

SECRETARY OF STATE

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Chris Nelson
Secretary of State

Teresa J. Bray
Deputy

Minutes State Board of Elections Meeting May 12, 2010

8:30 a.m. Central Time at State Capitol, 500 East Capitol, Rooms LCR 1 and 2, Pierre, SD 57501.

The meeting was called to order by chair Chris Nelson at 8:37 a.m. Central Time on May 12, 2010 with the following members responding:

Present

Chris Nelson
Matt McCaulley
Karen Layher
Cindy Schultz
Christopher Madsen
Linda Lea Viken

Absent

Dick Casey

Kea Warne, Election Supervisor; Teresa Bray, Deputy Secretary of State, Jennifer Headlee, HAVA Coordinator; Robert Kean, South Dakota Advocacy Services; Julie Pearson, Pennington County Auditor; Sam Ellingson, ACLU of SD; Shelly Pfaff, SDCCD; Shellie Baumgart, Hughes County Auditor; Bobbie Rank, Office of Attorney General; Fred Batz, Legislative Research Council; Bob Mercer,

Moved by Layher and seconded to approve the minutes of the April 5, 2010 meeting. Motion passed.

A rules hearing was declared open at 8:39 a.m. Central Time.

Moved by Viken and seconded to approve ARSD 5:02:03:24 to provide for a notice to removed felons. Moved to substitute by Viken and seconded for conditional approval. Motion passed. Conditions met for conditional approval on May 18, 2010.

Moved by Layher and seconded to approve the changes to ARSD 5:02:04:21 to include the name of incumbent and term length if no person filed for the municipal office. Motion passed.

Moved by Viken and seconded to approve the changes to ARSD 5:02:05:02 and 5:02:05:02.01 to include additional information regarding voting rights of persons convicted of a disqualifying felony and to include the phone number of the state's attorney in the publication of the instructions to the voters. Motion passed.

Moved by Madsen and seconded to approve the changes to ARSD 5:02:06:01 to clarify the format of the language for the Water Development District and Heartland Consumer Power District director races on the general election ballot. Motion passed.

Moved by Madsen and seconded to approve the changes ARSD 5:02:06:10 to clarify the format of the language for the Water Development District and Heartland Consumer Power District director races on the primary election ballot. Motion passed.

Moved by McCaulley and seconded to approve the changes to ARSD 5:02:06:15 to add the word "For" at the beginning of the line which lists the office and term length on the school district ballot. Motion passed.

Moved by Layher and seconded to approve the changes to ARSD 5:02:08:24 to amend the eligibility requirements in the declaration of candidacy on the water development district nominating petition. Motion passed.

Moved by Viken and seconded to approve ARSD 5:02:08:45 as amended to provide for the statement a person needs to submit to be a precinct committeeman or precinct committeewoman candidate. Motion passed.

Moved by McCaulley and seconded to approve the changes to ARSD 5:02:10:01 and approve ARSD 5:02:10:01.04. This provides for an application for absentee ballot form for stateside voters and another application for absentee ballot form for military and overseas voters. Providing two different applications will make it easier for a voter to complete the form. Motion passed.

Moved by Viken and seconded to approve the changes to ARSD 5:02:10:06 to change the information required in the absentee ballot log. Changes made to be included in the log: mailing address of the voter; regular or UOCAVA voter; date application received; email address of UOCAVA voter and voter registration address of voter. Motion passed.

Moved by Viken and seconded to approve the changes as revised to ARSD 5:02:16:44 to add uncounted absentee ballots to the provisional ballot return envelope. Motion passed.

Rules hearing concluded 9:44 a.m. Central Time.

Discussion and action was taken on recommendations to the Secretary of State on a couple of legislative proposals as follows:

Moved by Madsen and seconded to amend the terminology used for felony convictions (SDCL 12-18-10). Motion passed.

Moved by Layher and seconded to change the date of consumer power districts are required to submit their certification to the secretary of state (SDCL 49-36-3). Motion passed.

Moved by Madsen and seconded to adjourn at 9:51 p.m. Central Time. Motion passed.


Chris Nelson, Secretary of State


Kea Warne, Recorder