



South Dakota Secretary of State
SHANTEL KREBS

**State Board of Elections Fall Meeting and
Proposed Legislative Changes Minutes**
Monday, October 19, 2015

SD Association of County Officials office building
211 East Prospect
Pierre, South Dakota

Conference Call Dial-in Information:
Dial-in Number is 866.410.8397
Conference Code is 2178377981

Secretary Krebs called the meeting to order at 10:04 am (central time).

Present via conference call: Cindy Brugman (Board of Elections member), Dick Casey (Board of Elections member), Drew Duncan (Board of Elections member), Pam Lynde (Board of Elections member), Linda Lea Viken (Board of Elections member), Laurie Martinec (SD Municipal League), CJ Moit (SD Advocacy Services)

Present in person: Secretary Shantel Krebs (Chair, Board of Elections), Kea Warne (Deputy Secretary of State, Election Services), Kristin Kellar (HAVA Coordinator), Rachel Schmidt (Election Coordinator), Christine Lehrkamp (State Election Coordinator), Tom Deadrick (Deputy Secretary of State, Business Services), Bret Healy (Four Directions, Inc.), Bob Mercer (press), Bob Litz (Minnehaha County Auditor) and Jerry Schwarting (Mellette County Auditor).

Board of Elections Members not able to attend: Mitch LaFleur

Quorum present

Motion to approve the minutes of June 15, 2015 meeting by Linda Lea Viken, second by Cindy Brugman. Roll call vote: Cindy Brugman- aye; Dick Casey – Aye, Drew Duncan – aye, Pam Lynde- aye; Linda Lea Viken – aye, Secretary Krebs- aye. Approved.

Secretary Krebs reviewed the proposed changes to the Help America Vote Act (HAVA) Grant parameters that had earlier been recommended by the HAVA Grant Board.

Drew Duncan asked if the changes were much different from what was originally in the parameters.

Shantel Krebs said that additions had been made. The HAVA Grant Board added more options to the In-Person Absentee Voting Satellite Location Parameters.

Drew Duncan asked if there were any groups that contested the extra parameters.

Shantel Krebs stated that there were no objections and clarified that the Board of Elections does not need to approve the HAVA Grant Board parameters but that she wanted to let them know that she had approved the new parameters.

Kristin Kellar gave an overview of the October 13-14 equipment testing for Election Systems & Software's updated version of the ExpressVote ballot marking device. Two officials from ES&S were present during the testing along with Kea Warne, Christine Lehrkamp, Kristin Kellar and Rachel Schmidt from the Secretary of State's election's division. The reason for the retesting of the equipment was due to an issue found in Maryland with their equipment and more software updates had been added. During the testing, 1,530 ExpressVote cards were marked using four ExpressVote Previewer's, which were then tabulated on a DS850 and DS200. The 1,530 cards were split between five precincts including a split precinct in Precinct One. The ballots for testing were at least 90% fully voted with the remainder containing overvoted and undervoted ballots. All of the testing was successful and met all requirements pursuant to codified law and administrative rule. Kristin Kellar stated that she would send out the certification of the equipment after the meeting.

Motion to approve the overview of the Election Systems & Software by Pam Lynde, second by Linda Lea Viken. Roll call vote: Cindy Brugman- aye; Dick Casey – Aye, Drew Duncan – aye, Pam Lynde- aye; Linda Lea Viken – aye, Secretary Krebs- aye. Approved.

The Board of Elections moved on to review the draft of the proposed legislation for the 2016 Legislative Session. Seventeen different items were listed in a packet that the board decided to go through one by one and vote on each change separately.

#1.

Shantel stated that the proposed changes were cleanup language by adding affidavit and signed by the petition sponsor(s).

Linda Lea Viken asked if the board needed to “form provided by the Secretary of State.”

Shantel Krebs stated that it is included later in the statute.

Dick Casey thought that form would need to be prescribed by rule. Also, questioned who is a sponsor and who in rule is included.

Linda Lea Viken asked about the process.

Shantel Krebs said that once the ballot question has been approved for circulation, the sponsors need to be included. The ballot question first goes through the Legislative Research Council where recommendations are made, then to the Attorney General where