Pietrus, Secretary of State's office, Julia Grenz, Brown County Auditor's office; in Rapid City: Lori Severson, Pennington County Auditor's office.

Board members absent: Matthew McCaulley.

Secretary Gant declared that a quorum was present, and noted that the vacancy on the Board of Elections due to the recent resignation of Cindy Schultz of Spink County had been filled by Patty McGee of Sully County.

Motion made by Lynde, seconded by Viken to approve the minutes of September 19th, 2012 board meeting.

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, McGee, and Gant

Nays: None

Excused: Madsen & McCaulley

Motion Carried.

A rules hearing was declared open at 9:07 a.m.

Open discussion on 5:02:05:02.01 at 9:07 a.m.

Motion made by McGee, seconded by Viken to approve 5:02:05:02.01.

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, McGee, and Gant

Nays: None

Excused: Madsen & McCaulley

Motion Carried.

Open discussion on 5:02:05:02 at 9:21 a.m.

Motion made by Casey, seconded by Lynde to approved 5:02:05:02.

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, McGee, and Gant

Nays: None

Excused: Madsen & McCaulley

Motion Carried.

Open discussion on 5:02:03:24 at 9:22 a.m.

Motion made by Viken, seconded by Casey to approve 5:02:03:24.

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, Madsen, McGee, and Gant

Nays: None

Excused: McCaulley

Motion Carried.

Open discussion on 5:02:03:13 at 9:30 a.m.

Motion made by Viken, seconded by Lynde to amend 5:02:03:13 to strike the word eard in paragraph 1 on page 14 and replace with the word form (four instances).

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, Madsen, McGee, and Gant

Nays: None

Excused: McCaulley

Motion Carried.

Motion made by McGee, seconded by Viken to approve 5:02:03:13 as amended.

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, Madsen, McGee, and Gant

Nays: None

Excused: McCaulley

Motion Carried.

Open discussion on 5:02:22:01 at 9:43 a.m.

Motion made by McGee, seconded by Madsen to approve 5:02:22:01.

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, Madsen, McGee, and Gant

Nays: None

Excused: McCaulley

Motion Carried.

Open discussion on 5:02:22:02 at 9:57 a.m.

Motion made by Viken, seconded by Casey to approve 5:02:22:02.

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, Madsen, McGee, and Gant

Nays: None

Excused: McCaulley

Motion Carried.

Open discussion on 5:02:22:03 at 9:58 a.m.

Motion made by Viken, seconded by Lynde to approve 5:02:22:03.

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, Madsen, McGee, and Gant

Nays: None

Excused: McCaulley

Motion Carried.

Open discussion on 5:02:06:24 at 9:59 a.m.

Motion made by Lynde, seconded by McGee to approve 5:02:06:24.

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, Madsen, McGee, and Gant

Nays: None

Excused: McCaulley

Motion Carried.

Open discussion on 5:02:03:01 at 10:01 a.m.

Motion made by Viken, seconded by Madsen to amend 5:02:03:01 to strike everything after the first sentence beginning with "It is recommended..." on page 23 to the bottom of page 25 "An alternative The voter registration form may shall be printed on 8.5 inch wide by 11 inch tall paper in the following format and contain the following information:" On the top of page 29 strike Application and replace with Form, strike Election Day on top and box 12 of the form and replace with the next election, in box 1 insert /Initial after Middle Name(s), in box 4 and 6 insert (Required) after Date of Birth and South Dakota Driver License Number, Amend "Would you like to be a pollworker

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precinct election worker on Election Day election day." On page 30 strike "Voter registration eards signed prior to January 1, 2009, may be on the form in effect July, 17, 2008."

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, Madsen, McGee, and Gant

Nays: None

Excused: McCaulley

Motion Carried.

Motion made by McGee, seconded by Madsen to approve 5:02:03:01 as amended.

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, Madsen, McGee, and Gant

Nays: None

Excused: McCaulley

Motion Carried.

The rules hearing concluded at 10:20 a.m.

General Election summary at 10:21 a.m.

Review of proposed legislation at 10:23 a.m.

Motion made by McGee, seconded by Viken to remove 12-19-2.1 from proposed legislation and to strike may or from 12-6-8.

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, Madsen, and Gant

Nays: McGee

Excused: McCaulley

Motion Carried.

Motion made by McGee, seconded by Viken to approve proposed legislation and to introduce at the request of the Board of Elections. (SDCL 12-4-36, 12-26-15, 12-5-1, & 12-6-8)

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, Madsen, McGee, and Gant

Nays: None

Excused: McCaulley

Motion Carried.

Motion made by Madsen, seconded by McGee to approve 12-19-2.1 as a separate board approved legislation.

Secretary Gant called for a roll call vote.

Ayes: McGee, Madsen, and Gant

Nays: Lynde, Viken, and Casey

Excused: McCaulley Motion did not carry.

Motion made by Viken, seconded by Madsen to request the Secretary of State to research alternative language to "serving a sentence" found in 12-4-18 with the Legislative Research Council and Unified Judicial Service. The Secretary will report back to the Board with suggestions for possible legislation.

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, Madsen, McGee, and Gant

Nays: None

Excused: McCaulley

Motion Carried.

The Board set a tentative date of Wednesday, December 19, 2012 at 9 a.m. CST for their

next meeting.

Motion made by Madsen, seconded by Lynde to adjourn.

Secretary Gant called for a roll call vote.

Ayes: Lynde, Viken, Casey, Madsen, McGee, and Gant

Nays: None

Excused: McCaulley

Motion Carried.

The Board adjourned at 11:30 a.m.

Jason M Gant Secretary of State

Andrew Pietrus, Recorder